

Model United Nations

2020

HSC

Study Guide

Agenda: Withdrawal of the USA from the JCPOA

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Vice Chairperson: Abhay Shekhar

Address by Executive Board

Greetings delegates!

Welcome to the Historic Security Council! The Executive Board is as follows:

Chairperson: Vatsal Biyani; Chairperson: Avyay Tulsyan; Vice – chairperson: Abhay Shekhar

It is indeed a pleasure to welcome you to the Historic Security Council at Open House Model United Nations, 2020. This committee shall require the perfect balance between logic, research, fruitful debate and thinking on your feet. With the agenda set as “The withdrawal of The United States of America from the Joint Comprehensive Plan of Action (JCPOA).” The importance of keeping a check on nuclear equipment throughout the world is very well known to one and all.

In this dynamic committee, we plan on discussing all pertinent and relevant topics our delegates decide to bring up. The freeze date for the committee shall be- 9th May, 2018, exactly a day after The United States of America announced its withdrawal from the JCPOA (8th May, 2018). Please keep this in mind while researching the various events that took place.

The Historic Security Council shall be a semi-crisis committee, with delegates determining the path of committee through their directives. We expect this committee to strike a balance between conventional research and legal discussions, as well as dynamic response to crises. In order to shine in the Historic Security Council, delegates will have to be well-versed in the intricacies of international law, be well researched on the JCPOA and, at the same time, must have the ability to come up with effective responses to unprecedented situations on the spot.

We look forward to chairing this committee, and hope that it will be an enriching experience for all the delegates. See you on the 20th and 21st of June!

***Regards,
The Executive Board***

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About the UNSC

Despite simulating a United Nations Security Council, the Executive Board has deemed it fit to make certain procedural changes in order to ensure that observer nations do not have an extremely diminished role in committee.

In procedural votes, instead of requiring the votes of 9 of the 15 members of the UNSC, the committee will follow the simple majority rule. In procedural matters, Observer States will be allowed to vote. Furthermore, in case of voting upon Working Papers, the Observer States will be allowed to vote, and the Working Papers will be passed or failed based on simple majority, and the veto power shall not be applicable.

However, Observer States will not be allowed to vote upon Resolutions. During voting on Resolutions, the UNSC procedure will be followed in that only the 15 UNSC members will be allowed to vote, and the Permanent Members of the UNSC will be allowed to exercise their veto power. A Resolution will require 9 votes of 15, as well as the affirmation votes or abstentions of the Permanent Members, in order to be passed. It is to be noted that the Permanent Members of the Security Council may not exercise their veto power in any situation other than formal voting on Resolutions.

Furthermore, Observer States will be allowed to author and be signatories of Working Papers because Working Papers are informal documents and are in no way representative of the final outcome of committee. However, Observer States will not be allowed to author or be signatories of Resolutions, as Resolutions are formal documents and are the final outcome of the United Nations Security Council Session.

If an Observer State contributes to a Resolution and defends it in committee, then the Executive Board will take note of it and score it accordingly so as to ensure that Observer States are not placed at a significant disadvantage. Considering the fact that this is only a simulation, the Executive Board reserves the right to deviate from formal UN procedure whenever it deems it to be in the interest of committee.

The JCPOA

The Joint Comprehensive Plan of Action (JCPOA) was an agreement or deal implemented on 16th January, 2016. Signed in Vienna, Austria, the date of adoption for the Iran Deal or more commonly called The Iran Nuclear Deal was created on 14th July 2015.

ADOPTION:

Negotiations heading towards the Joint Comprehensive Plan of Action (JCPOA) began long before the current day framework was created. An interim or temporary agreement known as the Joint Plan of Action was signed in November 2013. After approximately 20 months, in April 15, Iran along with the P5 nations plus Germany formed a framework. The JCPOA was adopted on 18th October 2015 and was indeed in compliance with the infamous Iran-International Atomic Energy Agency (IAEA) "Roadmap Agreement."

Originally, the signatories of the Agreement were as follows-

- Iran.
- The 5 Permanent Members of the United Nations Security Council-namely- The United States of America, The United Kingdom, France, Russia and China along with Germany.
- The European Union.

