



## Security Council

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### **Letter dated 19 September 2020 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council**

Pursuant to the letter dated 20 August 2020 from Mohammad Javad Zarif, Minister for Foreign Affairs of the Islamic Republic of Iran, addressed to the President of the Security Council ([S/2020/814](#), annex), I have the honour to bring the following to your kind attention.

In its letter dated 20 August 2020 to the President of the Security Council, the United States illegally claimed to be a participant to the Joint Comprehensive Plan of Action (JCPOA), attempting to unlawfully invoke paragraph 11 of resolution [2231 \(2015\)](#). The United States has recently claimed that the Security Council resolutions that have been terminated pursuant to paragraph 7 (a) of resolution [2231 \(2015\)](#) will be reinstated on 20 September 2020.

In reaction to the aforesaid letter of the United States, none of the Security Council members accepted the eligibility of that country to initiate a process to reinstate the Security Council resolutions that have been terminated pursuant to paragraph 7 (a) of resolution [2231 \(2015\)](#). Rather, through individual or joint letters addressed to the President of the Security Council, 13 members of the Council – including all remaining participant States of the Joint Comprehensive Plan of Action who are Council members – have unequivocally rejected the legal merit of the United States' letter.

Similar views have also been expressed by the overwhelming majority of the Security Council members in the meeting of the Council on 25 August 2020, during which the President of the Council, in response to the questions posed to him on the subject, stated that “having consulted with members and received letters from many member countries, it is clear for me that there is one member which has a particular position on the issue, while there are significant numbers of members who have contesting views. In my view, there is no consensus in the Council, thus the President is not in the position to take further action” (see [S/2020/837](#)).

Reaffirming that, according to resolution [2231 \(2015\)](#), the right to initiate a process to reinstate the Security Council resolutions that have been terminated pursuant to paragraph 7 (a) of resolution [2231 \(2015\)](#) has been reserved only for “the JCPOA participant States”, the members of the Security Council, through the abovesaid letters and statements, have also made it clear that, following its withdrawal from the Joint Comprehensive Plan of Action, the United States is not a “JCPOA participant” anymore, has no right to initiate the concerned process, and



accordingly, its letter cannot be considered for the purpose of paragraph 11 of resolution [2231 \(2015\)](#) and thus is void of any legal effect now and in the future.

Likewise, in a statement on 20 August 2020 ([S/2020/839](#), annex), the High Representative of the European Union for Foreign Affairs and Security Policy and Coordinator of the Joint Commission of the Joint Comprehensive Plan of Action stated that “as I have repeatedly recalled, the United States unilaterally ceased participation in the Joint Comprehensive Plan of Action (JCPOA) by presidential memorandum on 8 May 2018 and has subsequently not participated in any JCPOA-related activities. It cannot, therefore, be considered to be a JCPOA participant State for the purposes of possible sanctions snapback foreseen by the resolution.”

Moreover, in the Chair’s statement following a meeting of the Joint Commission of the Joint Comprehensive Plan of Action on 1 September 2020, the remaining participant States of the Joint Comprehensive Plan of Action “reaffirmed that the United States unilaterally announced its cessation of participation in the JCPOA on 8 May 2018 and that it had not participated in any JCPOA-related activities subsequently. Participants reconfirmed that it therefore could not be considered as a participant State”. The remaining participants also “reaffirmed their various statements and communications made previously at the UN Security Council including that of the High Representative of 20 August as the Coordinator of the JCPOA to the effect that the US cannot initiate the process of reinstating UN sanctions under UNSC resolution 2231”.<sup>1</sup>

The views of the Islamic Republic of Iran on the above-mentioned attempt by the United States are also reflected in the aforesaid letter of our Minister for Foreign Affairs ([S/2020/814](#), annex), according to which the letter by the United States is null and void, has no legal standing and effect and is thus completely unacceptable.

Given that the stated objective of the United States is to completely ruin the Joint Comprehensive Plan of Action and to that end, its strategy is to create legal complication through presenting unilateral arbitrary interpretations and pseudo-legal arguments, the Islamic Republic of Iran trusts that the members of the Security Council will, once again, reject the United States’ continued attempt to abuse the Security Council’s process, thus undermining the authority and credibility of the Council and the United Nations.

It would be appreciated if the present letter could be circulated as a document of the Security Council.

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

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<sup>1</sup> Chair’s statement following the 1 September meeting of the Joint Commission of the Joint Comprehensive Plan of Action, Brussels, 1 September 2020. Available at [https://eeas.europa.eu/headquarters/headquarters-homepage/84643/chairs-statement-following-1-september-meeting-joint-commission-joint-comprehensive-plan\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/84643/chairs-statement-following-1-september-meeting-joint-commission-joint-comprehensive-plan_en).