



# Security Council

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## Implementation of Security Council resolution [2231 \(2015\)](#)

### Tenth report of the Secretary-General

#### I. Introduction

1. On 14 July 2015, diplomatic efforts by China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the European Union with the Islamic Republic of Iran culminated in the Joint Comprehensive Plan of Action. On 20 July, the Security Council adopted resolution [2231 \(2015\)](#), in which the Council endorsed the Plan and called upon all Member States, regional organizations and international organizations to support its implementation. On 18 October 2015, the Plan came into effect and its participants began to take steps to implement their commitments.

2. For the past five years, the Plan has been largely viewed by the international community as a testament to the efficacy of multilateralism, diplomacy and dialogue and a success in nuclear non-proliferation. I have consistently believed that the Plan is the best way to ensure a comprehensive, long-term and proper solution to the Iranian nuclear issue, as well as to contribute to regional and international peace and security. I note the continued commitment of its participants to preserve the Plan, and the importance of the Plan working for all, including by providing tangible economic benefits for the Iranian people. I have encouraged all States to support the Plan and believed that issues not directly related to the Plan should be addressed without prejudice to preserving the agreement and its accomplishments.

3. I regret the steps taken by the United States since May 2018, when it withdrew from the Plan. 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 \(2015\)](#). 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. I note that the United States is of the view that, as of 20 September 2020, the relevant provisions relating to the implementation of the Plan contained in resolution [2231 \(2015\)](#) have been terminated. I also note the view of the United States that previous Security Council resolutions relating to the Iranian nuclear issue, terminated by resolution [2231 \(2015\)](#), apply in the same manner as they applied before the adoption of resolution [2231 \(2015\)](#).

4. I also regret the series of steps taken by the Islamic Republic of Iran, since July 2019, to cease performing its nuclear commitments under the Plan. I note that the



Islamic Republic of Iran has stated that it wants to remain in the Plan and has emphasized that all of its measures since 1 July 2019 are reversible. I note the latest reports from the International Atomic Energy Agency (IAEA) (see also para. 10) that the Islamic Republic of Iran has decreased its stockpile of heavy water to 128.0 metric tonnes (below the limit of 130 metric tonnes) and that it has stayed within the Plan limits of no more than 5,060 IR-1 centrifuges installed in 30 cascades at the Natanz Fuel Enrichment Plant. However, on 11 October 2020, the Agency verified that the Islamic Republic of Iran had installed a cascade of IR-2M centrifuges at the Plant. It also further verified on 14 November 2020 that the Islamic Republic of Iran began feeding uranium hexafluoride (UF<sub>6</sub>) into these recently installed cascades.<sup>1</sup> The Agency has reported in addition that, since 8 July 2019, the Islamic Republic of Iran has been enriching uranium up to 4.5 per cent U-235 (above the 3.67 per cent U-235 authorized by the Plan) and that, as at 2 November 2020, its total enriched uranium stockpile was 2,442.9 kg (above the 202.8 kg limit). I appeal again to the Islamic Republic of Iran to return to full implementation of the Plan. I also urge the Islamic Republic of Iran to carefully take into account and address the other concerns raised by other participants in the Plan and by other Member States in relation to resolution [2231 \(2015\)](#).

5. As stated in my previous report ([S/2020/531](#)), France, Germany and the United Kingdom of Great Britain and Northern Ireland announced on 14 January 2020 that they had referred the matter concerning the steps taken by the Islamic Republic of Iran in relation to its nuclear commitments under the Plan to the dispute resolution mechanism of the Plan. On 3 July 2020, the Islamic Republic of Iran referred its own concerns regarding implementation issues by France, Germany and the United Kingdom to the dispute resolution mechanism.<sup>2</sup> I note the statement by 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, Josep Borrell, that all participants reconfirmed their determination to preserve the Plan, and that the timeline for addressing differences had been extended.<sup>3</sup> I call upon the participants to work constructively to address their differences under the dispute resolution mechanism.

6. On 20 August 2020, the Secretary of State of the United States sent a letter to the President of the Security Council ([S/2020/815](#)) stating that the Islamic Republic of Iran was in significant non-performance of its commitments under the Plan. The United States further stated that, pursuant to its letter, the process set forth in paragraphs 11 and 12 of resolution [2231 \(2015\)](#), leading to the re-imposition of specified measures terminated under paragraph 7 (a) had been initiated. On 21 August, the Permanent Representative of the United States addressed a letter to the Secretary-General ([S/2020/822](#)) with an explanation of the legal basis for the United States to initiate the provisions set forth in paragraphs 11 and 12 of the resolution. On 23 September, the United States informed the President of the Security Council ([S/2020/927](#)) that “since the Security Council has not adopted a resolution to continue in effect the terminations in paragraph 7 (a) of resolution [2231 \(2015\)](#), effective midnight Greenwich Mean Time (GMT) on 20 September 2020, all of the provisions of resolutions [1696 \(2006\)](#), [1737 \(2006\)](#), [1747 \(2007\)](#), [1803 \(2008\)](#), [1835 \(2008\)](#) and [1929 \(2010\)](#) that were terminated by resolution [2231 \(2015\)](#) apply in the

<sup>1</sup> Under the Plan, all excess centrifuges and infrastructure not associated with 5060 IR-1 centrifuges in the Natanz Fuel Enrichment Plant, including IR-2m centrifuges, are to be removed and stored.

