

**Security Council**

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Letter dated 10 December 2021 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I am writing to you to transmit the following views and observations of the Islamic Republic of Iran concerning the twelfth report of the Secretary-General on the implementation of Security Council resolution [2231 \(2015\)](#) (S/2021/995):

1. On 8 May 2018, the United States unlawfully and unilaterally withdrew from the Joint Comprehensive Plan of Action (JCPOA) and reimposed all sanctions lifted in connection with the JCPOA while the Islamic Republic of Iran was in full compliance with its commitments thereunder. This unlawful and irresponsible act has been universally rejected. For a full year following the United States withdrawal and unfulfilled promises by the E3/EU, Iran continued with the full implementation of all its commitments, as confirmed by the International Atomic Energy Agency (IAEA), as reflected in the five consecutive reports of its Director General between May 2018 and June 2019. Eventually, a year after the reimposition of sanctions and in the face of inaction by the E3/EU to provide practical solutions to rectify the violation of the Plan by the United States, Iran was left with no choice but to exercise its legitimate rights under paragraphs 26 and 36 of the JCPOA to cease implementing some confidence-building measures. All of Iran's steps are remedial measures without prejudice to its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and its safeguards agreement and are reversible as soon as Iran's benefits as stated in the Plan are secured.

2. We take note of paragraph 3 of the report containing the Secretary-General's appeal "to the United States to lift or waive its sanctions as outlined in the Plan, to extend the waivers with regard to the trade in oil with the Islamic Republic of Iran and to fully renew waivers for nuclear non-proliferation projects in the framework of the Plan". The lifting of sanctions in an effective manner and the normalization of Iran's trade and economic relations constitute an essential part of the JCPOA and the delicate balance of reciprocal commitments therein, without which the JCPOA is meaningless. In violation of the Plan and Security Council resolution [2231 \(2015\)](#), the new Administration of the United States has continued the application of full-fledged unilateral sanctions and its maximum pressure policy against Iran, while expressing its interest in restoring the JCPOA. However, it has refrained from effective actions to restore its commitments under the JCPOA and therefore the United States remains in grave violation of its commitments under the JCPOA, resolution [2231 \(2015\)](#) and international law.

3. Unfortunately, the report has once again placed the continued systematic "significant non-performance" of the United States with its legal obligations under



the JCPOA and resolution [2231 \(2015\)](#) on a par with the reduction by Iran of the implementation of its nuclear-related commitments, while the measures taken by Iran and the United States are totally different in nature as well as context and Iran's measures are remedial and conducted in full accordance with the rights "explicitly" mentioned under paragraphs 26 and 36 of the JCPOA.

4. In this regard, the report regrettably continues to disregard the root causes of the current situation as well as the negative effects of the unilateral sanctions on Iran. These illegal measures have drastically deterred firms, banks and financial institutions from engaging in commercial and financial transactions with Iran. The report is also completely silent on the introduction by the United States of new sanctions during the reporting period, all of which are in violation of the Plan and resolution [2231 \(2015\)](#).

5. Iran has continued its constructive cooperation with IAEA in good faith. In this regard, Iran has continued its voluntary engagement with IAEA and has concluded and duly extended an interim bilateral agreement with IAEA to facilitate the maintenance of continuity of knowledge of the Agency.

6. During the talks within the JCPOA Joint Commission between April and June 2021, as well as in late November and early December 2021, Iran actively engaged with the remaining JCPOA participants for the United States' return to full compliance with its commitments under the JCPOA and resolution [2231 \(2015\)](#).

7. Iran fully supports the continuation of results-oriented talks. The United States must demonstrate its goodwill and implement all its obligations under the Plan and resolution [2231 \(2015\)](#) and remove all sanctions in an effective and verifiable manner. The United States must also provide guarantees to Iran and other members of the international community that it will not withdraw from the agreement again or abuse the procedures set out in the JCPOA and resolution [2231 \(2015\)](#).

