



THE REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS

August 20, 2020

Mr. President:

In accordance with paragraph 11 of United Nations Security Council resolution 2231 (2015), I write to notify the Security Council, on behalf of my Government, that Iran is in significant non-performance of its commitments under the Joint Comprehensive Plan of Action (JCPOA). Pursuant to this notification, which the United States makes as one of the JCPOA participants identified in paragraph 10 of resolution 2231, the process set forth in paragraphs 11 and 12 of that resolution leading to the re-imposition of specified measures terminated under paragraph 7(a) has been initiated.

The United States makes this notification to the Council only after substantial efforts have been made by Member States to remedy Iran's significant non-performance. This includes efforts by the United Kingdom, France, and Germany to bring Iran back into performance of its JCPOA commitments, including by referring Iran's non-performance to the JCPOA Joint Commission under the arrangement's dispute resolution mechanism, as announced on January 14, 2020. Yet despite extensive efforts and exhaustive diplomacy on the part of those Member States, Iran's significant non-performance persists. The United States is therefore left with no choice but to notify the Council that Iran is in significant non-performance of its JCPOA commitments.

Iran's significant non-performance is incontestable and a matter of public record. This is demonstrated by, among other actions, the following conduct by Iran:

- Iran's enrichment of uranium above the JCPOA's limit of 3.67 percent in non-performance of paragraphs 5 and 7 of the JCPOA's main text and paragraph 28 of Annex I to the JCPOA, reported most recently in paragraph 13 of the June 5, 2020 report of the International Atomic Energy Agency (IAEA) Director General on Verification and Monitoring in the Islamic Republic of Iran in Light of United Nations Security Council Resolution 2231 (2015) (the "June 2020 IAEA Report");
- Iran's accumulation of an enriched uranium stockpile in excess of 300 kilograms of uranium hexafluoride or the equivalent in other chemical forms in non-performance of paragraph 7 of the JCPOA's main text and paragraph 56 of Annex I, reported most recently in paragraphs 27-29 of the June 2020 IAEA Report;
- Iran's conduct of uranium enrichment activities that are not in line with its long-term enrichment and enrichment research and development (R&D) plan (including with respect to the number and types of advanced centrifuges installed and undergoing testing)

His Excellency

Ambassador Dian Triansyah Djani

President of the United Nations Security Council

United Nations, New York

- in non-performance of, *inter alia*, paragraph 1 of the JCPOA's main text and paragraph 52 of Annex I, reported most recently in paragraph 13 of the June 2020 IAEA Report;
- Iran's conduct of enrichment R&D in a manner that accumulates enriched uranium in non-performance of paragraph 3 of the JCPOA's main text and paragraph 32 of Annex I, reported most recently in paragraphs 15 and 22 of the June 2020 IAEA Report;
 - Iran's enrichment of uranium at the Fordow Fuel Enrichment Plant in non-performance of, *inter alia*, paragraph 5 of the JCPOA's main text and paragraphs 45 and 72 of Annex I, reported most recently in paragraphs 13, 16, and 28 of the June 2020 IAEA Report; and
 - Iran's accumulation of "excess" heavy water (*i.e.*, in excess of its needs for the modernized Arak reactor, which the JCPOA states is estimated to be 130 metric tons) in non-performance of paragraph 10 of the JCPOA's main text and paragraph 14 of Annex I, reported most recently in paragraph 11 of the June 2020 IAEA Report.

Pursuant to paragraph 12 of resolution 2231, if the Security Council does not adopt a resolution under paragraph 11 to continue in effect the terminations in paragraph 7(a), then effective midnight Greenwich Mean Time after the thirtieth day after this notification to the Security Council, all of the provisions of resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008), and 1929 (2010) that have been terminated pursuant to paragraph 7(a) shall apply in the same manner as they applied before the adoption of resolution 2231, and the measures contained in paragraphs 7, 8, and 16 to 20 of resolution 2231 shall be terminated.

Apart from Iran's significant non-performance of its commitments under the JCPOA, Iran has repeatedly defied the restrictions contained in Annex B to resolution 2231. As has been extensively documented, most recently in the ninth report of the Secretary-General on the implementation of resolution 2231, Iran has repeatedly violated the arms embargo by proliferating weapons to its partners and proxies throughout the Middle East region. In addition, Iran has repeatedly defied the Security Council's call on it not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons by conducting launches using such ballistic missile technology. While not relevant to the clear and indisputable fact of Iran's significant non-performance of JCPOA commitments, these issues are also cause for serious concern and demonstrate Iran's defiance of the Security Council.

I ask that you circulate the text of the present letter as a document of the Security Council.

Sincerely,



Ambassador Kelly Craft
Representative of the United States
to the United Nations