

**Security Council**

Distr.: General
28 May 2020

Original: English

Letter dated 27 May 2020 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to forward herewith a letter from the Minister for Foreign Affairs of the Russian Federation, Sergey Lavrov, on the implementation of the Security Council resolution [2231 \(2015\)](#) (see annex).

I would be grateful for the circulation of the present letter and the annex thereto as a document of the Security Council, and for its reflection in the upcoming report of the Secretary-General on the implementation of resolution [2231 \(2015\)](#).

(Signed) Vassily **Nebenzia**



Annex to the letter dated 27 May 2020 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Russian]

I deem it necessary to write to you regarding the campaign unleashed by the United States of America with the aim of stoking tension around the Islamic Republic of Iran and undermining the stability of the work of the Security Council on issues relating to the implementation of its resolution [2231 \(2015\)](#).

I am referring to the idea put forward by high-level representatives of the United States Department of State of imposing, under a Security Council mandate, a permanent arms embargo against Iran and using, for that purpose, the mechanisms provided in the aforementioned resolution for conscientious country participants in the Joint Comprehensive Plan of Action for the settlement of the situation with respect to the Iranian nuclear programme.

Despite the fact that no concrete proposals have been introduced in this regard, the intensive public rehearsing of suitable narratives, including in the United States media, is damaging the collective efforts of the international community to ensure the implementation of Security Council resolution [2231 \(2015\)](#).

The Russian side is fully implementing its commitments under resolution [2231 \(2015\)](#) and is making a significant substantive contribution to the common cause. To preserve the Joint Comprehensive Plan of Action, there is no way other than for all the parties involved to comply with the arrangements it contains. We are proceeding on the basis that the United Nations should not become hostage to the political situation in the United States, which has decided to withdraw from the Plan.

There are no valid grounds for raising in the Security Council the issue of an arms embargo against Iran. The authorization-based procedure provided for in resolution [2231 \(2015\)](#) for the import to and export from the Islamic Republic of Iran of arms and military equipment under the seven categories of the relevant United Nations register is of a temporary nature. The country participants in the Joint Comprehensive Plan of Action introduced that measure in order to pave the way for the agreements reached in 2015 to begin to be implemented; this is not relevant in the current situation. The implementation of the corresponding provisions of Security Council resolution [2231 \(2015\)](#) after 18 October 2020 was never envisaged, and there are neither legal nor other grounds for revising that understanding. Arms shipments are in no way related to the Iranian nuclear programme.

Washington's urge to pursue its aims, disregarding both common sense and the opinion of other countries, as well as the potential damage to the implementation of Security Council resolution [2231 \(2015\)](#), is a cause for serious concern. Statements by the United States that it does not intend to resume implementation of its commitments under the Joint Comprehensive Plan of Action, but rather plans to invoke rights allegedly deriving from resolution [2231 \(2015\)](#), are ridiculous and irresponsible. This is absolutely unacceptable and serves only to recall the famous English proverb about having one's cake and eating it.

The Joint Comprehensive Plan of Action cannot be considered separately from Security Council resolution [2231 \(2015\)](#), by which it was endorsed and to which it is annexed. They form a single whole. The comprehensive agreements of 2015, rendered legally binding by the resolution, are a finely calibrated balance of rights and duties for each and every participant in the Plan.

In accordance with Article 25 of the Charter of the United Nations, the United States side is obliged to carry out the decisions of the Security Council, rather than undermine them through its unlawful actions. The position of the United States, which has taken up the path of violation, openly challenged the Security Council and begun to impede the implementation of Security Council resolution [2231 \(2015\)](#) by other States, deserves universal condemnation. Regrettably, Washington continues to persist in its erroneous choice, reinforcing it through national legislative decisions and through its policy of “maximum pressure” on Iran, which is totally contrary to Security Council resolution [2231 \(2015\)](#).

On 8 May, two years had passed since the signing of the Memorandum on Ceasing United States Participation in the Joint Comprehensive Plan of Action and Taking Additional Actions to Counter Iran’s Malign Influence and Deny Iran All Paths to a Nuclear Weapon. The United States leadership thereby officially abandoned the implementation of the commitments deriving from the Joint Comprehensive Plan of Action and set forth in Security Council resolution [2231 \(2015\)](#). With its own hand, the United States struck itself off the list of countries participating in the Plan. At that time, it was stated at a high level in Washington that the United States side would not invoke the provisions of Security Council resolution [2231 \(2015\)](#) because it had withdrawn from the “nuclear deal”. Thus, the United States intentionally did not use the procedures provided in the resolution and the Plan, opting instead to unilaterally rip up the agreements.

The withdrawal of the United States from the Joint Comprehensive Plan of Action and the reimposition of the national sanctions previously in force against Iran, as well as the subsequent tightening of those restrictions, constitute a material breach of Security Council resolution [2231 \(2015\)](#). The United States side bears responsibility for this.

A comprehensive list of legislative acts adopted in the United States that run counter to Security Council resolution [2231 \(2015\)](#) is contained in the letter dated 8 May 2020 from the Minister for Foreign Affairs of the Islamic Republic of Iran, M.J. Zarif, addressed to the Secretary-General. It is appropriate to recall, in this context, the General Assembly’s assessment of unilateral coercive measures adopted in circumvention of the Charter of the United Nations, which is contained in its resolution [72/201](#), “Unilateral economic measures as a means of political and economic coercion against developing countries”. In resolution [72/201](#), the General Assembly recognized that unilateral sanctions constitute a “flagrant violation of the principles of international law as set forth in the Charter” and requested the Secretary-General to “monitor the imposition of unilateral economic measures as a means of political and economic coercion and to study the impact of such measures on the affected countries”.

Paragraph 3 of the Secretary-General’s June 2018 report on the implementation of Security Council resolution [2231 \(2015\)](#) (S/2018/602) attests unequivocally to the “continued adherence” of the Islamic Republic of Iran to its commitments on the date of the United States withdrawal from the Joint Comprehensive Plan of Action.

We are also guided by the advisory opinion of the International Court of Justice of 21 June 1971 in *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*, where it is stated that one of the fundamental principles governing international relationships is that a party which disowns or does not fulfil its own obligations cannot be recognized as retaining the rights which it claims to derive from a relationship. Having violated Security Council resolution [2231 \(2015\)](#) and declined to implement the Joint Comprehensive Plan of Action, the United States has thus

forfeited the possibility of using the mechanisms provided, inter alia, in paragraphs 11 to 13 of the resolution.

The United States side must cease without delay its policy of undermining the Joint Comprehensive Plan of Action and ensure strict compliance with all requirements of Security Council resolution [2231 \(2015\)](#), by revising legislative acts and other decisions adopted previously that run counter to the resolution.

Russia, together with other responsible members of the international community, will continue to make every effort to preserve the Plan. The United States must recognize that there are neither legal nor other grounds for its policy of using Security Council mandates to pursue its own selfish interests.

(Signed) Sergey **Lavrov**
