

BIGMUN 2021

Committee: Disarmament and International Security Committee (DISEC)

Agenda Item: Ensuring the sustainability of Joint Comprehensive Plan of Action.

Student Officer: Başer Gürsoy

Position: Vice President

Letter From the Chair Board

To Disarmament and International Security Committee,

Greetings delegates, we welcome you to the DISEC and sincerely hope this background guide helps you with your impending mountain of research. Whether you're here to add an extra row to your MUN CV or to debate or to expand your social circle, we hope you have a fun, enriching experience at BIGMUN.

Kindly note that this background guide is only a short introduction to the topic. We expect each delegate to come to the conference with an understanding of their country's positions and a willingness to forge agreements. We understand that for many of you this will be your first model UN experience and we are so excited that we get to be with you through your first Model UN journey. Most of you are certainly excited but still anxious as to what this conference holds in store but remember to enjoy every moment because these are some priceless memories that all of you will treasure. You must keep in mind that apart from having fun and aiming for the trophy, you have been entrusted with a task that needs you to arrive at solutions to the challenges that you will be faced with. Despite the probability of an online MUN to be a challenge, yet we strongly believe you can push your potential to the maximum capacity to make the best out of it. With your help, we hope that this will be an amazing conference and that you will be inspired to continue your MUN journey ahead. We look forward to hosting each one of you and hope to nourish the diplomats in you.

To all the delegates who have committed themselves to this conference, we sincerely hope that we meet all your expectations and help you thrive at the art of repertoire. Wishing you all the best for the upcoming conference.

Please feel free to clear any doubts. The chair and the co chair will be more than happy to help you. No question is irrelevant. We hope that you not only enjoy your time with us here in BIGMUN, but that you also consider this MUN to be a stepping stone towards your future participation in many more MUNs to come.

Regards,

Efe Arman & Başer Gürsoy

The Chairboard of the Disarmament and International Security Committee

Introduction

The Islamic Republic of Iran is a theocratic country located in the Middle Eastern region. Since the 2000s, several nations have raised concerns over Iran's nuclear programme. In 2006, the United Nations implemented nuclear sanctions, which soon crippled Iran's economy. On the 14th of July 2015, the Joint Comprehensive Plan of Action (JCPOA) was signed by the United States of America, United Kingdom, France, People's Republic of China, Russia, Germany and Iran. In the JCPOA, these states agreed to lift the nuclear sanctions on Iran, in return for Iran mostly dismantling their nuclear programme. On 8th of May 2018, however, the United States declared its withdrawal from the treaty and began reimplementing sanction on Iran. Since then, Iran has started to violate the agreement, stating that it was open for further negotiations with the European signatories and could rejoin the deal, if the US sanctions were lifted.

Definition of Key Terms

IAEA: Short for "International Atomic Energy Agency", an autonomous international organisation of the United Nations. Established 29th of July 1957, IAEA seeks to promote peaceful use of nuclear energy and condemn its use in military arsenals. With the JCPOA, IAEA was assigned to monitor Iran's nuclear programme and to report any violations of the agreement to the UN. Its investigators have full access to Iran's nuclear facilities and as of today, still remain in Iran.

UN Resolution 2231: UN Resolution 2231 refers to the resolution passed by the Security Council on 20 July 2015, which officially legalized and endorsed JCPOA by the UN.

"Snapback" Sanctions: Snapback Sanctions, refers to the reimposition of previous UN nuclear sanctions towards Iran, under the conditions stated in UN Resolution 2231. Resolution 2231 allows JCPOA participants to call for a reimposition of previous sanctions on Iran, under some conditions. The term "Snapback" generally started being used after USA's withdrawal from the JCPOA and their following attempt, on 20 August 2020, to reimpose UN sanctions.

P5 + 1: P5 + 1 refers to the five permanent members of the UN Security Council (USA, UK, France, Russia and China) and Germany.

