Addressing Iran’s Ballistic Missiles in the JCPOA and UNSC Resolution


For more than a decade, the possibility of Iran developing nuclear warheads for its medium-range ballistic missiles has been at the top of U.S. security worries for the region, followed by Iran’s potential to expand the range of its missile forces to threaten Europe and the United States.

Now, with the conclusion of the Joint Comprehensive Plan of Action (JCPOA) between the P5+1 and Iran, which will block Iran from building nuclear weapons for at least 15 years, along with a new UN Security Council resolution (2231) on the nuclear deal, which extends restrictions on Iran’s ballistic missile activities and trade, the potential threat from Iranian ballistic missiles has been radically reduced.

Negotiations Were About Nuclear Warheads, Not About Missiles

In the long negotiations between Iran and the P5+1 countries (China, France, Germany, Russia, the United Kingdom, and the United States), the parties had avoided contentious issues beyond the nuclear realm in the belief that resolving the nuclear imbroglio was the highest international security priority and including other issues could overload the agenda and jeopardize reaching any agreement.

Senior U.S. officials stressed the talks were focused exclusively on resolving concerns about Iran’s growing nuclear program—not, for example, on its support for terrorism, behavior in the region, or human rights practices.

However, among the restrictions established by six UN Security Council resolutions in response to Iran’s sensitive nuclear activities are restrictions on Iran’s ballistic missile activities relating to the delivery of a nuclear weapon and restrictions on heavy conventional arms transfers to Iran.

UN Security Council Resolution 1737, passed in December 2006, states that countries must not provide technical or financial assistance, training, or resources related to certain nuclear and ballistic missile-related goods, and that all member states must refrain from importing designated nuclear and ballistic missile-related items from Iran.

UN Security Council Resolution 1929, passed in June 2010, establishes a comprehensive arms embargo on Iran, banning the sale of “battle tanks, armored combat vehicles, large caliber artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems” to Iran. Iran is also prohibited from undertaking any activity related to ballistic missiles, and the resolution requires states to take necessary measures to prevent technology relevant to ballistic missiles from reaching Iran.

The primary purpose of these resolutions was to restrict Iran’s sensitive nuclear activity until such time as negotiations could resume and lead to an agreement preventing Iran from building nuclear weapons.

Undersecretary of State Wendy Sherman had assured Congress during her early testimony on the negotiations that Iran’s ballistic missiles would be addressed, but she did not specify how this would
occur.

Iran’s position was that the negotiations were about its nuclear program and not about its ballistic missiles or conventional military capabilities; a replacement resolution in response to an agreement on the nuclear issues should therefore not maintain any restrictions on its ballistic missile activities and acquisition of conventional arms. The Russians and Chinese were in support of Iran’s view.

Even U.S. Secretary of State Kerry acknowledged in response to a question at his July 14 press conference that “[UNSC Resolution 1929] says specifically that if Iran comes to negotiate – not even get a deal, but comes to negotiate – sanctions would be lifted.”

**Missile Restrictions and Heavy Weapons Embargo Extended**

Despite the Russian, Chinese and Iranian opposition, U.S. negotiators dug in their heels. Although not explicitly addressed in the JCPOA, UN Security Council Resolution 2231, unanimously adopted on July 20, contains an eight-year restriction on Iranian (nuclear-capable) ballistic missile activities and a five-year ban on conventional arms transfers to Iran.

Specifically, Annex B of the new resolution calls upon 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.” The resolution also grants the Security Council the authority to review and deny on a case-by-case basis any transfer to Iran of materials, equipment, goods, or technology that could contribute to nuclear weapons delivery systems.

Moreover, even after restrictions on arms sales and ballistic missile activities are lifted under the new resolution, they would still be subject to re-imposition “in the event of significant non-performance by Iran of its JCPOA commitments…”

These features of the arrangement have not gone well in Tehran. According to the official statement from Tehran, issued in response to the resolution, “Iranian military capabilities, including ballistic missiles, are exclusively for legitimate defense. They have not been designed for WMD capability, and are thus outside the purview or competence of the Security Council resolution and its annexes.” A prominent Iranian hardliner complained, “The negotiating team was not supposed to negotiate on Iran’s ballistic missile technology.”

Despite the U.S. negotiators’ success in retaining features of the earlier resolution’s constraints on ballistic missiles and conventional arms, U.S. critics of the JCPOA either entirely ignore the UN’s adoption of a new multi-year arms trade embargo and its continuing restrictions on Iranian (nuclear-capable) ballistic missile activities or they complain that these restrictions are not permanent.

**A Much Lower Threat From Iran’s Ballistic Missiles**

There are many potential hurdles to implementation of the JCPOA; surviving U.S. Congressional scrutiny over the next sixty days is the most imminent. But it is important to consider how carrying out the nuclear deal is likely to affect Iran’s potential ballistic missile capabilities during the coming decade.

First and foremost, the comprehensive nuclear deal with Iran will block Iran’s pathways to nuclear weapons, thus ensuring that Iran cannot develop a nuclear warhead capable of being delivered via ballistic missile. This renders Iran’s ballistic missiles a far less of a threat to regional and international security.

Second, even without the nuclear weapons constraints in the JCPOA, the reality of Iran’s ballistic missile program has never quite lived up to its reputation. Iran never developed or flight-tested a long-range ballistic missile; it has never even asserted a need to build one. This professed disinterest stands in contrast to Tehran’s boastful posture with regard to many other home-grown weapons programs and its explicit justification for medium-range missiles as a deterrent against Israeli attack.
In fact, after developing a modest inventory of relatively inaccurate medium-range ballistic missiles, Iran seems to have put most of its recent energies into improving the performance of shorter-range missile systems, more relevant to Iran's immediate neighborhood around the Persian Gulf. No medium-range missiles have flown since 2012; even the long-awaited Simorgh space-launch vehicle, with technology relevant to a longer-range ballistic missile, has yet to appear. Although “death to America” may still be heard during Friday prayers in Tehran, neither the nuclear warhead nor the delivery vehicle for administering such a blow is being built.

Now, with both the JCPOA’s impediments to pursuing nuclear weapons and the new UN Security Council resolution extending restrictions on nuclear-capable ballistic missile activity and missile trade years into the future, the potential magnitude of the Iranian ballistic missile threat has been significantly reduced. —Greg Thielmann

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