



Security Council

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Implementation of Security Council resolution 2231 (2015)

Twelfth report of the Secretary-General

I. Introduction

1. On 14 July 2015, 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 concluded the Joint Comprehensive Plan of Action. Subsequently, on 20 July 2015, 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. Despite difficulties encountered in the implementation of the Plan in recent years, I have always believed that it represents the best option available to realize the goals of non-proliferation, multilateral diplomacy and regional security in a manner that delivers tangible economic benefits for the Iranian people.

2. I am encouraged by the diplomatic engagements in and around the Joint Commission, which took place between April and June 2021, to facilitate the return of the United States and the Islamic Republic of Iran to full and effective implementation of the Plan and the resolution. Those efforts did not result in the return of the United States to the Plan or to the reversal of steps taken by the Islamic Republic of Iran to reduce implementation of nuclear-related commitments under the Plan. It is my hope that the resumption of diplomatic efforts, which recommenced on 29 November 2021, will usher in renewed and effective cooperation among all participants in the Plan. The swift and successful conclusion of those diplomatic engagements should allow all parties to address their concerns and achieve their stated objectives, as expressed most recently in the letter dated 20 July 2021 from the Islamic Republic of Iran to me (A/75/968-S/2021/669) and the joint statement issued by France, Germany, the United Kingdom and the United States.¹

3. The diplomatic opening to realize the full implementation of the Plan may not be open-ended. Further delays and the lack of progress in diplomatic engagements to put the Plan back on track may undermine confidence in its ability to ensure that the

¹ Joint statement on Iran of 30 October 2021 by the President of France, Emmanuel Macron, the Chancellor of Germany, Angela Merkel, the Prime Minister of the United Kingdom of Great Britain and Northern Ireland, Boris Johnson, and the President of the United States of America, Joseph R. Biden, Jr., available at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/10/30/joint-statement-by-the-president-of-france-emmanuel-macron-chancellor-of-germany-angela-merkel-prime-minister-of-the-united-kingdom-and-northern-ireland-boris-johnson-and-president-of-the-united-st/>.



Iranian nuclear programme remains exclusively peaceful. Therefore, I encourage the Islamic Republic of Iran and the United States to build on the work already accomplished in earlier rounds of diplomatic engagements and to return to full implementation of the Plan and resolution 2231 (2015) as soon as possible. I appeal again 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. Those steps are needed to facilitate the full and proper implementation of the Plan and resolution 2231 (2015).

4. I appeal to the Islamic Republic of Iran to return to full implementation of the Plan and to reverse the steps that it has taken since July 2019, which it pledged are reversible. Regrettably, since my most recent report, the Islamic Republic of Iran has continued to reduce implementation of its nuclear-related commitments under the Plan. In its most recent reports,² the International Atomic Energy Agency documented that the Islamic Republic of Iran has continued its research and development activities related to uranium metal production. While the Agency has not been able to verify the total enriched uranium stockpile in the Islamic Republic of Iran, it estimated that, as at 6 November 2021, its stockpile was 2,489.7 kg (above the limit of 202.8 kg), including 113.8 kg enriched to 20 per cent uranium-235 and 17.7 kg enriched to 60 per cent uranium-235. I further urge the Islamic Republic of Iran to carefully consider and address the other concerns raised by participants in the Plan and by other Member States in relation to resolution 2231 (2015). Issues not related to the Plan, however, should be addressed without prejudice to preserving the agreement and its accomplishments.

5. The Joint Comprehensive Plan of Action and resolution 2231 (2015) continue to enjoy broad international support. I am encouraged by bilateral and multilateral initiatives to improve relationships with the Islamic Republic of Iran, which should be encouraged and built upon. Such initiatives can have positive effects on regional stability, as well as foster a conducive environment for diplomatic engagements pertaining to the Plan. I call upon Member States, as well as their economic operators, to engage in trade with the Islamic Republic of Iran, including through available arrangements such as the Instrument in Support of Trade Exchanges (INSTEX), the procurement channel provided for in resolution 2231 (2015) and the Swiss Humanitarian Trade Arrangement, as appropriate. Support for such trade arrangements continues to be important, given that the health challenges posed by the coronavirus disease (COVID-19) pandemic remain significant in the Islamic Republic of Iran.