IMPORTANT PROVISIONS:

A few important provisions of the JCPOA are-

Nuclear:

"Iran's stockpile of low-enriched uranium was reduced by 97 percent, from 10,000 kg to 300 kg. This reduction will be maintained for fifteen years. For the same fifteen-year period, Iran will be

limited to enriching uranium to 3.67%, a percentage sufficient for civilian nuclear power and research, but not for building a nuclear weapon."

"Iran may continue research and development work on enrichment, but that work will take place only at the Natanz facility and include certain limitations for the first eight years."

"A comprehensive inspections regime will be implemented in order to monitor and confirm that Iran is complying with its obligations and is not diverting any fissile material."

"The IAEA will have multilayered oversight "over Iran's entire nuclear supply chain, from uranium mills to its procurement of nuclear-related technologies". For declared nuclear sites such as Fordow and Natanz, the IAEA will have "round-the-clock access" to nuclear facilities and will be entitled to maintain continuous monitoring (including via surveillance equipment) at such sites. The number of IAEA inspectors assigned to Iran will triple, from 50 to 150 inspectors."

"If IAEA inspectors have concerns that Iran is developing nuclear capabilities at any non-declared sites, they may request access "to verify the absence of undeclared nuclear materials and activities or activities inconsistent with" the agreement, informing Iran of the basis for their concerns. The inspectors would only come from countries with which Iran has diplomatic relations. Iran may admit the inspectors to such site or propose alternatives to inspection that might satisfy the IAEA's concerns."

Sanctions:

"Following the issuance of a IAEA report verifying implementation by Iran of the nuclear-related measures, the UN sanctions against Iran and some EU sanctions will terminate and some will be suspended. Once sanctions are lifted, Iran will recover approximately \$100 billion of its assets (U.S. Treasury Department estimate) frozen in overseas banks."

"The United States will "cease" application of its nuclear-related secondary sanctions by presidential action or executive waiver. Secondary sanctions are those that sanction other countries for doing business with Iran. Primary U.S. sanctions, which prohibit U.S. firms from conducting commercial transactions with few exceptions, are not altered by the JCPOA."

"If Iran violates the agreement, any of the P5+1 can invoke a "snap back" provision, under which the sanctions "snap back" into place (i.e., are reimplemented)."

"No new UN or EU nuclear-related sanctions or restrictive measures will be imposed."

DISPUTE RESOLUTION PROCESS:

In case any of the signatories, or in other words, parties, finds another party not living up to or undermining the agreements made, a complaint to the Joint Commission can be made. The Joint Commission is a JCPOA formed body with the purpose of monitoring or to an extent supervising implementation of the JCPOA.

In the case where any party's (other than Iran) complaint is not, to the complete satisfaction of the party itself, resolved within a time period of 35 days of referral, that particular party then has the right to "could treat the unresolved issue as grounds to cease performing its commitments under the JCPOA, notify the United Nations Security Council that it believes the issue constitutes significant non-performance, or both. The Security Council would then have thirty days to adopt a resolution to continue the lifting of sanctions.

If such a resolution is not adopted within those thirty days, then the sanctions of all of the pre-JCPOA nuclear-related UN Security Council resolutions would automatically be re-imposed. Iran has stated that in such a case, it would cease performing its nuclear

obligations under the deal."

INTERNATIONAL REACTION:

The international reaction received because of the adoption of the Iran Deal, or the Joint Comprehensive Plan of Action (JCPOA), was rather interesting and varied from positive remarks to critical statements against it. Reactions of some of the countries are as follows-

ISRAEL: Israel was one of the nations which took a firm stance against the agreement, with its Prime Minister saying, "Israel is not bound by this deal with Iran, because Iran continues to seek our destruction, we will always defend ourselves," and also called the deal a historic surrender. A majority of the citizens of Israel also critiqued the agreement.

ITALY: The Italian Prime Minister said that "The agreement sows new hope for a regional peace project. Italy will actively support this process, and will ensure that it can benefit all countries of the region, without exception, with the aim of reaching a Middle East finally stable, where all peoples can live in peace and security," thus making him a supporter of the agreement.

ARAB STATES: Certain Arab states of the Persian Gulf, such as Kuwait, Qatar, Oman and Saudi Arabia, had a positive outlook towards the agreement, with some of them explicitly expressing the necessity of such a deal.

