



ISLAMIC REPUBLIC OF IRAN
MINISTRY OF FOREIGN AFFAIRS

PERMANENT MISSION TO THE UNITED NATIONS OFFICE
AND OTHER INTERNATIONAL ORGANIZATIONS
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Statement

by

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before

The IAEA Board of Governors

on

**Verification and Monitoring in the Islamic Republic of Iran in light of United
Nations Security Council resolution 2231 (2015)**

8 June 2022
Vienna, Austria

In the Name of Allah, the Compassionate, the Merciful

Please, check against delivery

Mr. Chairman,

Director General,

Excellencies, Ladies and Gentlemen,

In previous meetings of the Board, my delegation has explained in detail, the root causes of the situation that we are facing now regarding the Joint Comprehensive Plan of Action (JCPOA). We reiterate that it is methodologically incorrect and logically imprudent, to expect a different outcome, when the same causes exist. I would like to elaborate more on this fact:

The report of the Director General, as contained in document GOV/2022/24, as stated in its first paragraph, is on the Islamic Republic of Iran's implementation of its nuclear-related commitments under the Joint Comprehensive Plan of Action (JCPOA) and on matters related to verification and monitoring in Iran in light of Security Council resolution 2231 (2015). These commitments are mainly reflected in the Annex I of Annex A of UNSCR 2231.

What is usually ignored is that there are reciprocal commitments for other JCPOA participants mainly the United States and EU/E3 predominantly introduced in Annex II of the same Resolution. Have we had an international agency to monitor proliferation of illegal sanctions, the report on violations of commitments by the US and EU/E3 in light of Security Council resolution 2231 (2015) would have been a long one.

I do encourage all colleagues who follow this issue to spare some time and read sections 3 and 7 of Annex II of Annex A of the UNSCR 2231. I do believe that this reading practice will be worthwhile in order to create a more balanced and realistic approach towards the current status of the JCPOA and will ultimately put the current report of the Director General into its appropriate context. The appropriate context in which the notions like "reciprocal commitments", "balance of obligations" and "available remedies" is also considered while taking note of the report of Director General on this matter.

Following its unprovoked unilateral and illegal withdrawal from the JCPOA, the US re-imposed sanctions against Iran. Its current unilateral sanction regime against Iran contains extra-territorial sanctions which prohibit non-US nationals and non-US companies from trading with and investing in Iran. Foreign legal and natural persons who do not comply with the US extra-territorial legislation are faced with a range of consequences, including access restrictions and penalties. Thus, these sanctions not only put pressure on operators worldwide but also interfere with the sovereign foreign policy choices of States and international organizations who support the JCPOA and trade with Iran. This extra-territorial application of unilateral sanctions is itself, violation of the international law, let alone violation of the US commitments under UNSC Res 2231.

Mr. Chairman,

The fact that these sanctions are in violation of the JCPOA is self-explanatory. To put it simply, the US had basically done whatever they have committed in the JCPOA not to do and had undone whatever they have committed in the Deal to do. But one might ask why these sanctions imposed by the US are violation of international law?

A brief response would be that they are imposed, not only without having any foundation in the UN Security Council Resolution 2231, but clearly to the contrary of it which instructs lifting of those sanctions. They also constitute unlawful economic coercion which is in violation of the principle of non-intervention. With these sanctions, the US coerces foreign natural and legal persons through the extra-territorial application of its domestic law and interferes with regulatory powers of other international actors but it thereby also aims to influence the policy choices of other sovereign states in line with its own foreign policy preferences.

One should not overlook the fact that, unlike Iran, which only after more than one year of strategic patience and prudence in continuing full implementation of its commitments, started to gradually resort to the only available remedy, which is withholding performance of the reciprocal commitments, as a general rule of law and as enshrined explicitly in paragraphs 26 and 36 of the JCPOA, the US withdrew from the JCPOA and violated all of its commitments while Iran was fully implementing its obligations confirmed by 15 consecutive reports of the IAEA Director General.

Therefore, the action of the US cannot be considered a lawful retorsion or countermeasure. They are merely “abuse of power” which violate norms of *jus cogens* and definitely undermine the UN Charter.

Mr. Chairman,

The effects that these unlawful U.S actions have had on ordinary people of Iran are well known and well documented. For instance, although medicines and medical devices are technically not subject to sanctions, in practice humanitarian exemptions for medicine appear ineffective and nearly nonexistent due to the real or alleged fear of secondary sanctions, civil and criminal charges, the persistent fear among producers and suppliers and the restrictions in the processing of payments. This is the situation in an area that is technically not subject to sanctions but has been affected by U.S violation of its commitments. States, in particular E3 and EU member states who have repeatedly expressed their support for the JCPOA should also think to what extent they have practically materialized their support including through means and measures to actually mitigate these negative effects?

One cannot genuinely express support for the JCPOA while implementing illegal US sanctions or holding Iranian funds frozen in its jurisdiction. That verbal support and this actions are simply self-contradictory.

Mr. Chairman,

On the content of the Report, I would like to re-emphasize that all the nuclear remedial actions taken by Iran are in line with our rights and obligations under the NPT. As it is mentioned in the report of the Director General, contained in document GOV/2022/24, and confirmed by DG in his recent press conference, the Agency has regular access to the nuclear facilities in Iran according to the Safeguards Agreement. The Agency continues to verify the status of construction of the Arak heavy water research reactor. The Agency also continues to verify the inventory of enriched uranium in Iran and monitors and verifies all activities related to nuclear fuel manufacturing in Iran. The details in the reports of the Director General are a strong manifestation of the unprecedented level of transparency in Iran’s nuclear program and activities.

Furthermore, as a result of constructive consultations between the Director General and the Vice-President and Head of the Atomic Energy Organization of Iran (AEOI) on 15 December 2021, innovative terms were agreed in relation to the Agency's monitoring and surveillance equipment under the JCPOA. This agreement is very important because based on it, the surveillance data from all Agency cameras installed for activities in relation to the JCPOA, as well as its on-line enrichment monitors, electronic seals or installed measurement devices, will continue to be stored and made available to the Agency, as appropriate.

As transparency measures, Iran has continued to issue long-term visa for inspectors, has provided proper working space for the Agency at nuclear sites and facilitated the use of working space at locations near nuclear sites in Iran .

Mr. Chairman,

The JCPOA talks which were held here in Vienna provided a unique opportunity for the JCPOA participants and the US to prove their candid intention to get back to full implementation of their commitments through lifting all inhuman and illegal sanctions in an effective and verifiable manner. It is yet to be observed whether the current US administration is ready to abandon the infamous maximum pressure policy and its protracted addiction to use unilateral coercive measures, respect international law, implement its sanctions lifting commitments in a full, effective and verifiable manner and take all necessary decisions that this might entail.

The United States should realize that they need to address the concerns arising from their previous malpractice, the least of which is that the future performance of their commitments can be relied on.

The Islamic Republic of Iran, on its part, has engaged seriously and meaningfully in negotiations with the JCPOA participants to address the issues resulting from the US withdrawal. It is important that the outcome of these efforts ensure a meaningful, effective and verifiable implementation of commitments of other JCPOA participants as well.

I thank you Mr. Chairperson.