



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
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IN REPLY PLEASE REFER TO:
PRIERE DE RAPPELER LA REFERENCE:

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2003-06-20

Dear Congressman,

I refer to your letter of 4 June 2003 in which you requested information about interactions involving the IAEA on Iraqi efforts to procure uranium in Niger.

1. *Did the LAEA ask U.S. officials to see the documents underlying the allegation that Iraq attempted to obtain nuclear material from Niger?*

When the assertion was made in the media that the US Government had information that Iraq had attempted to obtain nuclear material from Niger, the IAEA asked the US Government, through its Mission in Vienna, to provide any actionable information that would allow it to follow up with the countries involved, viz Niger and Iraq. At the time the request was made, the IAEA was not aware of the documentary basis of the assertion. Earlier public remarks by the British Government about the export of nuclear material to Iraq from Africa had not been specific about which country was involved.

2. *If so, can you provide the dates that LAEA officials made requests to U.S. officials and the content of those requests?*

The request was made immediately after the first public reference by the US authorities to Iraq's alleged efforts to procure uranium from Niger, in the State Department Fact Sheet of 19 December 2002. This Fact Sheet was released shortly after the "currently, accurate, full, and complete declaration" by Iraq pursuant to UNSC resolution 1441.

3. *What responses did LAEA officials receive from U.S. officials regarding their requests?*

The representative of the US Government in Vienna provided the assurance that the Agency's request had been forwarded to Washington.

4. *Did U.S. officials comment on the credibility of the intelligence information that formed the basis for this allegation? If so, please describe what comments the LAEA received and when they were received.*

The information was provided without qualification.

Congressman Henry A. Waxman
Ranking Minority Member
Congress of the United States
House of Representatives
Committee on Government Reform
2157 Rayburn House Office Building
Washington, DC 20515-6143

5. *On what date did IAEA officials receive intelligence documentation regarding these allegations? Who provided these documents? Were any assessments, qualifications, explanations, or warnings provided with the documents? If so, please describe what comments the IAEA received and when they were received.*

The documents were provided in early February to the Agency's Iraq Nuclear Verification Office (INVO) by the US Government. No specific comments were provided with the documents.

6. *Upon your receipt of these documents, what process did IAEA officials utilize in assessing the documents provided? How long did they take to arrive at their conclusion that the documents were not authentic? What were the bases for your conclusion that the documents were not authentic?*

Senior IAEA/INVO officials reviewed the documents to determine what information they contained that could be followed up, particularly through investigative actions in Iraq. Iraq was subsequently asked to provide all possible information regarding interaction between Iraqi officials and Niger.

The documents which included an agreement for the delivery of two lots of 500 tons each of uranium over two years, were treated with due seriousness because:

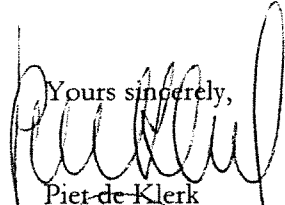
- other States had also indicated that they were aware of Iraqi efforts to import uranium from Africa,
- Iraq had imported uranium from Niger in the 1980's.

After approximately ten days, it became clear that the alleged contract in all likelihood could not have been honoured, as the export of uranium from Niger is fully controlled by international companies. Thereupon the documents were scrutinized more closely to assess their veracity. Open-source information cast serious doubt on the documents. Key anomalies included:

- In an alleged letter dated 27 July 2000, the President of Niger refers to the Constitution of 12 May 1965, whereas the constitution in place in 2000 was dated 9 August 1999;
- A letter, allegedly signed by the Foreign Minister of Niger on 10 October 2000, bears the signature of Mr. Allele Elhadj Habibou, who was Foreign Minister in 1988 - 89;
- The use of obsolete letterhead, including the wrong symbol for the Presidency, and references to temporary state bodies, such as the Supreme Military Council and the Council for National Reconciliation, incompatible with the dates of the alleged correspondence;

- The reference in the agreement to an “ordonnance n° 74-13” of 5 July 2000, while the real “ordonnance n° 74-13” is dated 23 August 1974.

I trust this is helpful.

Yours sincerely,

Piet de Klerk
Director
Office of External Relation and
Policy Co-ordination