Uranium Enrichment: Uranium Enrichment is an artificial process used to increase the percentage of Uranium-235 isotopes within a Uranium mixture. Natural Uranium contains about 1% Uranium-235. Uranium enriched up to 5% is used as fuel in nuclear reactors, while Uranium has to be enriched over 90% in order to produce a nuclear weapon. The JCPOA restricted Iran from enriching Uranium higher than 3.67%.

Background Information

The Creation of Iran's Nuclear Programme

Before the Islamic Republic was established, the Imperial State of Iran (the Iranian monarchy) used to receive nuclear aid from the United States of America, under the “Atoms for Peace” programme. USA’s nuclear aid consisted of sharing nuclear technology, fuel and equipment between Iran and the USA and the construction of several enrichment laboratories and a nuclear research reactor (the Tehran Research Reactor). At this time, the construction of the Bushehr Nuclear Power Plant was begun, by the German Company Kraftwerk. However, with Islamic Revolution of 1979, the Shah and the monarchy was overthrown and a new Islamic Republic was formed. After the revolution, many Iranian and international nuclear experts fled the country and due to the hostility of relations between the new regime and the USA, the USA cut off all nuclear aid to Iran. As such, the construction of the Bushehr Nuclear Power Plant was suspended by Kraftwerk, before the first reactor could be completed, and then carried out and finished by Russia in the 1990s.

After the revolution in Iran, the new Islamic regime’s leader, Ayatollah Ruhollah Khomeini saw nuclear technology “un-islamic” and strongly opposed its development in Iran. This, alongside the fact that Iran lost most of its nuclear talent in the revolution and that the US cut off all nuclear assistance, caused Iran’s Nuclear Programme to stagnate and disintegrate. However, in 1984, Khomeini expressed a positive opinion about nuclear energy and began searching for international partners for Iran’s nuclear development. In the late 1980s and early 1990s, Iran signed several Nuclear Cooperation agreements with Pakistan, China and Russia. Nevertheless, both China and Russia had to scale back the Nuclear Cooperation attempts, due to US diplomatic pressure. The US also blocked a Iranian deal with Argentina about uranium enrichment and heavy water production facilities.

Iran’s Nuclear Diplomacy and International Nuclear Sanctions

On 14 of August 2002, the National Council of Resistance of Iran, the political-wing of a terrorist organisation, revealed that the Iran government had secretly built nuclear facilities around Natanz and Arak. In light of this declaration the IAEA demanded that Iran suspend all Uranium enrichment activities and allow a comprehensive IAEA investigation to be conducted. Iran accepted IAEA’s demands and signed the “Additional Protocol”, requiring Iran to provide a declaration of all nuclear activities and give IAEA access to all nuclear sites. In mid-2005, diplomatic negotiations between Iran and the United Kingdom, France and Germany (the negotiators of the previously signed “Additional Protocol”), broke down. On February 6th 2006, Iran declared that it would stop implementing the limitations of the “Additional Protocol” and resumed enrichment. Following Iran’s declaration, the IAEA Board of Directors decided to refer Iran to the UN Security Council.

After the IAEA referred Iran to the UN Security Council, due to significant non-compliance, Security Council Resolution 1696 was proposed. The Resolution, which demanded that Iran cease all enrichment projects and reprocessing activities, passed with 14 votes in favour, on

31 July 2006. Following the resolution, the Iranian president Mahmoud Ahmadinejad declared that Iran would not bow to “the language of force and threats”. On 23rd of December 2006, due to Iran’s failure to respond to Resolution 1696, the Security Council

passed Resolution 1737 unanimously. The resolution placed the first UN Nuclear Sanctions on Iran, prohibiting countries to sell nuclear-related materials and technology and placed an asset freeze on key parts of Iran's Nuclear Programme. The resolution generated heavy backlash within Iran, and many key Iranian officials condemned the resolution. The sanctions applied in Resolution 1737 were increased in following Security Council resolutions, in 2007 and 2010.

