



# General Assembly Security Council

Distr.: General  
15 August 2025

Original: English

General Assembly  
Seventy-ninth session  
Agenda item 32  
Prevention of armed conflict

Security Council  
Eightieth year

## **Letter dated 11 August 2025 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council**

I would like to bring to your attention the explanatory note on the Security Council resolution [2231 \(2015\)](#) mechanism to restore terminated Security Council sanctions (see annex).\*

I would be grateful for the circulation of the present communication and its annex as a document of the Security Council and of the General Assembly, under agenda item 32.

(Signed) Dmitry Polyanskiy  
Chargé d'affaires a.i.

\* Circulated in the language of submission only.



**Annex to the letter dated 11 August 2025 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council**

**Explanatory note on the Security Council resolution 2231 (2015) mechanism to restore terminated Security Council sanctions**

Almost a decade ago, the Security Council, in resolution 2231 (2015), endorsed the Joint Comprehensive Plan of Action (JCPOA) as a “fundamental shift” in the consideration of the Iranian nuclear programme by the Council and called upon all Member States to support the implementation of the JCPOA, including by taking actions commensurate with the implementation plan and by refraining from actions that undermine implementation of commitments under the JCPOA.<sup>1</sup>

The JCPOA was welcomed by the international community as a unique achievement of multilateral diplomacy and a role model for resolving disputes through dialogue and engagement. Its conclusion positively contributed to regional and international peace and security.

Security Council resolution 2231 (2015), in its preamble, specifically referred to Article 25<sup>2</sup> of the Charter of the United Nations, which is a way to establish the legally binding character of the resolution.

Both the resolution and the JCPOA contain several provisions which are interlinked concerning the process of restoring the Security Council sanctions subject to specific conditions and procedure. This mechanism is also called “snapback”.

The decision to include in Security Council resolution 2231 (2015) the “snapback” mechanism was made in 2015 at the final stage of negotiations on the JCPOA. The Iranian agreement to have such a mechanism demonstrated that Tehran had no intention whatsoever to break its commitments.

Unfortunately, in the course of implementation, Germany, France and the United Kingdom, as well as the European Union, along with the United States, have engaged in a series of actions that have systematically undermined the JCPOA and resolution 2231 (2015).

**The relationship between the JCPOA and resolution 2231 (2015)**

The JCPOA is the core element of Security Council resolution 2231 (2015) that terminated previously adopted sanctions resolutions of the Council against Iran.<sup>3</sup>

The whole purpose of resolution 2231 (2015) was to launch the implementation of the JCPOA. Without resolution 2231 (2015), the JCPOA could not be made operational, and without the JCPOA, resolution 2231 (2015) would be deprived of its meaning, object and purpose. Therefore, all provisions of previous legally binding

---

<sup>1</sup> Security Council resolution 2231 (2015), paragraph 2.

<sup>2</sup> Article 25 of the Charter of the United Nations: “The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter”.

<sup>3</sup> Security Council resolution 2231 (2015), paragraph 7: “Decides, acting under Article 41 of the Charter of the United Nations, that, upon receipt by the Security Council of the report from the IAEA described in paragraph 5:

(a) The provisions of resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008), 1929 (2010) and 2224 (2015) shall be terminated”.

resolutions are dependent on the implementation of the terms and conditions of the JCPOA.

The unequivocal endorsement of the JCPOA by resolution [2231 \(2015\)](#) made it an inseparable part of a single document. The annexes to the resolutions cannot be separated from their texts unless specifically provided otherwise, especially for the purposes of the interpretation of its provisions. Such separation will indeed set a very dangerous precedent for the interpretation of other resolutions, a number of which, including sanctions resolutions, contain annexes, the separation of which will render those resolutions meaningless.

All these cumulative conditions, including the reference to Article 25 of the Charter of the United Nations in the preamble of the resolution, the unconditional endorsement of the JCPOA by resolution [2231 \(2015\)](#) and the attachment of the Plan to the resolution, made the JCPOA legally binding. It is an agreement among its participants and at the same time it is an integral part of the Security Council resolution. Therefore, the withdrawal of the United States from the JCPOA and reimposition of its unilateral sanctions in contravention of the Plan as well as the subsequent E3/European Union failure to fully uphold their commitments had a combined negative effect and constituted a material breach of resolution [2231 \(2015\)](#).

#### **The need to exhaust the procedure established by the JCPOA and resolution [2231 \(2015\)](#)**

Paragraphs 10–15 of resolution [2231 \(2015\)](#) and paragraphs 36 and 37 of the JCPOA have set out the procedure for retraction of the provisions terminating previously adopted Security Council sanctions and for reimposition of the provisions of resolutions [1696 \(2006\)](#), [1737 \(2006\)](#), [1747 \(2007\)](#), [1803 \(2008\)](#), [1835 \(2008\)](#), [1929 \(2010\)](#) and [2224 \(2015\)](#).