6. I commend the work of the Agency, as well as of its Director General, as it strives to continue its verification and monitoring activities in the Islamic Republic of Iran. The Agency reported that its “verification and monitoring activities have been seriously undermined as a result of Iran’s decision to stop the implementation of its nuclear-related commitments under the JCPOA, including the Additional Protocol” (S/2021/1000). In its November 2021 report, the Agency stressed that the temporary bilateral arrangement reached with the Islamic Republic of Iran in February 2021 “facilitated the maintenance of continuity of knowledge”, but that “the repeated prolongation of the agreement, which has now been in place for around nine months, is becoming a significant challenge to the Agency’s ability to restore this continuity of knowledge”. In a joint statement,³ the Vice-President and Head of the Atomic

² See S/2021/996, S/2021/997, S/2021/998, S/2021/999, S/2021/1000, S/2021/1001, S/2021/1002 and S/2021/1003, as well as the Agency’s reports of 17 November and 1 December 2021.

³ Joint statement of 12 September 2021, available at www.iaea.org/newscenter/pressreleases/joint-statement-by-the-vice-president-and-the-head-of-atomic-energy-organization-of-the-islamic-republic-of-iran-and-the-director-general-of-the-international-atomic-energy-agency.

Energy Organization of Iran and the Director General of the Agency “recalled and reaffirmed the spirit of cooperation and mutual trust” and emphasized “the necessity of addressing the relevant issues in a constructive atmosphere”.

7. The present report, my twelfth 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 eleventh report (S/2021/582), on 21 June 2021. Consistent with previous reports, the focus of the present report is on the provisions set forth in annex B to resolution 2231 (2015).

II. Key findings and recommendations

8. No new proposals have been submitted to the Security Council for approval through the procurement channel since 21 June 2021. The procurement channel continues to be a vital transparency and confidence-building mechanism, providing assurances that the transfers of nuclear and nuclear-related dual-use goods and related services to the Islamic Republic of Iran are consistent with resolution 2231 (2015), as well as the provisions and objectives of the Joint Comprehensive Plan of Action. I continue to recommend that all participants in the Plan, Member States and the private sector fully support and utilize the channel.

9. With respect to information on the possible shipments of nuclear-related dual-use items to the Islamic Republic of Iran, the Secretariat has confirmed with the exporting State, Germany, that the items are not subject to the restrictive measures of paragraph 2 of annex B to resolution 2231 (2015).

III. Implementation of nuclear-related provisions

10. Since 21 June 2021, no 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 and approved by the Security Council through the procurement channel. During the same period, the Council received eight new notifications pursuant to paragraph 2 of annex B to resolution 2231 (2015) for certain nuclear-related activities consistent with the Joint Comprehensive Plan of Action that do not require approval, but do require a notification to the Council or to both the Council and the Joint Commission.

11. During the reporting period, the Secretariat was made aware of reports of possible transfers of nuclear-related dual-use items to the Islamic Republic of Iran.⁴ The Secretariat was able to confirm with the authorities of Germany that, although the transfers of items to the Islamic Republic of Iran did take place in January and June 2020, those transfers did not consist of items listed in document INFCIRC/254/Rev.10/Part 2 contained in resolution 2231 (2015) and hence did not require the prior approval of the Security Council.

12. The Secretariat also sought clarification from Norway regarding reports about an individual charged with providing technical assistance related to nuclear-related dual-use items to the Islamic Republic of Iran. The authorities of Norway clarified that, according to the charge, the technical assistance related to the testing of aluminium, an item contained in document INFCIRC/254/Rev.10/Part 2, had been provided to four researchers from the Islamic Republic of Iran during various periods in 2018 and 2019. The Member State advised that the trial of the individual was expected to be held in 2022.

⁴ See <https://www.generalbundesanwalt.de/SharedDocs/Pressemitteilungen/DE/aktuelle/Pressemitteilung-vom-14-09-2021.html?nn=677796>.

