



Security Council

Distr.
GENERAL

S/17133
26 April 1985

ORIGINAL: ENGLISH

LETTER DATED 26 APRIL 1985 FROM THE PERMANENT REPRESENTATIVE
OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith a copy of the letter of Mr. Reza Amrollahi, the President of the Atomic Energy Organization of the Islamic Republic of Iran, to Dr. Hans Blix, the Director General of the International Atomic Energy Agency, concerning the repeated military attacks by the criminal Iraqi régime against the Bushehr nuclear power plant.

It would be highly appreciated if this letter and its annex were circulated as a document of the Security Council.

(Signed) Said RAJAIE-KHORASSANI
Ambassador
Permanent Representative

Annex

Dr. Hans Blix,
Director General
IAEA, Vienna

Subject: Blatant and Escalating Military Attacks of the Aggressive Regime of Iraq
Against Bushehr Nuclear Power Plant

Sir,

The events of the past twelve months compel me to prepare and submit the following summary which, whilst high-lighting the course of events for the information of those member states unaware of the details of the case, demonstrates the harsh reality that an august international body such as the IAEA is either totally impotent in observing and/or implementing its own adopted resolutions or else, and here more disturbingly, is strongly biased in its dealings with the relevant affairs of its various member states.

The decadent regime of Iraq, fully equipped with war materiel, donated by the powers of the east and the west, takes full advantage of all opportunities presented to it for devastating civilian targets in the Islamic Republic of Iran. Such opportunities are enhanced not only by the assistances of the super-powers but also by the tacit approval, and even encouragement, of the international organizations. The response of the IAEA, or rather the lack thereof, to the repeated military attacks of Iraq on Bushehr Nuclear Power Plant leads to the conclusion that such aggressions have created an inconvenient non-conformity between the atrocities of the aggressive regimes which are supported by the powers of the east and/or the west on the one hand and the internationally adopted resolutions or codes of conduct on the other. It is not surprising, therefore, that the supporting powers of the aggressive regimes, not being able to reconcile the actions of their surrogates with the internationally adopted resolutions, prefer to remain silent under the circumstances. A salient instance of such discrepancies and conflict of interests is demonstrated through the IAEA resolution GC(XXVII)/Res/407 as applied to the Iraqi military attacks on Bushehr Nuclear Power Plant.

What follows, together with the attached supporting documents, will clearly amplify the above statements.

The first Iraqi armed attack against Bushehr Nuclear Power Plant took place on 24 March 1984 with blatant disregard of IAEA resolution expressly prohibiting military attacks against nuclear installations intended for peaceful purposes. With this step Iraqis opened a new chapter in their atrocities against the Islamic Republic of Iran no doubt with the knowledge, as was to be clearly demonstrated later, that they enjoy the full support and tacit approval of the controlling powers within the relevant international institutions.

Following the normal procedures, and assuming that this is an affair to be dealt with by the IAEA, we wrote to you on 4 April 1984, and whilst referring to the relevant resolutions such as GC(XXII)/Res/409, Amendment No. 1 to the Geneva Convention of 1949, your own statement during the 27th regular session of the General Conference (Para. 2, Page 12) and also recalling the fundamental goals of the Agency as per Article 2 of the IAEA statute and the fact that the Islamic Republic of Iran is a signatory to the NPT thus accepting the IAEA safeguards, we requested, therefore, the convening of an extraordinary session of the IAEA Board of Governors in order to consider the necessary measures against the Iraqi violations which we were confident would be repeated if no immediate actions were taken by the Agency in this respect.

Upon the receipt of our letter you contacted the permanent representative of the Iraqi regime at the IAEA who predictably produced a denial of the reported event through a written statement addressed to you and dated 10 May 1984. On 11 May 1984 you replied to our letter of 4 April 1984, with the Iraqi denial statement attached, and while quoting Article 56 of the protocol No. 1 Additional to the 1949 Geneva Convention and also the "operative" paragraph 1 of Resolution 407 adopted in October 1983 by the General Conference of IAEA which prohibits all armed attacks against nuclear installations devoted to peaceful purposes, you conclude that: "... there are no sufficient grounds, in the present instance, for the Director General to convoke an extraordinary meeting of the Board". You added further that the chairman of the Board also confirms your views. However, you suggested that under Rule (c) of the provisional Rules of Procedure we would be at liberty to request the inclusion of the question of the attack in the provisional agenda of the then forthcoming regular June session of the Board.

It should be added that your main argument supporting your conclusion was the understanding that: "... the Bushehr Nuclear Power Plant is not completed and that there was no fissionable material present the release of which could be dangerous."

In reply to your letter of 11 May 1984 we wrote to you on 27 May 1984 and while amplifying our points of view we drew your attention to a number of photographs taken from the site of the attack and submitted to you by our permanent representative and requested the assignment of an IAEA mission for the inspection of the site of the attack. Furthermore, and under the circumstances, we requested the inclusion of the subject matter in the then forthcoming Regular Session of the Board of Governors.

Your telex of 28.5.1984 pointed out that: "Rule 17 of the Board's Rules of Procedures, requires that all matters proposed for the inclusion in the agenda by any member of the Agency shall be accompanied by an Explanatory Memorandum."

The text of the required "Explanatory Memorandum" was immediately transmitted to you via telex and also in a letter dated 31 May 1984. Needless to say our request for the delegation of a mission went unheeded.