INTERNATIONAL ORGANISATIONS: International Organizations like the United Nations, NATO, ASEAN, The Arab League, etc. supported the agreement.

Iran's Nuclear Program

Atoms for Peace:

Ironically, the Iranian nuclear program was launched with the assistance of the nation which has today become arguably its biggest critic, the United States of America. As part of the Atoms for Peace program, the USA opened up nuclear research to nations which previously did not possess nuclear technology. Under this, and other related programs, the USA exported more than 25 tons of highly enriched uranium. Similarly, the Soviet Union also exported over 11 tons of highly enriched uranium as part of a similar program.

The purpose of this program was to limit the proliferation of nuclear weapons through providing nations with nuclear technology to be used for peaceful purposes if they agreed to refrain from pursuing the military applications of nuclear technology. It was intended to be a distribution of nuclear technology to all the nations of the world in a peaceful and controlled manner. It laid the foundation of the nuclear programs of Iran, Israel and Pakistan.

On the 5th of March 1957, a "proposed agreement for cooperation in research in the peaceful uses of atomic energy" was announced under the Atoms for Peace program. This led to the establishment of the Tehran Nuclear Research Center in 1967 under the Atomic Energy Organisation of Iran. The USA supplied the TNRC with a 5-megawatt nuclear research reactor, fueled by highly enriched uranium. During the 1970s, Iran approved plans to construct as many as 23 nuclear power stations before the year 2000. Iran wanted to increase its supply of electricity from nuclear power sources to 23,000 megawatts as quickly as possible.

Post the 1979 Iranian Revolution:

Most of the international nuclear cooperation with Iran ended after the 1979 Revolution where the USA-supported Shah Mohammed Reza Pahlavi was overthrown and replaced

with the Grand Ayatollah Ruhollah Khomeini, who created an Islamic Republic led by him. The Iranian nuclear program nearly came to a halt during the 1979 Iranian revolution, primarily due to the Ayatollah's opposition to nuclear technology. Furthermore, during the Iran-Iraq war, which began in 1980, Iran's nuclear infrastructure was damaged. During the war, the two nuclear power plants in Bushehr were bombed numerous times. As a result of this, this project was abandoned.

Revival of the Iranian Nuclear Program:

Under the presidency of Akbar Hashemi Rafsanjani, which began in the late 1980s, the Iranian nuclear program was revived. Its nuclear program began to gain traction by the early 1990s, as it recovered from the war with Iraq. During this period, Iran was receiving assistance from Russia, China and Pakistan to build its nuclear program.

Iran signed a nuclear cooperation protocol in 1990 with China, involving the training of Iranian personnel and the provision of a 27 KW miniature neutron source reactor and two 300 MW Qinshan power reactors. Iran also signed a long-term nuclear cooperation agreement with Pakistan in 1987 involving the training of Iranian personnel.

Iran also signed a cooperation protocol with Russia in 1995 to finish constructing the reactor at Bushehr. Russia also covertly agreed to supply Iran with a large research reactor, a gas centrifuge plant, and a fuel fabrication facility. However, the Russian President agreed to scale back nuclear cooperation between Iran and Russia until the completion of the construction of the Bushehr plant. However, American officials still suspect that Iranian engineers were assisted by individual Russian institutes and scientists in certain areas of the nuclear fuel cycle and in the construction of a 40 MW heavy water research reactor located at Arak.

Iran has been suspected by American intelligence agencies of using its civilian nuclear program as a cover for its nuclear weapons development program.

Consequently, the USA has embarked on a campaign of pressuring potential suppliers of nuclear material and nuclear technology to refrain from cooperating with Iran on the nuclear front. This resulted in China refraining from supplying Iran with the research reactor, which could have been used for the production of plutonium, the two Qinshan

reactors, or even the uranium conversion plant which it had previously offered to Iran. Iran's agreement with Argentina, which was for the enrichment of uranium and building of facilities for the production of heavy water, was also blocked by the USA. However, the nuclear cooperation between Iran and other nuclear powers allowed the Iranian nuclear program to become significantly stronger.