In accordance with paragraph 11 of resolution [2231 \(2015\)](#), the Security Council shall vote on a draft resolution to continue in effect the terminations in paragraph 7 (a) of resolution [2231 \(2015\)](#), and if it is not adopted, then all of the provisions of old resolutions shall apply in the same manner as they applied before. The Security Council shall vote on the above-mentioned draft resolution within 30 days of receiving a notification by a JCPOA participant State of an issue that the JCPOA participant State deems there to be significant non-performance of commitments under the JCPOA.

However, the starting point for this process is the referral of the issue by a JCPOA participant State of the other participant not meeting its commitments to the Joint Commission. It could be done either by Iran or by any other JCPOA participant State. Paragraph 36 also provides for treating the unresolved issue as grounds to cease the commitments under the JCPOA in whole or in part.

Thus, paragraph 11 of Security Council resolution [2231 \(2015\)](#) does not exist in isolation from paragraphs 36 and 37 of the JCPOA. A notification to the Security Council cannot be sent before all stages specified in paragraph 36 are properly and orderly gone through.

After the referral of the issue to the Joint Commission it is considered at this level and if it is not resolved then it goes to the ministerial level. After the Joint Commission consideration – in parallel with (or in lieu of) review at the ministerial level – either the complaining participant or the participant whose performance is in question could request that the issue could be considered by the Advisory Board, which would consist of three members (one each appointed by the participants in the dispute and a third independent member). And only if the issue still has not been resolved to the satisfaction of the complaining participant, and if the complaining

participant deems the issue to constitute significant non-performance, then that participant can notify the Security Council that it believes the issue constitutes significant non-performance.

Given the above, paragraph 11 is intended to be the ultimate guarding of the resolution, including the Plan annexed to it, to ensure the proper performance of the obligations under the JCPOA.

Paragraph 11 clearly states that only a JCPOA participant State may notify the Security Council of an issue of significant non-performance. It implies that the right to use “snapback” by the participant State goes hand in hand with the obligation to have recourse to the procedures specified in the JCPOA regarding significant non-performance prior to seizing the Security Council.

In view of the above, Germany, France and/or the United Kingdom are not entitled to send a notification envisaged by paragraph 11 before they go through the dispute resolution process, specified in paragraph 36 of the JCPOA, and any other communication by a JCPOA participant State cannot be considered as a notification envisaged by paragraph 11 of resolution [2231 \(2015\)](#).

### **The dispute resolution mechanism**

It was found out in 2020 that the dispute resolution mechanism contains serious procedural gaps that do not allow to start the process without properly addressing these gaps first and fixing them by consensus. For instance, paragraph 36 only establishes time frames for consideration of the issue in question and identifies key steps. But paragraph 36 does not explain how the dispute resolution mechanism is set in motion, at which point the countdown begins, what is the actual method of work, which days (calendar days, full working days or only days in proceedings) actually count, how the Joint Commission transitions from one stage of the dispute resolution mechanism to the other, how to conclude and take stock of the results, and how, above all, it affects the ongoing implementation of the JCPOA, which is still in force. These gaps have been unaddressed since then.

From the procedural point of view, the dispute resolution mechanism could not be set in motion and it could not be fast-tracked either. Without the initial stage it was not possible to proceed with consideration of the issue in question at the ministerial level or in the Advisory Board. As a result, without going through those stages a notification cannot be sent to the Security Council.

Any attempt to resort to “snapback” in circumvention of the established procedure and the requirements of Security Council resolution [2231 \(2015\)](#) would severely undermine diplomatic endeavours and constitute the abuse of the authority and functions of the Security Council. There has never been a decision by the JCPOA Joint Commission to activate the dispute resolution mechanism and no consensus reached by the participants regarding the attempt by Germany, France and the United Kingdom to trigger the dispute resolution mechanism.

### **Lack of standing/inadmissibility**

The doctrine of good faith and estoppel in international law precludes a party from claiming rights under an agreement while simultaneously failing to fulfil its obligations thereunder.<sup>4</sup> The E3 have failed to abide by their obligations, as required under the JCPOA and Security Council resolution [2231 \(2015\)](#). Their attempt to

---

<sup>4</sup> *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*, Advisory Opinion, *International Court of Justice Reports 1971*, paras. 115 and 116.

trigger “snapback” despite their own non-performance would contradict the fundamental principles of international law.

Instead of implementing their obligations under resolution 2231 (2015) and the JCPOA and fulfilling the commitments under the statements made subsequent to the withdrawal of the United States from the deal, the European Union/E3 decided to refrain from implementing their sanction-lifting commitments on Transition Day (18 October 2023), as specified in paragraph 20 of annex V to the JCPOA. The European Union/E3 failure to implement their obligations on Transition Day constituted an unjustifiable and impermissible unilateral action in violation of both the JCPOA and resolution 2231 (2015).