<sup>2</sup> See [https://eeas.europa.eu/headquarters/headquarters-homepage/82059/jcpoa-statement-high-representative-josep-borrell-coordinator-joint-commission-joint\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/82059/jcpoa-statement-high-representative-josep-borrell-coordinator-joint-commission-joint_en).

<sup>3</sup> See [https://eeas.europa.eu/headquarters/headquarters-homepage/83095/jcpoa-statement-high-representative-josep-borrell-coordinator-joint-commission-joint\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/83095/jcpoa-statement-high-representative-josep-borrell-coordinator-joint-commission-joint_en).

same manner as they applied before the adoption of resolution [2231 \(2015\)](#). In addition, the measures contained in paragraphs 7, 8 and 16 to 20 of resolution [2231 \(2015\)](#) are terminated”.

7. The majority of the Security Council members<sup>4</sup> and the Islamic Republic of Iran<sup>5</sup> have written to the President of the Security Council to the effect that the letter dated 20 August from the Secretary of State of the United States ([S/2020/815](#)) did not constitute a notification within the meaning of paragraph 11 of resolution [2231 \(2015\)](#) (i.e., a notification by a Joint Comprehensive Plan of Action participant State). They also stressed their strong support for the Plan and the continued implementation of resolution [2231 \(2015\)](#). The President of the Security Council for the month of August and the President of the Security Council for the month of September indicated that they were not in a position to take any action with regard to the letter from the United States dated 20 August.

8. I have taken careful note of these developments and have addressed a letter, dated 19 September, to the President of the Security Council for the attention of the members of the Security Council ([S/2020/921](#)).

9. I am grateful to the countries that continue to support the Instrument in Support of Trade Exchanges. I stress again the importance of initiatives in support of trade and economic relations with the Islamic Republic of Iran, especially during the current economic and health challenges posed by the coronavirus disease (COVID-19) pandemic. I underscore the important contribution of other Member States to preserving the Plan and continue to encourage them to work effectively with the participants in the Plan towards creating the conditions necessary for their economic operators to engage in trade with the Islamic Republic of Iran in accordance with resolution [2231 \(2015\)](#).

10. I commend the professional, factual and impartial work of IAEA on its verification and monitoring activities in the Islamic Republic of Iran, in line with resolution [2231 \(2015\)](#). In its most recent reports ([S/2020/1002](#), [S/2020/1003](#), [S/2020/1137](#), [S/2020/1138](#) and [S/2020/1139](#)), the Agency stated that it continued to verify the non-diversion of declared nuclear material at the nuclear facilities and locations outside facilities where nuclear material is customarily used as declared by the Islamic Republic of Iran under its Safeguards Agreement. The Agency also reported that the Islamic Republic of Iran continued to provisionally apply the Additional Protocol pending its entry into force, and that evaluations regarding the absence of undeclared nuclear material and activities were ongoing. On the resolution of safeguards implementation issues, the Agency issued a press release on 26 August 2020 stating that Iran is voluntarily providing IAEA with access to the two locations specified by the Agency and facilitating the Agency’s verification activities to resolve these issues.<sup>6</sup> Discussions regarding the Agency’s findings, which included the presence of isotopically altered particles of low-enriched uranium, at a location in the Islamic Republic of Iran not declared to the Agency, remain ongoing.

<sup>4</sup> Belgium, on behalf of Belgium, Estonia, France and Germany, transmitting a statement by the High Representative, [S/2020/931](#) (21 September); China, [S/2020/817](#) (20 August) and [S/2020/923](#) (20 September); Germany, on behalf of Germany, Belgium, Estonia and France, transmitting a statement by the High Representative, [S/2020/839](#) (26 August); Indonesia, [S/2020/824](#) (21 August); Niger, Saint Vincent and the Grenadines, South Africa and Tunisia, [S/2020/821](#) (20 August) and [S/2020/928](#) (21 September); and the Russian Federation, [S/2020/816](#) (20 August), [S/2020/828](#) (21 August) and [S/2020/924](#) (20 September). A number of Security Council members have also sent letters to the President of the Security Council which were not published as documents of the Security Council.

