



## Security Council

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### Letter dated 18 December 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 tenth report of the Secretary-General on the implementation of Security Council resolution [2231 \(2015\)](#) ([S/2020/1177](#)) are hereby presented:

(a) In paragraph 1 of his report, the Secretary-General underlined “the importance of the Plan working for all, including by providing tangible economic benefits for the Iranian people”. However, the United States’ unilateral sanctions, in violation of resolution [2231 \(2015\)](#), have rendered the Iranian benefits from the Joint Comprehensive Plan of Action (JCPOA) almost completely inaccessible. Some of those unlawful measures – introduced in the past six months – were communicated to the Secretary-General in my letter dated 12 October 2020 ([S/2020/1000](#));

(b) In paragraph 3 of his report, the Secretary-General noted that “the reimposition by the United States of all its national sanctions, which had been lifted or waived pursuant to the Plan, is contrary to the goals set out in the Plan and in resolution [2231 \(2015\)](#)” and “other steps taken by the United States to restrict activities allowed within the framework of the Plan may also impede the ability of the Islamic Republic of Iran and other Member States to implement certain provisions of the Plan and of the resolution”. A long list of the United States’ inhumane sanctions against Iran during the Trump Administration was attached to the letter dated 20 August 2020 from the Minister for Foreign Affairs of the Islamic Republic of Iran addressed to the President of the Security Council ([S/2020/814](#), annex). Those unlawful acts are against the overall objectives of resolution [2231 \(2015\)](#) and violate its provisions. They also 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”. In this context, the United States’ view on termination of “the relevant provisions relating to the implementation of the Plan contained in resolution [2231 \(2015\)](#)” mentioned in paragraph 3 of the report is entirely irrelevant and illegal, as it was unequivocally rejected by 13 Security Council members;

(c) Iran’s steps referred to in paragraphs 4 and 5 of the report are fully consistent with the provisions of the Joint Comprehensive Plan of Action and resolution [2231 \(2015\)](#). In the wake of the United States’ action on 8 May 2018 and its unlawful sanctions, as well as the utter failure by the E3/EU to implement 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. This action followed a full year of relentless efforts in good faith by the Islamic Republic of Iran to exhaust the dispute



resolution mechanism. The Islamic Republic of Iran underlines the need for the full and unconditional implementation of the Joint Comprehensive Plan of Action. Accordingly, Iran's unilateral "return to full implementation of the Plan", as requested in the report, is neither plausible nor acceptable. It is expected that the Secretary-General treats the positions of both sides equally in his report;

(d) Moving away from past practice, the Secretariat has initiated a new approach in paragraph 4 of the report with regard to the reporting on the implementation of commitments under annex A to resolution [2231 \(2015\)](#). 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](#)), 18 December 2019 ([S/2019/959](#)) and 24 June 2020 ([S/2020/583](#)), 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. However, this reporting shall be impartial, comprehensive and professional. It shall include commitments of all JCPOA participants;

(e) The Islamic Republic of Iran's recourse to the dispute resolution mechanism on 3 July 2020, which is mentioned in paragraph 5 of the report, was among several similar attempts made in good faith to bring the United States and the E3/EU back to full compliance. Pursuant to those attempts, "the steps taken by the Islamic Republic of Iran in relation to its nuclear commitments under the Plan" were remedial in nature. As elaborated in my letter dated 24 June 2020 ([S/2020/583](#)), invoking the dispute resolution mechanism without the preliminary settlement of issues arising from relevant cases of already substantiated significant non-performance by the United States and the E3/EU is groundless in fact and law;

(f) As explained in paragraph 7 of the report, 13 members and three consecutive presidents of the Security Council unambiguously rejected the United States' claim regarding the reapplication of the provisions of terminated resolutions. The United States took extensive unlawful measures to terminate its participation in the JCPOA. It also reimposed all United States sanctions lifted in connection with the JCPOA, thus committing multiple cases of "significant non-performance" under the JCPOA, in flagrant contravention of resolution [2231 \(2015\)](#). Having repeatedly exhausted the dispute resolution mechanism, Iran ultimately exercised its rights under paragraphs 26 and 36 of the JCPOA to apply remedial measures. Those remedial steps, which are the direct result of the wrongful acts of the United States, cannot constitute a basis to invoke procedures under paragraph 11 of the resolution. Moreover, the United States' officials have publicly admitted that the action does not concern the implementation of the JCPOA but are rather part of a political agenda;

(g) The Instrument in Support of Trade Exchanges, mentioned in paragraph 9 of the report, was designed to facilitate trade with Iran consistent with the E3/EU commitments under the Joint Comprehensive Plan of Action. Almost two years after its introduction, the Instrument has yet to prove its effectiveness;

(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. Iran's remedial measures have until now had no impact on the IAEA monitoring and verification. In his most recent report ([S/2020/1138](#)), the Director General of IAEA stated that the Agency "continues to verify the non-diversion of declared nuclear material at the nuclear facilities and locations outside facilities where nuclear material is customarily used declared by Iran under its Safeguards Agreement" and that it "conducted complementary accesses under the Additional Protocol to all the sites and locations in Iran which it needed to visit. Timely and

proactive cooperation by Iran in providing complementary access facilitates implementation of the Additional Protocol and enhances confidence”;

(i) According to footnote 7 of the report of the Secretary-General, “the arms-related transfers to or from the Islamic Republic of Iran and travel ban provisions applied until 18 October, the date five years after the Adoption Day” and the report “covers the implementation of those provisions until that date”. It should be recalled that, on 18 October 2020, paragraphs 5, 6 (b) and 6 (d) of annex B to resolution [2231 \(2015\)](#) were terminated, in compliance with the provisions of the resolution;

(j) The references made in paragraphs 13 and 20 of the report are inspired by baseless claims of the Israeli regime. Those fabrications and unprofessional use of some photographs in the said paragraphs lead to no conclusion regarding the transfer itself or any act inconsistent with the resolution;

(k) Paragraphs 13, 14, 20, 21 and 26 of the report indicate continued unauthorized engagement in measures “to examine” allegations regarding the implementation of annex B to the resolution. The Secretariat has no mandate to verify the allegations on actions purportedly inconsistent with the resolution and also lacks the required technical capacity to do so. Such measures are contrary to paragraphs 6 and 10 of the note by the President of the Security Council of 16 January 2016 ([S/2016/44](#));

(l) Paragraph 25 of the report regarding the assassination of Martyr Mohsen Fakhrizadeh, an Iranian scientist, does not elaborate on the nature of that horrible crime (see [S/2020/1148](#)). Since January 2020, two Iranian prominent figures who happen to be on the resolution [2231 \(2015\)](#) list were brutally assassinated in terrorist attacks. President Trump assumed responsibility for the criminal assassination of Martyr Major General Qasem Soleimani in January 2020 (see [S/2020/13](#), [S/2020/20](#) and [S/2020/81](#)), and there are serious indications of Israeli responsibility in the assassination of Martyr Fakhrizadeh. It is incumbent upon the Security Council to uphold its responsibilities and condemn those unlawful criminal acts, taking into account the dire implications of such dangerous provocations against international peace and security.

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 as valid and 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