13. The Joint Comprehensive Plan of Action and the nuclear-related provisions of annex B to resolution [2231 \(2015\)](#) foresee activities related to the existing unit at the Bushehr Nuclear Power Plant, assistance to expand the Bushehr Nuclear Power Plant beyond the existing reactor unit, the transfer of enriched uranium out of the Islamic Republic of Iran in exchange for natural uranium, the modification of infrastructure at the Fordow facility and activities related to the modernization of the Arak reactor. I hope that the United States will once again facilitate the implementation of those activities, which have been impacted by its national measures introduced since May 2019.

IV. Implementation of provisions related to paragraphs 3 and 4

A. Restrictions on paragraph 3-related activities by the Islamic Republic of Iran

14. In paragraph 3 of annex B to resolution [2231 \(2015\)](#), the Security Council called upon the Islamic Republic of Iran not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology.

15. In letters to the President of the Security Council and me from the Permanent Representatives of France, Germany and the United Kingdom dated 10 August 2021 ([S/2021/724](#)), from the Permanent Representative of the United States dated 25 August 2021 ([S/2021/753](#)) and from the Permanent Representative of Israel dated 12 November 2021 ([S/2021/949](#)), I was informed that the Islamic Republic of Iran had conducted two flight tests of satellite launch vehicles. The Permanent Representatives of France, Germany and the United Kingdom referred to a flight test of a space launch vehicle on 12 June 2021 and noted that, in paragraph 3 of annex B to resolution [2231 \(2015\)](#), “‘Designed to be capable’ in this context means having the capabilities by virtue of technical design, regardless of claimed intent”. The Permanent Representative of Israel referred to a flight test of a Simorgh space launch vehicle on 21 June 2021, while the Permanent Representative of the United States referred to both space launch vehicle tests, on 12 and 21 June 2021. The Permanent Representatives of Israel and the United States noted that the two space launch vehicles incorporated technologies that were virtually identical to those used in ballistic missiles designed to be capable of carrying nuclear weapons, classified as Missile Technology Control Regime (MTCR) category I systems.⁵ In his letter, the Permanent Representative of Israel also noted a test launch on 10 May 2021 by the Islamic Republic of Iran of a Khorramshahr-type medium-range ballistic missile, which he claimed was “capable of delivering nuclear weapons according to MTCR-I criteria”. He reiterated the position of Israel that those activities are inconsistent with paragraph 3 of annex B to resolution [2231 \(2015\)](#), in which the Islamic Republic of Iran was called upon not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology.

16. In letters dated 13 September 2021 and 15 November 2021 addressed to the President of the Security Council and me ([S/2021/792](#), [S/2021/793](#) and [S/2021/951](#)), the Permanent Representative of the Islamic Republic of Iran “categorically rejected”

⁵ Category I systems under the Missile Technology Control Regime are defined as “complete rocket systems (including ballistic missiles, space launch vehicles, and sounding rockets) capable of delivering at least a 500 kg payload to a range of at least 300 km”. See category I, item 1, sect. 1.A.1, of the Equipment, Software and Technology Annex of the Missile Technology Control Regime, available at <https://mtcr.info/mtcr-annex/>.

the allegations made by France, Germany, Israel, the United Kingdom and the United States. He noted the absence of implicit or explicit reference to the Missile Technology Control Regime or space launch vehicles in paragraph 3 of annex B to resolution 2231 (2015) and condemned what he called the misinterpretation of the paragraph by the United States. Lastly, he reiterated that the Iranian missile and space programmes, including the launches of ballistic missiles or space launch vehicles, “fall outside the purview or competence of Security Council resolution 2231 (2015) and its annexes”.

17. In a letter dated 22 September 2021 addressed to the President of the Security Council and me (A/76/343-S/2021/819), the Permanent Representative of the Russian Federation reiterated the position of his country regarding the implementation of paragraph 3 of annex B to resolution 2231 (2015). He underscored that the Islamic Republic of Iran was not prohibited by multilateral non-proliferation mechanisms or resolution 2231 (2015) from developing missile and space programmes. He reiterated that the category I criteria of the Missile Technology Control Regime had “never been intended to be used in the context of resolution 2231 (2015) to ascertain whether or not certain ballistic missiles are designed to be capable of carrying nuclear weapons” and that the Russian Federation continued to consider that the Islamic Republic of Iran was “respecting in good faith the call addressed to it in paragraph 3 of annex B to resolution 2231 (2015) to refrain from activities related to ballistic missiles that are designed to be capable of carrying nuclear weapons”.