<sup>5</sup> [S/2020/814](#) (20 August), [S/2020/922](#) (19 September) and [S/2020/1000](#) (12 October).

<sup>6</sup> [www.iaea.org/newscenter/pressreleases/joint-statement-by-the-director-general-of-the-iaea-and-the-vice-president-of-the-islamic-republic-of-iran-and-head-of-the-aeoi](http://www.iaea.org/newscenter/pressreleases/joint-statement-by-the-director-general-of-the-iaea-and-the-vice-president-of-the-islamic-republic-of-iran-and-head-of-the-aeoi).

11. The present report, my tenth on the implementation of resolution 2231 (2015), provides an assessment of the implementation of the resolution, including findings and recommendations, since the issuance of my ninth report (S/2020/531) on 11 June 2020. Consistent with previous reports, the focus of the present report is on the provisions set forth in annex B to resolution 2231 (2015), which include restrictions applicable to nuclear-related transfers, ballistic missile-related transfers and arms-related transfers to or from the Islamic Republic of Iran, as well as asset freeze and travel ban provisions.<sup>7</sup>

## II. Key findings and recommendations

12. Since 11 June 2020, three new proposals have been submitted to the Security Council for approval through the procurement channel. The procurement channel continues to be a vital transparency and confidence-building mechanism, providing assurances that the transfer of nuclear and nuclear-related dual-use goods and related services to the Islamic Republic of Iran is consistent with resolution 2231 (2015), as well as the provisions and objectives of the Plan. I continue to encourage all participants in the Plan, Member States, and the private sector to fully support and utilize the channel.

13. The Secretariat has analysed information provided by Israel (S/2020/531, para. 38) regarding the presence of four alleged Iranian Dehlavieh anti-tank guided missiles in Libya. On the basis of photographic analysis, the Secretariat established that one of the four anti-tank guided missiles had characteristics consistent with the Iranian-produced Dehlavieh. The Secretariat is unable to ascertain whether this anti-tank guided missile had been transferred to Libya and/or in a manner inconsistent with resolution 2231 (2015) (see also para 20).

14. In relation to the June 2019 arms seizure by Australia (S/2020/531, para. 40), the Secretariat was provided with high definition imagery of some of the seized materiel. The photographic analysis indicates that the 7.62 mm ammunition in the seizure was not of Iranian manufacture (see also para. 21).

## III. Implementation of nuclear-related provisions

15. Since 12 June 2020, three new proposals to participate in or permit the activities set forth in paragraph 2 of annex B to resolution 2231 (2015) have been submitted to the Security Council for approval through the procurement channel. Of the 51 proposals received from 16 January 2016 to 7 December 2020, 35 were approved by the Council, 5 were not approved, 10 were withdrawn by the proposing States and 1 is currently under review. It is vital that the procurement channel continue to work effectively and efficiently, and in a manner that promotes increased international engagement with the Islamic Republic of Iran.

<sup>7</sup> Under resolution 2231 (2015), 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. The current report covers the implementation of those provisions until that date. The United States is of the view that “since the Security Council has not adopted a resolution to continue in effect the terminations in paragraph 7 (a) of resolution 2231 (2015), effective midnight Greenwich Mean Time (GMT) on 20 September 2020, all of the provisions of resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008) and 1929 (2010) that were terminated by resolution 2231 (2015) apply in the same manner as they applied before the adoption of resolution 2231 (2015). In addition, the measures contained in paragraphs 7, 8 and 16 to 20 of resolution 2231 (2015) are terminate” (see S/2020/927).

16. In addition, the Security Council received four new notifications pursuant to paragraph 2 of annex B to resolution [2231 \(2015\)](#) for certain nuclear-related activities consistent with the Plan that do not require approval, but do require a notification to the Council or to both the Council and the Joint Commission.

17. As previously reported, in May and November 2019, the United States announced that involvement in some of the above-mentioned activities might now be exposed to its national sanctions, specifically assistance to expand the Bushehr Nuclear Power Plant beyond the existing reactor unit, any involvement in transferring enriched uranium out of the Islamic Republic of Iran in exchange for natural uranium, and the modification of infrastructure at the Fordow facility. On 27 May 2020, the United States further announced that participation in activities related to the modernization of the Arak reactor would also be exposed to its national sanctions after a 60-day period for companies to wind down their activities. At the same time, the United States announced its intention to issue a 90-day extension of the waiver covering activities related to the existing unit at the Bushehr Nuclear Power Plant, while noting that the waiver could be modified at any time. At the end of 90 days (25 August 2020), no further extension of the waiver was announced by the United States.