The Treaty on the Non-Proliferation of Nuclear Weapons

Also known as the Non-Proliferation Treaty, or NPT, the Treaty on the Non-Proliferation of Nuclear Weapons is an international treaty signed with the objective of preventing the spread of nuclear weapons technology, achieving nuclear disarmament, and promoting cooperation in the peaceful use of nuclear technology. The Eighteen Nation Committee on Disarmament, an organization sponsored by the United Nations, negotiated this treaty between 1965 and 1968. Iran is a signatory to the NPT as a non nuclear-weapon state.

The treaty came into force in 1970, and the parties to the treaty met in May 1995, twenty-five years after the treaty was signed, as required by the terms of the treaty, and they agreed to extend the treaty indefinitely. Even though it is the most widely subscribed to nuclear arms control treaty in history, four UN members have never been party to the NPT: India, Israel, Pakistan, and South Sudan. Furthermore, the Democratic People's Republic of Korea (DPRK) withdrew from the NPT in 2003.

Of these, the DPRK, India and Pakistan have openly tested and declared their possession of nuclear weapons. On the other hand, it is unknown whether or not Israel possesses nuclear weapons. Israel has maintained a policy of opacity when it comes to their nuclear weapons program.

The Non-Proliferation Treaty is based on the idea of the NPT non-nuclear weapon states agreeing never to acquire nuclear weapons and the NPT nuclear-weapon states agreeing to share the benefits of peaceful nuclear technology in exchange. Furthermore, the NPT nuclear-weapons states agree to pursue nuclear disarmament with the end goal of the elimination of their nuclear arsenals.

Under Safeguard Agreements, inspectors from the International Atomic Energy Agency visit nuclear facilities on a regular basis in order to verify records maintained by state governments on the location of nuclear material under their control.

During these checks, they also check instruments which had been installed by the IAEA, surveillance equipment and confirm the physical locations of nuclear material. This helps provide independent and international verification of the fact that nations are complying with the terms of the NPT for the peaceful use of nuclear technology.

Actions related to the JCPOA and the USA's withdrawal

The United States of America withdrew from the Joint Comprehensive Plan of Action (JCPOA) on the 8th of May, 2018. What was odd about Trump's decision was that he presented no evidence that Iran wasn't complying with its obligations. Neither the president nor the foreign countries that support his decision, chiefly Israel and Saudi Arabia, presented any evidence that Iran was technically in violation of the deal.

USA:

Instead, Donald Trump's case revolved around perceived defects within the deal itself. The primary one was that the deal wasn't entirely permanent; the restrictions on Iran's nuclear program start to relax about 10 years after the deal was signed (though the agreement to not build a weapon of mass destruction is permanent).

The second was that the deal didn't cover other problematic things Iran was doing, including missile development and its support for violent militias round the Middle East (like Hezbollah in Lebanon).

FRANCE:

French President Emmanuel Macron urged Trump to undertake to open up new negotiations on these issues while staying within the deal, thus keeping Iran's nuclear program in restraint at least for the recent future. But Trump rejected that approach, preferring instead to withdraw from the deal entirely. Trump stated he was hospitable negotiating a more modern and tougher deal, and that there was little chance that the existing one would safeguard the interests of the USA.

During the 2016 presidential campaign, Trump repeatedly called the Iran deal "the worst deal ever," once giving the headline speech at an anti-deal rally. And a priority for this administration has been razing accomplishments of the prior president, be they

Obamacare or the Paris climate accord; the Iran deal fits squarely under this umbrella. Whether the logic was principally geopolitical or plain old political, the choice remains the same: America is out of the Iran deal. This withdrawal by the United States led to the re-imposition of certain sanctions which were present in the past (before the implementation of the JCPOA) and the major ones are as mentioned below –

Finance and banking:

- Transactions involving the Iranian Rial and maintaining accounts denominated in Rial outside of Iran;
- The provision of material assistance or support for the purchase of US banknotes by the Government of Iran; and
- The purchase of, subscription to, or facilitation of the issuance of Iranian sovereign debt, including governmental bonds.

Gold and precious metals:

- The sale, supply, or transfer of gold or other precious metals to or from Iran, including the services necessary to facilitate such transactions.

Software and other metals:

- The sale, supply, or transfer to or from Iran of graphite, raw or semi-finished metals such as aluminium and steel, coal, and software for integrating industrial processes and for associated services, with respect to materials to be used in connections with energy, shipping or the shipbuilding sector of Iran, or for use in Iran's military, nuclear, or ballistic missiles programs.