The Joint Comprehensive Plan of Action

On June 14 of 2013, Hassan Rouhani was elected president of the Islamic Republic of Iran. Rouhani stated that Iran will continue with its Nuclear Programme, however, offered to be more transparent and cooperative with the IAEA. On 3 August 2013, Rouhani was inaugurated and three days later called for the reinitiation of negotiations between Iran and the P5 + 1. The first negotiations were held in Geneva, on 15-16 October 2013. After two more meetings in Geneva, both sides signed the Joint Plan of Action (JPOA). The JCPOA included steps over the next six months and created a framework for a more comprehensive agreement in the future. The JCPOA took effect after the 20th of January 2014. However, the negotiations for the final comprehensive agreement stalled, until the final negotiations took place in Vienna, on the 26th of June 2015.

The Joint Comprehensive Plan of Action was signed by the P5 + 1, the European Union and Iran, on the 14th of July 2015. The JCPOA aimed to maximize the amount of time Iran would need to produce a nuclear weapon. To achieve this aim, the agreement reduced Iran's enrichment capabilities by reducing the number of active centrifuges and converting the Fordow Enrichment Facility into a research center for 15 years. Furthermore, the JCPOA established limitations on the enriched Uranium and heavy water stockpiles of Iran and gave IAEA full access to Iran's nuclear facilities. In return, the agreement terminated all UN and independent Nuclear Sanctions placed on Iran. Despite opposition on both sides, both the Iranian and the American parliament accepted the deal. The JCPOA was officially endorsed by the UN with the Security Council Resolution 2231, which also created a timetable for the implementation of the JCPOA and a clause for the termination of the agreement, in the case of non-compliance. October 18th of 2015 marked the "Adoption Day" of the JCPOA, when the agreement came into effect. After the IAEA verified that Iran had implemented the JCPOA limitations, on 16 January 2016, was declared "Implementation Day" of the agreement, when all Nuclear Sanctions on Iran were removed.

The US Withdrawal and The Question of Sustainability

Since 2016, the IAEA has been releasing quarterly reports on Iran's compliance with the JCPOA limitations. These reports, until 2019, have all confirmed Iran compliance in the deal's implementation. On 30 April 2018, a period when the USA was on the verge of withdrawal, Israeli Prime Minister Benjamin Netanyahu, revealed the existence of documents that Israeli Intelligence had 'supposedly' retrieved from Iran, and claimed they were proof that Iran had pursued nuclear weapons in the early 2000s. However, this claim was largely dismissed by experts, as the supposed documents weren't credible. Nevertheless, the US officially announced their withdrawal from the JCPOA and the reimposition of all US Nuclear Sanctions on Iran, on 8 May 2018, a move that was heavily criticized by the international community. Many countries, including all other JCPOA participants, criticized USA's

withdrawal, with only a handful (Israel, Yemen, UAE, Egypt, Saudi Arabia and Bahrain) supporting it.

Despite USA's withdrawal, Iran continued to implement all JCPOA limitations on its Nuclear Programme and continued negotiations with the remaining participants. However, when the USA cancelled all Nuclear Assistance Projects that were agreed in the JCPOA, five major breaches of the JCPOA by Iran ensued. These breaches consisted of most JCPOA limitations on Iran including, the limit on Uranium enrichment, the stockpile limit on enriched Uranium and heavy water and the limits on Iran's enrichment capacity. However, despite breaching most of the agreement, Iran allowed all IAEA monitoring elements to remain in the country. On 14 January 2020, the United Kingdom, France and Germany triggered the JCPOA's dispute mechanism, an action criticized by the remaining participants. On 20 August 2020, the US Secretary of State Mike Pompeo, in a letter to the Security Council, demanded a snapback of all UN Nuclear Sanctions on Iran. The attempt failed however, when most members of the Security Council stated that the US was no longer a JCPOA participant. Today, all remaining participants still pledge their support to preserve the deal and to assist in the event of a future attempt by the USA to rejoin the deal.

