

The UN Report on the Iran Deal Resolution: The Good, the Unclear, and the Troubling

Authored by Kelsey Davenport on Thu, 2017-06-29 10:17

The UN Secretary General's biannual [report](#) on UN Security Council Resolution 2231 affirms Iran's compliance with nuclear provisions of the [2015 agreement between Tehran and the P5+1](#) (China, France, Germany, Russia, the United Kingdom, and the United States), but raises concerns about Iran's ballistic missile activity and compliance with UN restrictions.

[Resolution 2231](#) (July 2015) endorsed the nuclear deal known as the Joint Comprehensive Plan of Action (JCPOA), and lifted some UN sanctions, while maintaining the arms embargo on Iran and ballistic missile restrictions. In the recently released report, the Secretary General said he welcomed the "full and effective implementation" of the JCPOA and called upon all UN member states to "fully implement their obligations" under Resolution 2231.

While this report is [another confirmation](#) that Iran is meeting commitments under the nuclear deal, it cites procurement activities that violate UN Security Council Resolution 2231 and could raise tensions, risking the success of the agreement.

The Good: Iran's Compliance with the Nuclear Deal

Like the past two reports, the June 2017 report said there was no information about the "supply, sale, transfer, or export," to Iran of nuclear and dual-use materials and technologies outside of the procurement channel set up by the JCPOA to regulate Iran's purchases.

Under the nuclear deal, the applications to purchase dual-use materials are processed by the [procurement channel](#) and reviewed by the Security Council. The report noted that an additional 10 applications were submitted since December 2016, of which five were approved. Four applications are currently under review.

This is another positive step that demonstrates Iran's commitment to meet its obligations under the nuclear deal and use the processes established by the agreement to legally purchase dual-use materials.

The Unclear: Iran's Continued Ballistic Missile Testing

Unsurprisingly, the report raised concern about a [Jan. 29 test](#) of Iran's Khorramshahr medium-range ballistic missile and noted that there is still disagreement over how to interpret the language restricting ballistic missile activities. There are no ballistic missile restrictions in the nuclear deal, but Resolution 2231 "called upon" Iran not to "undertake any activity related to ballistic missiles designed to be nuclear capable." This language is less definitive than prior Security Council resolutions restricting Iran's ballistic missile activity.

France, Germany, the United Kingdom, and the United States said in a Feb 7 letter to the Secretary General that the Khorramshahr test was "destabilizing, provocative, and that it had been conducted in defiance of resolution 2231." The four states said that the Khorramshahr can carry a 500-kilogram payload over 300 kilometers, the specifications used by the Missile Technology Control Regime to define a nuclear-capable ballistic missile.

Iran, however, continues to maintain that its missiles, including the Khorramshahr, are not "designed" to carry nuclear weapons, and the tests are therefore permitted under Resolution 2231. In a March 9 letter to the Security Council, Iran said nothing in the resolution prohibits conventional missile activities and the "demand for the cessation" of conventional defense activities is unwarranted.

Both sides made similar arguments in the [July 2016 version](#) of this report, which examined ballistic missile launches in 2016.

In the 2017 report, the Secretary General noted the lack of consensus over how to characterize the test and called upon Iran to avoid such missile launches that “have the potential to increase tensions.”

The United States responded to the Khorramshahr test in February by [designating additional individuals](#) and entities associated with Iran’s ballistic missile activities. This was a measured and expected response.

The Troubling: Iran’s Procurement of Ballistic Missile Materials

The Secretary General’s report noted an allegation made by the United States in June 2017 that an Iranian entity received a shipment of ballistic-missile related materials, including carbon fiber in October 2016. The Secretary General has not been able to independently corroborate this report, but said the Secretariat will provide an update if additional information is available. The prior two reports did not note any concerns about illicit ballistic missile procurement activities.

If true, the October 2016 purchase is troubling because under Resolution 2231 Iran is only permitted to buy restricted items for its ballistic missile program with prior approval from the Security Council. (The procurement channel set up by the JCPOA is not involved in ballistic missile-related purchases, just the Security Council.)

The U. S. government said no such prior Security Council approval was granted and characterized the purchase as a violation of 2231. And unlike the ballistic missile testing provisions, which are poorly defined and open to different interpretations, the prohibition on importing restricted materials for ballistic missiles without the Security Council’s permission is clear cut.

While concerning, it is important to evaluate this potential violation in a broader context. First, this is not a violation of the nuclear deal. And because the deal guards against Tehran developing nuclear weapons, Iran’s ballistic missiles carry conventional warheads and pose far less of a threat.

Given that the United States cites this purchase as being contrary to Resolution 2231 and not the nuclear deal, it suggests that Washington does not believe the carbon fiber could or will be used for centrifuge manufacture. And if Iran were to try and divert the carbon fiber to produce centrifuges, it is likely that the multi-layered inspections regime put in place by the agreement would detect the diversion.

Additionally, unlike the nuclear agreement, which Iran entered into voluntarily, Tehran never accepted the Security Council’s efforts to restrict its ballistic missile activities because Iran maintains the systems are critical to its defense. Given regional animosities, and the conventional capabilities of states like Israel and Saudi Arabia, Iran clearly does have legitimate security concerns.

However, this does not justify Iran’s decision to try and circumvent the controls set up in Resolution 2231 and Tehran should recognize that violations of Security Council restrictions raise tensions and risk escalation.

In response to this potential violation and other allegations of arms embargo violations cited in the UN report, some in the United States might be tempted to respond by seeking to further ratchet up sanctions pressure on Iran.

While it may be appropriate to designate any entities involved with the ballistic missile materials purchase, the United States should refrain from steps that risk undermining the nuclear agreement and escalating tensions. Washington also has a number of [other tools](#) at its disposal to try and prevent Iran from advancing its ballistic missile capabilities that do not risk the nuclear deal, including supporting efforts to negotiate regional ballistic missile limits and strengthening multilateral interdiction efforts.

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