#### **IV. Implementation of ballistic missile-related provisions**

18. During the reporting period, the Secretariat did not receive any official information alleging action inconsistent with the ballistic missile-related provisions of the resolution.

#### **V. Implementation of arms-related provisions**

19. In identical letters dated 28 June 2020 addressed to me and the President of the Security Council ([S/2020/608](#)), the Permanent Representative of Israel to the United Nations stated that the Islamic Republic of Iran “has continued to proliferate advanced weaponry” in violation of Security Council resolution [2231 \(2015\)](#). In a letter dated 5 July 2020 addressed to me ([S/2020/651](#)), the Permanent Representative of the Islamic Republic of Iran to the United Nations “categorically reject[ed] all unfounded claims raised in the above-mentioned letter”.

20. In my previous report ([S/2020/531](#), para. 38), I referred to a letter from the Permanent Representative of Israel ([S/2020/382](#)) and a letter from the Permanent Representative of the Islamic Republic of Iran ([S/2020/443](#)), in relation to imagery of four alleged Iranian Dehlavieh anti-tank guided missiles being employed in Libya. In its analysis of the photographs provided, the Secretariat established that one of the four anti-tank guided missiles had characteristics consistent with the Iranian-produced Dehlavieh, although no production date for this anti-tank guided missile was visible in the images seen by the Secretariat. Additionally, the Secretariat is unable to ascertain whether this anti-tank guided missile had been transferred to Libya and/or in a manner inconsistent with resolution [2231 \(2015\)](#).

21. In my previous report ([S/2020/531](#), para. 40), I indicated that, in May 2020, the Australian authorities provided to the Secretariat information pertaining to the seizure, in June 2019, of arms and related materiel in international waters off the Gulf of Oman, about 150 km south-east of Muscat. The materiel seized onboard included “approximately 476,000 rounds of 7.62mm ammunition, and 697 bags of chemical fertilizer”. During the reporting period, Australia provided the Secretariat with high-definition imagery of the seized items and documentation. The documentation appears to be a logbook, a notebook and an address book, all in Farsi, together with

personal identity cards, driver's licences and bank cards that appear to be Iranian issued, with two identity cards from another Member State. The Secretariat has contacted the Islamic Republic of Iran and the other Member State concerned to verify the authenticity of the seized documents. The photographic analysis indicates that the 7.62 mm ammunition does not appear to be of Iranian manufacture.

## **VI. Implementation of the travel ban and asset freeze provisions**

22. During the reporting period, the Secretariat received no official information in relation to the travel ban provisions of the resolution.

23. In my previous report ([S/2020/531](#), para. 42), I shared information about an academic organization in a Member State which, in 2017 and 2018, signed additional memorandums of understanding with an entity on the list maintained pursuant to resolution [2231 \(2015\)](#). In response to the Secretariat's request for clarification, the Member State concerned explained that the signed memorandums of understanding were not legally binding and did not involve any financial commitment.

24. The Secretariat received information from Member States alleging that an entity on the list maintained pursuant to resolution [2231 \(2015\)](#) had transferred some of its assets to another entity which is not subject to the asset freeze provisions in paragraphs 6 (c) and (d) of annex B to resolution [2231 \(2015\)](#). The Secretariat continues to analyse the available information and will report to the Council in due course, as appropriate.

## **VII. List maintained pursuant to resolution [2231 \(2015\)](#)**

25. In a letter dated 27 November 2020 ([S/2020/1148](#)), the Permanent Representative of the Islamic Republic of Iran informed me and the President of the Security Council that on "27 November 2020 in Absard city of Tehran province, Mr. Mohsen Fakhrizadeh, a prominent Iranian scientist, was assassinated in a terrorist attack". Mr. Fakhrizadeh's name is on the list maintained pursuant to resolution [2231 \(2015\)](#).

26. During the reporting period, the Secretariat was provided with information on a designated entity on the list maintained pursuant to resolution [2231 \(2015\)](#) that had taken actions inconsistent with the asset freeze and to ship "valves, electronics, and measuring equipment suitable for use in ground testing of liquid propellant ballistic missiles and space launch vehicles" to the Islamic Republic of Iran. The Secretariat is seeking further information and will report to the Security Council in due course.

## **VIII. Secretariat support provided to the Security Council and its Facilitator for the implementation of resolution [2231 \(2015\)](#)**

27. The Security Council Affairs Division of the Department of Political and Peacebuilding Affairs has continued to support the work of the Security Council, in close cooperation with the Facilitator, for the implementation of resolution [2231 \(2015\)](#). The Division has also continued to liaise with the Procurement Working Group of the Joint Commission on all matters related to the procurement channel. During the reporting period, the Division continued to respond to queries from Member States and to provide relevant support to Member States regarding the provisions of resolution [2231 \(2015\)](#).