



Security Council

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Letter dated 24 June 2020 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

The views of the Islamic Republic of Iran with regard to the ninth report of the Secretary-General on the implementation of Security Council resolution [2231 \(2015\)](#) ([S/2020/531](#)) are hereby presented:

(a) In paragraph 1 of his report, the Secretary-General underlined that “it is essential that the Plan continue to work for all its participants” and “to secure tangible economic benefits for the Iranian people”. As he highlighted in his eighth report ([S/2019/934](#)), “an essential part of the Plan is the lifting of nuclear-related sanctions on the Islamic Republic of Iran, allowing for the normalization of trade and economic relations”. However, the United States unlawful unilateral sanctions, in violation of resolution [2231 \(2015\)](#), have rendered the Iranian benefits from the Joint Comprehensive Plan of Action almost completely inaccessible;

(b) In paragraph 3 of his report, the Secretary-General noted that, “since May 2018, the United States has reimposed all of its national sanctions that had been lifted or waived pursuant to the Plan and has continued to implement its decision not to extend waivers with regard to the trade in oil with the Islamic Republic of Iran” and that “these actions continue to be contrary to the goals set out in the Plan and in resolution [2231 \(2015\)](#)”. Not only are those unlawful acts against the overall objectives of resolution [2231 \(2015\)](#) and fully defy the approach and desire of the Security Council in building a “new relationship with Iran strengthened by the implementation of the JCPOA and to bring to a satisfactory conclusion its consideration of this matter”, but also they utterly violate the provisions of the resolution, including its annexes. The Joint Comprehensive Plan of Action is under serious threat as a result of such actions. While the Secretary-General is expected to report thoroughly on those wrongful acts, under the current situation, the Security Council must also address all violations of the resolution by the United States. For these purposes, a comprehensive list of the United States sanctions reintroduced or imposed in violation of resolution [2231 \(2015\)](#) was attached to the letter dated 8 May 2020 from the Minister for Foreign Affairs of the Islamic Republic of Iran addressed to the Secretary-General ([A/74/850-S/2020/380](#));

(c) During the reporting period, the Minister for Foreign Affairs of the Islamic Republic of Iran wrote three important letters to the Secretary-General ([A/74/747-S/2020/201](#), [A/74/850-S/2020/380](#) and [A/74/860-S/2020/413](#)), which were directly related to the implementation of resolution [2231 \(2015\)](#) or the challenges that it has faced. It is unacceptable that the Secretariat has entirely ignored the observations and comments contained in those official communications;

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(d) In paragraphs 3, 10 and 16 of his report, the Secretary-General noted that the United States unilaterally sanctioned “all remaining Joint Comprehensive Plan of Action-originating nuclear projects in Iran”. As elaborated in my letter dated 12 June 2020 (A/74/891-S/2020/535), this action, as well as previous policies and illegal measures of the United States, are intended to substantially prevent Iran, other participants in the Joint Comprehensive Plan of Action and other States Members of the Organization, as well as regional and international organizations, from implementing their obligations under resolution 2231 (2015). It is expected that these violations will be thoroughly addressed in the next report of the Secretary-General;

(e) Iran’s steps referred to in paragraphs 2, 4 and 5 of the report are fully consistent with the provisions of the Joint Comprehensive Plan of Action and resolution 2231 (2015) and undoubtedly “advance the goals set out” therein. As a result of the reimposition of United States sanctions since May 2018, Iran has been deprived of the benefits of sanction-lifting under resolution 2231 (2015). Iran exercised restraint in good faith and exhausted all recourses for one year. However, in the wake of the United States action on 8 May 2018 and the consequent utter failure by the E3/European Union in their commitments, Iran was left with no option but to exercise its rights under paragraphs 26 and 36 of the Joint Comprehensive Plan of Action to cease performing its commitments in part on 8 May 2019. This action followed a full year of relentless efforts by the Government of the Islamic Republic of Iran to exhaust the dispute resolution mechanism – which it officially and unequivocally initiated on 10 May 2018 – without having to resort to remedial measures under paragraph 36. The Islamic Republic of Iran remains prepared to continue dialogue at all levels to ensure the full implementation of the Joint Comprehensive Plan of Action;

