

Information Circular

INFCIRC/1076

Date: 28 February 2023

General Distribution

Original: English

Communication dated 27 February 2023 received from the Permanent Mission of Ukraine to the Agency

1. The Secretariat has received a Note Verbale dated 27 February 2023 from the Permanent Mission of Ukraine to the Agency.
2. As requested, the Note Verbale is herewith circulated for the information of all Member States.



Permanent Mission of Ukraine
to the International Organizations
in Vienna

Wallnerstrasse 4,
1010, Vienna,
Republic of Austria

(+431) 479 7172,
pm_io@mfa.gov.ua

№ 4131/36-197-21661

The Permanent Mission of Ukraine to the International Organizations in Vienna presents its compliments to the Secretariat of the International Atomic Energy Agency and has the honour to communicate the following.

During 01-20 February 2023, the following events violating pillars of nuclear safety and security took place at the Zaporizhzhia NPP temporary occupied by the Russian armed forces and Rosatom:

Physical integrity (pillar 1):

On the roof of the power unit №5 of the Zaporizhzhia NPP, the Russian military set up a machine gun position. In addition, several roadblocks were placed at all entrances to the overpasses through which personnel get directly to the power units.

The Russian occupiers continue to erect fortifications and build military structures around the power units of the NPP and the dry storage of spent nuclear fuel.

In addition, some premises of the Zaporizhzhia NPP, in particular the information and crisis centre, cannot be used for their intended purpose due to the illegal stationing of the Russian military there.

The Zaporizhzhia NPP industrial site continues to be subject to periodic shelling by the Russian armed forces, and the overhead lines of communication with the energy system of Ukraine have suffered significant damage.

Such actions violate Ukraine's national as well as international norms of nuclear and radiation safety, in particular: NP 306.2.106-2005 "Requirements for Modification of Nuclear Installations and Procedure for Safety Assessment)" and paragraph 4.44 of the IAEA Safety Standard No. GSR Part 1 (Rev. 1) "Governmental, Legal and Regulatory Framework for Safety", according to which "any proposed modification that might significantly affect the safety of a facility or activity shall be subject to a review and assessment by the regulatory body".

Secretariat
International Atomic Energy Agency
Vienna

Personnel (pillar 3):

The Russian occupiers brought Russian personnel of the Kalininskaya NPP to the Zaporizhzhia NPP with the intention to conduct their training at the facilities of the Ukrainian nuclear power plant.

Among those Russian outsiders illegally brought to the site of the Zaporizhzhia NPP the following representatives of Rosatom were identified: reactor control engineers, shift supervisors, electrical fitters and others.

Ukrainian instructors refused to cooperate with the above-mentioned outsiders, as a result of which the Russian occupiers blocked their access to workplaces.

Approximately on 19 February 2023, more than 600 Russian mobilized combatants and cadets arrived at the territory of the Zaporizhzhia NPP.

They were illegally placed in the bomb shelter of the factory of non-standard equipment, which is located within the sanitary protection zone of the plant. Previously, approximately 500 Russian military personnel were already stationed directly at the Zaporizhzhia NPP.

The increased presence of the Russian military in the area of the Zaporizhzhia NPP creates additional pressure on the Ukrainian operating staff, which constitutes a violation of the third IAEA pillar of nuclear safety and security ("The operating staff must be able to fulfil their safety and security duties and have the capacity to make decisions free of undue pressure").

As a result of persistent violations of nuclear safety and security conducted by the Russian occupiers at the site of the Zaporizhzhia NPP, on 10 February 2023 the State Nuclear Regulatory Inspectorate of Ukraine banned the operation of power units №№ 3, 4, 5 and 6 at energy capacity levels.

All above-mentioned actions by the Russian occupiers violate indispensable pillars of safety and security and constitute persistent violations of the IAEA Statute.

They are also in absolute contradiction to the IAEA Board of Governors resolutions GOV/2022/17 of 3 March 2022, GOV/2022/58 of 15 September 2022 and GOV/2022/71 of 17 November 2022 "The safety, security and safeguards implications of the situation in Ukraine".

The Permanent Mission of Ukraine requests the Secretariat of the International Atomic Energy Agency to promptly circulate this Note Verbale as Information Circular to all IAEA Member States.

The Permanent Mission of Ukraine to the International Organizations in Vienna avails itself of this opportunity to renew to the International Atomic Energy Agency the assurances of its highest consideration.



Vienna, 27 February 2023