Major Countries and Actors Involved

Islamic Republic of Iran: One of the eight signatories of the JCPOA, the Islamic Republic of Iran is a key player in this issue. Iran was one of the first countries to condemn the United States' actions, after their withdrawal from the JCPOA. Despite this setback, Iranian President Hassan Rouhani stated that Iran would continue to negotiate with the remaining signatories and that if their demands could be met, they would continue to act by the limitations of JCPOA. Until the United States cancelled all Nuclear Assistance Projects in Iran, in July 2019, the IAEA hadn't reported any breach of the JCPOA. Starting from July 2019 to January 2020, five breaches of JCPOA regulations have been reported by the IAEA, all of which in response to the reimplementation of US sanctions. Today, Iran insists that they have no intention of pursuing a nuclear weapon and that they will continue collaboration with the IAEA.

United States of America: When the JCPOA was signed, even though it was remarked as a "landmark deal" by some, it wasn't received as well in other aspects of American society. When the Donald Trump administration won the 2016 American Elections, one of their campaign promises was to "rip it up", referring to the JCPOA. After two years of attempts, the USA officially announced their withdrawal from the JCPOA and the reimplementation of previous US Nuclear Sanctions on Iran, on 8 May 2018. USA's withdrawal generated major backlash from the international community, while the remaining JCPOA signatories pledged to continue the agreement. In May of 2019, the US took steps in order to cancel all Nuclear Assistance Projects, as outlined in the JCPOA, with Iran. Following the five major breaches of the JCPOA by Iran, the US tried a "Snapback" attempt of all previous UN Nuclear Sanctions on Iran, on 20 August 2020. This attempt failed after most members of the UN Security Council stated that the USA was no longer a participant of the JCPOA and dismissed it. On the other hand, Joe Biden, the winning candidate in the 2020 American Elections (whose inauguration is on the 20th of January 2021), has expressed his intent to

rejoin the JCPOA, on the condition that Iran does the same. However, whether Biden will be able to fulfill his promise so quickly does remain to be seen.

People's Republic of China: A participant of the JCPOA, People Republic of China is both a long term ally and the biggest trade partner of Iran. With the US withdrawal in 2018, China also criticized the US, while stating that "dialogue is better than confrontation" and that "all sides need to uphold the agreement". China, in many press releases, have reiterated their support for the JCPOA and have stressed the need to strengthen dialogue and consultation within the agreement.

Russian Federation: Russia has both been a strong ally and the nuclear partner of Iran. The Russian Federation has played a major part in the construction of the Bushehr Reactor and the development of Iran' Nuclear Programme, after the USA stopped nuclear aid, after the formation of the Islamic Republic. Russia, also having criticized the US withdrawal, has been a staunch defender of Iran in the JCPOA.

French Republic: The French Republic has been an active participant of JCPOA. Releasing several statements, both independently and alongside the United Kingdom and Germany, stating the importance of cooperation between the participants and the preservation and sustainability of the JCPOA. However, in January 2020, France expressed concern due to the major breaches of the JCPOA by Iran and stated they would be activating a dispute mechanism in the JCPOA, to preserve the agreement, with the United Kingdom and Germany. This action has been called "unconstructive" by Iran and "possibly harmful" by Russia.

United Kingdom: The United Kingdom was one of the instigators of the process that led to the JCPOA. In 2018, the UK has stated "disappointment" and "regret" about the US decision to withdraw from the agreement. Furthermore, the UK stated that systematic Iranian non-compliance risked the sustainability of the agreement and has activated the dispute mechanism of the JCPOA, along with France and Germany.

Federal State of Germany: The Federal State of Germany was one of the two non-P5 countries to sign the Joint Comprehensive Plan of Action. In many press releases, Germany called the agreement, "a crowning diplomatic achievement". However, Germany criticized both USA's withdrawal and snapback attempt and Iran's violations of the JCPOA. To work around the US Sanctions applied to Iran, Germany alongside the UK, France and other European countries, established INSTEX, a special body designed to engage in legitimate trade with Iran. INSTEX completed its first transaction in March 2020.