8. In paragraph 7 of the note by the President of the Security Council dated 16 January 2016 ([S/2016/44](#)), it clearly explains the Secretariat's mandate on the implementation of resolution [2231 \(2015\)](#), which is limited to the "administrative support" of the Security Council, and emphasizes that any other task shall be performed "upon request from the Security Council". The Council has never requested any additional tasks.

9. In paragraph 4 of the report, a reference has been made to "issues not related to the Plan". It is quite obvious that such issues are completely and clearly outside the purview of resolution [2231 \(2015\)](#) and, by far, beyond the scope of the report and the mandate entrusted by the Security Council to the Secretariat in connection with resolution [2231 \(2015\)](#) and, consequently, must have not been included in the report.

10. Unfortunately, the Secretariat has continued to engage in activities beyond its mandate while it has neither the technical capacity and expertise nor mandate to conduct activities and visits as stated in paragraphs 20, 21, and 22 of the report. Therefore, any finding or assessment by the Secretariat in this regard will remain null and void.

11. The report has also continued to reflect unsubstantiated claims against Iran made by certain quarters in the region which have blatantly utilized each and every means to prevent the realization of the JCPOA's goals and even to destroy it. The inclusion of such claims in the report, including a reference to "Iranian UAVs" in paragraph 21, raises serious questions about the impartial approach of the report. In this context, the information provided by the Israeli regime by no means fits within the thresholds of resolution [2231 \(2015\)](#) and paragraph 4 of its annex B.

12. The Islamic Republic of Iran rejects the attempts to make arbitrary interpretation of paragraph 3 of annex B to resolution [2231 \(2015\)](#) to deceptively establish a link between that paragraph and the launches by Iran of ballistic missiles and space launch vehicles. None of Iran's missiles has been "designed to be capable" of delivering nuclear weapons. Iran's space launch vehicles are designed and developed exclusively for placing satellites into orbit. Therefore, the launches of ballistic missiles and space launch vehicles by Iran are completely outside the purview of resolution [2231 \(2015\)](#).

13. On the negotiating history of resolution [2231 \(2015\)](#), particularly the inclusion in paragraph 3 of annex B thereto of the phrase "designed to be capable", it must be underlined that the addition of the phrase "designed to be" to the wording "capable of delivering nuclear weapons" used in the already terminated Security Council resolution [1929 \(2010\)](#) was a deliberate modification following lengthy negotiations to exclude Iran's defensive missile programme that is "designed" to be exclusively capable of delivering conventional warheads. This substantive point can, in no way, be disregarded.

14. Paragraph 3 of annex B to resolution [2231 \(2015\)](#) has not defined the term "ballistic missile". Likewise, in the absence of any universal norm on ballistic missiles, any attempt to portray the Missile Technology Control Regime – which is an exclusive "informal political understanding" among only 35 States and its criteria are not legally binding even for its members – as the universally agreed definition is completely misleading, unprofessional and suspicious.

15. The development of ballistic missiles and space launch vehicles is an inherent right under international law and is neither prohibited nor limited by resolution [2231 \(2015\)](#). The Islamic Republic of Iran is determined to resolutely continue its activities related to ballistic missiles and space launch vehicles, both of which are necessary for preserving its security as well as its socioeconomic interests.

We reject the allegations and disinformation contained in the report, including those in paragraphs 9, 11, 12, 15, 20, 21, 22 and 23. Allowing certain quarters to further abuse the process of preparing the Secretary-General's report on the implementation of resolution [2231 \(2015\)](#) to pursue the disinformation campaign against Iran runs the risk of seriously undermining and eroding the integrity and credibility of the report.

In conclusion, I would like to stress that the statement of the Islamic Republic of Iran following the adoption of resolution [2231 \(2015\)](#), which is reflected in the annex to document [S/2015/550](#), and the positions contained therein, remain valid as they are as relevant today as they were before.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Majid **Takht Ravanchi**
Ambassador
Permanent Representative