(f) “The Instrument in Support of Trade Exchanges”, mentioned in paragraph 6, was designed to facilitate trade with Iran consistent with E3/European Union commitments under the Joint Comprehensive Plan of Action. However, it has yet to prove its efficiency, as to date only one transaction of some hundred thousand euros has gone through this mechanism one year and a half after its inception;

(g) The statement referred to in paragraph 5 of the report with regard to the announcement of France, Germany and the United Kingdom “that they had referred the matter to the Joint Commission under the dispute resolution mechanism” is misleading. Such referral without preliminary settlement of issues arising from multiple cases of already substantiated significant non-performance by the United States and E3/European Union is groundless in fact or law;

(h) It is of substantive importance to note that, according to the International Atomic Energy Agency (IAEA), Iran’s peaceful nuclear energy programme is continuously scrutinized by the “most robust” monitoring and verification of the Agency. In 2019 alone, Iran received 20 per cent of IAEA total inspections and provided IAEA with 73 per cent of the total complementary accesses that have been provided by States where safeguards and the Additional Protocol are in force. This fact alone makes perceived non-proliferation risks materially irrelevant. Moreover, even in his recent report, the Director General of IAEA states that “the Agency continues to verify the non-diversion of declared nuclear material ... by Iran under its safeguards agreement” and, with regard to Iran’s remedial measures, “the Agency has not observed any changes to ... the level of cooperation by Iran”;

(i) In accordance with paragraph 7 of the note by the President of the Security Council (S/2016/44), in which “the Security Council requests that the Secretary-General report to the Security Council every six months on the implementation of resolution 2231 (2015)”, the Secretariat is expected to report on the implementation of the resolution in its entirety. It shall be recalled that the note sets forth practical

arrangements and procedures for carrying out tasks related to the implementation of resolution 2231 (2015), including but not limited to those specified in annex B. Shrinking the scope of the mandate entrusted to the Secretariat, which is to report on the resolution as a whole, to only one part of that resolution, namely its annex B, is but a clear arbitrary interpretation of that mandate. Therefore, violations of resolution 2231 (2015) and its annexes, including annex A, by the United States shall be reported in detail. However, the focus of the current report “on the provisions set forth in annex B to resolution 2231 (2015)” does not provide a full and balanced picture of the situation. As elaborated in Iran’s letters dated 17 July 2016 (S/2016/626), 18 January 2017 (S/2017/51), 29 June 2017 (S/2017/560), 19 December 2017 (S/2017/1075), 26 June 2018 (S/2018/634), 11 December 2018 (S/2018/1108), 25 June 2019 (S/2019/524) and 18 December 2019 (S/2019/959), any report on the implementation of the resolution shall include the resolution and its annexes, including annex A, namely the Joint Comprehensive Plan of Action;

(j) Resolution 2231 (2015) was not meant to impose sanctions against Iran. Rather, through this resolution, the Security Council terminated all sanctions imposed by previous resolutions and further expressed “its desire to build a new relationship with Iran”. The temporary arrangements in paragraphs 5 and 6 (b) of annex B to the resolution were set only to authorize, on a case-by-case basis, the supply, sale or transfer of arms or related materiel to or from Iran. Nevertheless, owing mainly to the United States’ bullying and wrongful acts, to date not even a single authorization has been granted by the Security Council, and, as a result, those mechanisms have remained ineffective. Therefore, the Secretary-General and the Security Council are once again invited to address related concerns and ensure that the arrangements are operational. Such concerns were expressed in Iran’s letters dated 28 August 2017 (S/2017/739), 19 December 2017 (S/2017/1075), 26 June 2018 (S/2018/634), 11 December 2018 (S/2018/1108), 25 June 2019 (S/2019/524) and 18 December 2019 (S/2019/959);

(k) Paragraphs 11, 12, 13, 14, 23, 24, 25, 27, 28, 29, 32, 33, 35, 36 and 37 of the report indicate that the Secretariat has continued unauthorized engagement in the so-called verification visits and measures “to examine” allegations regarding the implementation of annex B to the resolution. They are all contrary to paragraphs 6 and 10 of the note by the President of the Security Council (S/2016/44), and, as stated on previous occasions, the findings or recommendations emanating from such non-mandated and unprofessional activities lack legitimacy and credibility and thus are null and void;