B. Restrictions on paragraph 4-related transfers to or from the Islamic Republic of Iran

18. Pursuant to paragraph 4 of annex B to resolution 2231 (2015), all States, provided that they have obtained the prior approval of the Security Council on a case-by-case basis, may participate in and permit the supply, sale or transfer to or from the Islamic Republic of Iran of all items, materials, equipment, goods and technology set out in document S/2015/546 and any items, materials, equipment, goods and technology that the State determines could contribute to the development of nuclear weapon delivery systems. Document S/2015/546 includes ballistic missiles and uncrewed aerial vehicle (UAV) systems (including target drones, reconnaissance drones and cruise missiles) having a range equal to or greater than 300 km and related items, materials, equipment, goods and technology.

19. Paragraph 4 of annex B to resolution 2231 (2015) also applies to the provision of various services or technical assistance to the Islamic Republic of Iran and its acquisition of an interest in any commercial activity in another State related to the supply, sale, transfer, manufacture or use of the items, materials, equipment, goods and technology described in its subparagraph (a).

20. In response to an invitation from the authorities of Saudi Arabia, the Secretariat travelled to Riyadh in October 2021 to examine the debris from six ballistic missiles (which Saudi authorities indicated were from Houthi attacks on Yanbu in February 2020, on Riyadh in March, June and September 2020 and February 2021, and towards Dammam in September 2021); a cruise missile (which Saudi authorities indicated was from a Houthi attack on Jeddah in November 2020); and uncrewed aerial vehicles (which Saudi authorities indicated were used in several Houthi attacks against Saudi Arabia and in Yemen in 2020 and 2021), which are alleged to have been transferred in a manner inconsistent with resolution 2231 (2015). The Secretariat is currently analysing all collected information, and I intend to report to the Security Council on our findings in due course, as appropriate.

21. In identical letters dated 12 November 2021 addressed to the President of the Security Council and me (S/2021/949), the Permanent Representative of Israel alleged that, in “blatant violation” of resolution 2231 (2015), the Islamic Republic of Iran “relentlessly transfers UAV systems and capabilities to its proxies in Lebanon, Iraq, Syria and Yemen”. He specifically noted that, in May 2021, “an Iranian UAV ... was launched from the territory of either Iraq or Syria” and was intercepted by the Israel Defense Forces after it infiltrated Israeli airspace. During a visit to Israel, the Secretariat was shown debris, which the Israeli authorities indicated was from the intercepted uncrewed aerial vehicle, and the Secretariat is currently analysing the collected information. In a letter dated 15 November 2021 addressed to the President of the Security Council (S/2021/951), the Permanent Representative of the Islamic Republic of Iran “categorically rejected” those allegations.

V. Implementation of the asset freeze provisions

22. During the reporting period, a Member State provided information to the Secretariat on commercial and financial engagements with two individuals on the list pursuant to resolution 2231 (2015) that may be inconsistent with the asset freeze provisions of the resolution. According to the information provided, one of the listed individuals is a shareholder in an Iranian firm involved in the purchase, transport, sale, import and export of commercial goods, while the other listed individual is associated with another Iranian firm that provides services in the field of production, installation, commissioning, repair and maintenance of machinery, tools and industrial units. It is alleged that both firms in the Islamic Republic of Iran are involved in, inter alia, international trade and overseas financial activities. The Secretariat continues to analyse the available information and will report to the Security Council in due course, as appropriate.

23. The Secretariat also received information from a Member State alleging that an entity on the list pursuant to resolution 2231 (2015) may have been involved in the delivery of military equipment from the Islamic Republic of Iran to another Member State in July 2021 in a manner inconsistent with the asset freeze provisions of the resolution. The Secretariat is analysing the information and will report back to the Council, as appropriate, in due course.

VI. Secretariat support provided to the Security Council and its Facilitator for the implementation of resolution 2231 (2015)

24. The Security Council Affairs Division of the Department of Political and Peacebuilding Affairs has continued to support the work of the 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. In addition, the Division has provided induction briefings for the incoming members of the Council to assist them in their work on the implementation of resolution 2231 (2015).