State of Israel: Since the JCPOA was signed, Israel had always stated that it had "no confidence" the JCPOA would work and that the participants' support for the deal was "absurd". On 30 April 2018, Isreali Prime Minister Benjamin Netanyahu was involved in a statement regarding Iran's previous nuclear activities, which was largely dismissed by the international community as a way to persuade the USA to withdraw from the JCPOA. Indeed, Israel was one of the handful countries that supported USA's withdrawal, even calling the move "bold". Since then, Israel has raised discontent over the support of the rest of the JCPOA participants for the agreement.

European Union: The European Union is the only international body that is a signatory of the JCPOA. Overall, the European Union has supported the policies of France, Germany and the United Kingdom in JCPOA affairs, until now. The EU raised concern over both USA's withdrawal and the violations of Iran, on the issue.

Timeline of Events

March/April/May/June 2015 - The P5 + 1, alongside EU and the Islamic Republic of Iran begin negotiations for the JCPOA. A framework for the JCPOA that establishes the basic principles of the agreement is drafted.

14 July 2015 - The JCPOA is signed by the P5 + 1, the EU and Iran in Vienna. The agreement places limitations on Iran's Nuclear Programme, in return for the removal of UN Nuclear Sanctions against Iran.

20 July 2015 - The UN Security Council unanimously adopted UN Resolution 2231, resulting in the UN recognition and endorsement of the JCPOA. Furthermore, the resolution establishes a timetable for the agreement's implementation and creates a termination mechanism.

18 October 2015 - Adoption Day of the agreement, the JCPOA officially takes effect. The IAEA implements the additional protocol towards monitoring Iran's Nuclear Programme, from the JCPOA.

16 January 2016 - Implementation Day of the agreement, triggered when the UN Security Council receives confirmation from the IAEA, stating that Iran has implemented the JCPOA limitations on its Nuclear Programme. With the Implementation Day, all previous Nuclear Sanctions against Iran are removed.

30 April 2018 - Israeli Prime Minister Benjamin Netanyahu, in a presentation, claimed that Iran had previously pursued a Nuclear Weapons Programme and showed 100,000 documents Israeli Intelligence has supposedly seized from Iran. Israel's claims were disputed and pushed back by Iranian officials and international experts and organisations, including the IAEA, dismissed the claim stating that there had been no credible information regarding the development of a Iranian Nuclear weapon after 2009.

8 May 2018 - USA officially withdraws from the JCPOA, declaring the deal "defective" and "disastrous". All US Nuclear Sanctions against Iran were reimplemented, however, Iran remained compliant to the JCPOA.

1 July 2019 - IAEA reported that Iran had breached the 300 kilograms limit on Enriched Uranium stockpiles. This was the first major breach of the JCPOA by Iran.

8 July 2019 - IAEA reported that Iran had enriched Uranium up to 4.5%, ignoring the 3.67% limit on Enriched Uranium, set by the JCPOA.

8 September 2019 - Iran declared that it would no longer be bound by the research and development limitations set on its Nuclear Programme by the JCPOA.

16 November 2019 - IAEA reported that Iran had breached the 130 metric tonnes limit on Heavy Water.

15 January 2020 - Iran declared that it would no longer abide the limits on operational centrifuges. This was the last major breach of the JCPOA by Iran, to date. Furthermore, Iran also stated that it had no intent to pursue any Nuclear Weapon and that it would continue cooperation with the IAEA.

20 August 2020 - A letter from the US Secretary of State Mike Pompeo was delivered to the UN Security Council. The letter stated that the US wanted a full "Snapback" of all previous UN Nuclear Sanctions due to Iran's incompliance with the JCPOA. Most members of the Security Council expressed concern that the US had no right to reimplement all previous sanctions due to their withdrawal in 2018. In the end, the previous UN sanctions were not reimplemented.

Relevant UN Treaties and Events

UN Security Council Resolution 1696 - Resolution 1696 called Iran to cease all enrichment and refinement projects and threatened Iran with Security Council action otherwise. The resolution was regarded negatively by Iran.

UN Security Council Resolution 1737 - Resolution 1737 implemented the first Nuclear Sanctions on Iran, due to non-compliance. The resolution was condemned by Iran.