(l) Moreover, the Secretariat not only has no mandate to verify the allegations of actions purportedly inconsistent with the resolution, but also lacks the required technical capacity to do so. Such a complicated and delicate domain requires necessary expertise, experience and transparency with a clear code of conduct, none of which is available within the relevant section of the Secretariat that covers resolution 2231 (2015). For instance, the comments of the Islamic Republic of Iran, as the State concerned, have not been taken into account and are not even properly reflected in the report;

(m) In several cases, the report relies only on disinformation provided by certain countries with clear ill intentions regarding Iran. While maximum caution shall be used to deal with such disinformation, it has surprisingly been taken at face value and, in some cases, the chain of custody was not even checked;

(n) The report shall be factual and objective. However, disappointingly, the Secretariat has continued to gather unreliable information from media and open sources in a manner inconsistent with the principle of professionalism. In the absence of reliable technical information, such unverified media information has been the sole basis for some of the key findings and recommendations of the report;

(o) The Secretariat has no mandate to act like a panel of experts of a sanctions committee, as resolution [2231 \(2015\)](#) does not have sanctions implications. The Secretariat's tasks are described in detail in paragraph 6 of the note by the President of the Security Council ([S/2016/44](#)). It has also been made clear that "any other task" to support the implementation of the resolution shall be "upon the request of the Security Council";

(p) The so-called key findings and recommendations contained in paragraphs 11, 13 and 14, as well as the assessments in paragraphs 35 and 37, are entirely flawed. It has long been recognized in international law that claims involving charges of high gravity must be proved by fully conclusive evidence. Such charges require "a proper degree of certainty" and a standard, which should leave no room for reasonable doubt. For instance, the assessment that "cruise missiles and/or parts thereof ... were of Iranian origin" is drawn from:

(i) The claim that "two fuel pressure sensors ... were exported to its distributor in the Islamic Republic of Iran". These items, owing to their simple structure and very common use, including in agricultural and industrial fields, are mass produced by many countries. As such, they can certainly be copied and their serial numbers easily forged. Moreover, these items, which are not even dual-use items to be monitored by the Government, are claimed to be exported to a private company with no affiliations, whatsoever, to the Government. Most of these facts were not taken into account, and the Secretariat, in an unprofessional manner, even refused to properly include Iran's comments in order to present a balanced approach in the report;

(ii) The claim that "the jet engines ... are similar ... to an Iranian jet engine" and "the control mechanism, ... the navigation module ... and some of the electronics ... show similarities ... to those of the Iranian short-range ballistic missile". In the absence of solid reliable technical information and a chain of custody, which is vital to conduct a professional review of this highly sophisticated technical item, it would be unprofessional if only some media-based images of the external appearance of an item are used to verify and conclude that there are alleged similarities between certain items. Moreover, mere general similarities shall not lead to any conclusion regarding their origin;

(q) The terrorist attack by the armed forces of the United States of America, which led to the horrific assassination of Major General Qasem Soleimani, the Commander of an official branch of the armed forces of the Islamic Republic of Iran, is reflected in the report in an appalling manner. In recent years, and in accordance with the obligations of the Islamic Republic of Iran under international law and relevant resolutions of the Security Council on combating international terrorism, Major General Qasem Soleimani had played a significant role in helping the peoples and Governments of some regional countries, at their request, in combating and defeating the most dangerous terrorist groups, such as Daesh, and other terrorist groups and entities designated by the Security Council. Such sacrifices have been widely acknowledged by terrorist-affected nations in the region;

(r) In paragraph 45 of the report, the Secretariat indicated that it is reviewing information provided by the United States regarding "a possible financial transaction involving a subsidiary of an entity on the list maintained pursuant to resolution [2231 \(2015\)](#)". The Secretariat is advised that the United States has already attempted to amend the list, inter alia, for the inclusion of new entities under the pretext of subsidiaries, which was finally rejected by the Security Council. Furthermore, the list is exclusive and there is no provision regarding companies other than those explicitly mentioned.

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