Automotive:

- The sale, supply, or transfer of goods to or from Iran, in connection with Iran's automotive sector, and the provision of associated services for the auto industry.

Finance and Banking:

- Financial and banking transactions with persons and entities, including the Central Bank of Iran ("CBI"), the National Iranian Oil Company ("NIOC"), the Naftiran Intertrade Company ("NICO") and the National Iranian Tanker Company ("NITC"); and
- Financial messaging services to the CBI and Iranian financial institutions listed on OFAC sanctioned persons lists, which it is expected, will also affect the global money transfer system of SWIFT, organized as a cooperative society under Belgian law.

Energy and Petrochemical:

- Investment (including participation in joint ventures) in goods, services, information, technology and technical expertise and support for Iran's oil, gas, and petrochemical sectors;
- The export, sale, or provision of refined petroleum products and petrochemical products to Iran;
- The purchase, acquisition, sale, transport, or marketing of petroleum, petrochemical products, oil, and natural gas from Iran;
- Transactions with Iran's energy sector including with NIOC, NICO and NITC; and
- The sale and purchase of Iran's crude oil (subject to waivers, as discussed below).

Shipping, shipbuilding, and port operators:

- Transactions with Iran's port operators, and Iranian shipping and shipbuilding entities, including the Islamic Republic of Iran Shipping Lines ("IRISL"), South Shipping Line Iran and NITC; and
- The sale, supply, or transfer to Iran of significant goods or services used in connection with the shipping and shipbuilding sectors, including, financing, classification and port

services such as bunkering and inspection.omotive sector.

Insurance:

- The provision of underwriting services, insurance, and reinsurance in connection with the export from Iran of petroleum, petrochemicals, precious metals, and the shipbuilding, automotive and aviation sectors, and related activities.

Pertinent UNSC Resolutions

1. UNSC Resolution 2231

Was a July twentieth, 2015 resolution endorsing the Joint Comprehensive Plan of Action on the atomic program of Iran. It sets out a review procedure and timetable while likewise getting ready for the evacuation of United Nations sanctions against Iran. The 15 countries on the Security Council collectively embraced the goals, which had been haggled by the lasting individuals from the United Nations Security Council—China, France, Russia, the United Kingdom, and the United States—in addition to Germany, the European Union, and Iran.

2. UNSC Resolution 1696

The resolution was embraced on July 31, 2006, in the wake of communicating worry at the expectations of the atomic program of Iran, the Council requested that Iran stop its uranium improvement program. Resolution 1696 was embraced by 14 votes in favor to one against (Qatar) and no abstentions. Qatar said that while it concurred with the requests of the goals, it was not the correct planning as the "area was on fire".

3. UNSC Resolution 1737

This resolution was unanimously passed by the United Nations Security Council on 23 December 2006. The resolution, sponsored by France, Germany and the United Kingdom, imposed sanctions against Iran for failing to stop its uranium enrichment program following resolution 1696. It banned the supply of nuclear-related technology and materials and froze the assets of key individuals and companies related to the enrichment program.

4. UNSC Resolution 1803

The resolution was embraced on March 3, 2008. The Security Council of the United Nations, acting in accordance with Article 41 of Chapter VII of the UN Charter, expected Iran to cut it out from any uranium enhancement. It likewise expected Iran to stop any innovative work related with axes and uranium improvement.

5. UNSC Resolution 1835

This resolution was adopted unanimously by United Nations Security Council on 27 September 2008. The resolution was in response to the 15 September report of the International Atomic Energy Agency (IAEA) that stated that Iran had not suspended uranium-enrichment-related activities.

6. UNSC Resolution 1929

The resolution was adopted on 9 June 2010, in the wake of reviewing goals 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008) and 1887 (2009) concerning the subjects of Iran and non-multiplication, the Council noticed that Iran had neglected to conform to past Security Council goals concerning its atomic program and forced further endorses on the nation.

NOTE: The background guide should only serve as the base for your research. Delegates are expected to delve deeper into topics such as Iran's nuclear history and the intricacies of the Joint Comprehensive Plan of Action. Delegates should be well researched so that they are able to keep up with the proceedings of committee. All the best!