We attended the 5 June 1984 Regular Session of the Board of Governors, however, and predictably, the request for the inclusion of our grievances in the

agenda of the session was rejected by an extremely rapid and obviously pre-orchestrated procedure with full harmony between the United States and Iraqi delegates and the Chairman of the Board.

We knew then, and later proved right, that this approach of the Agency will make the Baathist regime of Iraq more aggressive and blatant in their atrocities.

I pointed out in my speech during the 5 June session of the Board of Governors that the Board members should remember this attack and in case no retaliatory measures are adopted against the Iraqi regime then such attacks could be repeated. Indeed we were proved to be right.

In the course of the 28th General Conference of the Agency on 26 September 1984 I had the occasion to speak on the subject and while explaining the progressive view points of the Islamic Republic of Iran and its ideals I condemned the aggressions of the Israelis and the Iraqis in clear violations of IAEA resolutions and requested that the Director General should report on his efforts in implementing Resolutions 407 and 409.

As we had expected the Iraqi aggression was repeated for the second time on 12 February 1985, this time inflicting loss of life as well as material damages. The attack was, as in the first case, by air-to-surface missiles. The occurrence of the second attack was brought to your attention by our letter of 13 February 1985 in which we requested once again measures to be taken against the Iraqi regime and also an IAEA mission be allowed to visit the site of the attack. Again your response was evasive and far below our expectations and the standard Iraqi denials were produced through a written statement dated 15 February 1985 issued by the Embassy of Iraq in Vienna and addressed to you, and again the request for the assignment of an IAEA mission was ignored. Of course you pointed out that you had notified the representatives of the United Nations Secretary-General and had consulted with the Board members but apart from such standard bureaucratic efforts no effective measures emerged, no doubt to the heartfelt gratitude of the Iraqi regime. Confident of the immunity from IAEA and, therefore, armed with the tacit support of super-powers the Baathist regime of Iraq attacked for the third time the site of Bushehr Nuclear Power Plant on 4 March 1985, by firing missiles and causing more material damage. Again we informed you of this latest attack by a letter dated 5 March 1985.

Your reply telex of 8 March 1985 has left no doubt in our minds that we shall not receive any effective assistance from the IAEA in this respect and we hold you responsible for rendering the International Atomic Energy Agency impotent in enforcing its own Resolutions thus encouraging acts of aggression. For this, no doubt, those responsible will be held accountable in the face of humanity and justice and for allowing despotic regimes, such as that of Iraq, debasing the august objectives and ideals for which the IAEA stands thus transforming an international forum into an implement to be manipulated by the super-powers.

Finally, we would like to present a comment on your often-repeated argument that one of the reasons for the Agency's consent, or lack of response, to the above military attacks is the fact that Bushehr Nuclear Power Plant is not covered by the

Agency Safeguards. Please bear in mind that as signatories to the NPT we have accepted the Agency's safeguard procedures and, therefore, had Bushehr Nuclear Power Plant been completed as originally planned no doubt the said plant would have been provided with the relevant safeguard arrangements. As it happens Unit No. 1 of the said plant (the Plant being a double-unit) was to have been provisionally accepted on 1 December 1980. Therefore, the safeguard arrangements should have come into force by 1 December 1978. The construction of the Plant was suspended by the contractor on 13 February 1979. Considering the foregoing dates we do not believe that we should be discriminated against for the duties which should have been performed by the Agency but were somehow neglected.

Therefore, considering the above perhaps you would be good enough to explain to us, and indeed to all other independent member states which may one day be in the same position as we, the following:

- 1 - If the Iraqi regime is at full liberty to devastate our nuclear power plant, mainly for the reason that the plant is 85% complete instead of 100%, then why do you trouble yourself with the extraction of laughably inaccurate denial statements from them?
- 2 - Why do you refuse IAEA missions to inspect the site, an inspection which shall clearly expose the Iraqi's false denials?
- 3 - Why did the Agency fail in extending safeguard arrangements to Bushehr Nuclear Power Plant before the suspension of construction activities on 13 February 1979 whereas the said Plant was to have been provisionally accepted on 1 December 1980?
- 4 - Why does the Agency fail to perform one of its principal functions in this particular case?
- 5 - Why an aggressive regime, such as that of Iraq, is allowed, and indeed encouraged, to continue and even escalate its violations of the IAEA resolutions?
- 6 - Who is responsible for the loss of life of our site personnel, and the damages?
- 7 - Why do you allow your international organization, from whose facilities and powers all nations of the world should benefit, become a mere tool in political power games?

Whilst demanding clear explanations to the above questions we request also that this letter together with all its supporting documents be distributed amongst all member states and you, considering your principal responsibilities, take whatever steps needed to expel the regime of Iraq from the membership of the IAEA as a demonstration of the forcefulness of the Agency in implementing its own resolutions and also as a caution to all other aggressive states which may have been emboldened by your moderations in the past and which may be presently contemplating similar military attacks on the nuclear facilities of their neighbouring states.

8/17133

English

Page 6

Whilst appreciating in advance your future efforts in effective handling of the above matter you should recognize the fact that high offices sometimes demand treatment of complex and sensitive issues such as the above, the outcome of which can be a credit or otherwise to the occupant of such offices.

Please accept, Sir, my personal regards.

(Signed) R. AMROLLAHI

President

Atomic Energy Organization of Iran