UN Security Council Resolutions 1747 & 1929 - Resolutions 1747 and 1929 served the purpose of widening and increasing the Nuclear Sanction applied to Iran.

UN Security Council Resolution 2231 - With Resolution 2231, UN officially recognised and endorsed the JCPOA. The resolution created a timetable for the agreement's implementation and a mechanism for its termination.

Questions to be Considered

- 1) Can Iran be persuaded to rejoin the JCPOA? If so, what measures can be taken to prevent another major breach of the agreement?
- 2) What measures can be taken in order to ensure the JCPOA's survival alongside the US Nuclear Sanctions?

- 3) What other mechanisms could be created, in order to settle future disputes within the JCPOA?
- 4) With the new Joe Biden administration in the USA and their promise to rejoin the JCPOA, what can be done to incorporate the USA back into the deal and to ensure the full participation of the USA in the future?

Bibliography

<https://www.nytimes.com/2018/05/08/world/middleeast/trump-iran-nuclear-deal.html>

<https://www.whitehouse.gov/briefings-statements/remarks-president-trump-joint-comprehensive-plan-action/>

<https://www.cnbc.com/2018/05/08/a-serious-mistake-read-obamas-statement-on-trumps-decision-to-pull-out-of-iran-deal.html>

<https://www.cia.gov/library/publications/the-world-factbook/>

https://eeas.europa.eu/headquarters/headquarters-homepage_en/90907/Joint%20Minister%20Statement%20on%20the%20Joint%20Comprehensive%20Plan%20of%20Action

<https://www.diplomatie.gouv.fr/en/country-files/iran/news/article/joint-statement-by-the-foreign-ministers-of-france-germany-and-the-united>

<https://www.aa.com.tr/en/world/russia-iran-deal-dispute-mechanism-could-be-harmful/1702483>

https://en.wikipedia.org/wiki/United_States_withdrawal_from_the_Joint_Comprehensive_Plan_of_Action

<https://www.cfr.org/backgrounder/what-status-iran-nuclear-agreement>

<https://www.un.org/press/en/2018/sc13398.doc.htm>

<https://www.un.org/securitycouncil/content/2231/background>

<https://foreignpolicy.com/2020/08/25/trump-pompeo-iran-snapback-sanctions-jcpoa/>

<https://www.pri.org/stories/2020-01-03/history-us-iran-relations-timeline>

<https://www.nti.org/learn/countries/iran/nuclear/>

<https://www.iaea.org/newscenter/focus/iran/chronology-of-key-events>

https://www_aa.com.tr/en/americas/eu-regrets-us-decision-on-iran-nuclear-deal/1858896

<https://www.armscontrol.org/blog/2019-05-07/understanding-us-moves-jcpoa-nonproliferation-project-waivers>

<https://www.state.gov/secretary-pompeo-tightens-nuclear-restrictions-on-iran/>

<https://news.cgtn.com/news/2020-07-14/China-reiterates-firm-support-for-Iran-nuclear-deal-S7IFsgPCrS/index.html>

<https://edition.cnn.com/2020/01/14/europe/iran-nuclear-deal-dispute-france-germany-uk-intl-gbr-grm/index.html>

<https://commonslibrary.parliament.uk/research-briefings/cdp-2020-0135/>

<https://www.gov.uk/government/news/uk-statement-on-jcpoa-implementation-04-july>

<https://k1project.columbia.edu/content/atoms-peace-jcpoa-history-iranian-nuclear-development>

https://en.wikipedia.org/wiki/United_Nations_Security_Council_Resolution_1696

https://en.wikipedia.org/wiki/United_Nations_Security_Council_Resolution_1737

<https://www.armscontrol.org/factsheets/Timeline-of-Nuclear-Diplomacy-With-Iran>

<https://www.auswaertiges-amt.de/en/aussenpolitik/regionaleschwerpunkte/nahermitteleuropa/04-iran>

<https://www.world-nuclear-news.org/Articles/EU-reiterates-support-for-JCPOA,-expresses-concern>