It should be specifically noted in this regard that to show the pivotal importance of the agreed time frame, resolution 2231 (2015) endorsed the JCPOA and urged its full implementation on the timetable established in the JCPOA.<sup>5</sup> Thus, the timetable – or the so-called “sunset clauses” – is an inseparable, non-negotiable component of the JCPOA and Security Council resolution 2231 (2015).

### **Invalid justification**

The “snapback” mechanism was designed to be invoked in response to a “significant non-performance”, subject to the exhaustion of certain procedures.

The withdrawal of the United States from the JCPOA in May 2018, along with reimposition and tightening of all its previous unilateral sanctions against Iran, as well as complacency and full compliance of the European participant States of the JCPOA and the European Union as a whole with the unlawful decisions and actions by the United States followed by their own breaches of obligation to lift unilateral sanctions, constitute a significant violation of Security Council resolution 2231 (2015) and inevitably affect the modalities of invoking the “snapback” mechanism, which cannot be triggered before the situation with the significant non-performance by the United States and the E3/European Union is addressed and resolved.

In contrast, Iran’s remedial measures, including its suspension of implementation of the JCPOA commitments in whole or in part,<sup>6</sup> were taken in response to the withdrawal of the United States and violation of all of its commitments and after an extended period of Iran’s continued compliance and the E3/European Union’s inaction in redressing the situation. There is no basis for asserting that Iran’s conduct constitutes a significant non-performance, which can be considered a justified basis for triggering the reimposition of previous Security Council resolutions.

Iran exercised restraint in good faith and exhausted all recourses under paragraph 36 for more than one year after the unilateral withdrawal of the United States from the JCPOA. However, in the destructive atmosphere in the wake of the United States president’s action on 8 May 2018, the E3/European Union utterly failed to honour their commitments and Iran was left with no recourse but to exercise its rights under paragraphs 26 and 36 of the JCPOA on 8 May 2019. Since then Iran has repeatedly declared its readiness to stop its remedial measures and resume full implementation of its JCPOA commitments, should the other side do the same.

---

<sup>5</sup> Security Council resolution 2231 (2015), paragraph 1.

<sup>6</sup> Paragraph 36 of the JCPOA allows that “the participant could treat the unresolved issue as grounds to cease performing its commitments under this JCPOA in whole or in part”.

### **Lack of rationale**

The E3 have failed on numerous occasions to uphold their clear commitments under the agreement, including – but not limited to – by overcompliance with the United States “maximum pressure” policy, imposition and reimposition of sanctions against Iranian entities and individuals (including as recently as on 14 October 2024), and also by refraining from implementation of their sanctions-lifting commitments on the Transition Day (on 18 October 2023). This conduct not only goes against E3 obligations and constitutes significant non-performance but also indicates the lack of goodwill on their part.

Despite repeated assurances that were provided to the Islamic Republic of Iran, including, inter alia, at the 25 May 2018 meeting of the Joint Commission of the Joint Comprehensive Plan of Action, the E3 failed to effectively implement their obligations, thus rendering their commitment to the JCPOA largely symbolic.

The United Nations’ credibility rests on preventing a repeat of the abuse of a procedure that has become defunct for the E3 due to their own proven malice. This must remain so until they prove, with action, a good-faith commitment to respect all the terms of the JCPOA as initially agreed.

### **Lack of due process**

The E3’s claims concerning the invocation of the dispute resolution mechanism by referring to their letter dated 14 January 2020 in response to Iran’s remedial measures of May 2019 onward, is totally misleading and irrelevant.

The E3 failed to exhaust the JCPOA dispute resolution mechanism in a genuine manner. Calls by some participant States to discuss and define a clear dispute resolution mechanism procedure remained unanswered. There was no decision by the Joint Commission to activate the dispute resolution mechanism. Thus, the E3 attempt to skip the Joint Commission and the dispute resolution mechanism should be considered null and void.

Iran’s decision to cease performing its commitments was a lawful and legitimate response to the unilateral withdrawal of the United States from the JCPOA and the reimposition of its unlawful sanctions. Therefore, it is absolutely illogical for the E3 to describe their intention to reinstate the provision of the already terminated Security Council resolutions as a reaction to Iran’s lawful remedial measures taken one year after the withdrawal of the United States and the E3’s failure to implement their own commitments.

### **Conclusion**

The problem with the JCPOA implementation and current situation surrounding the JCPOA and Security Council resolution [2231 \(2015\)](#) was not created by Iran. Disruption of the JCPOA implementation caused by the United States and the E3/European Union cannot serve as a reason for reimposing on Iran all sanctions that have previously been lifted.

The goals of old resolutions have long been achieved. The questions of the International Atomic Energy Agency (IAEA) to Iran, which became a reason for the introduction and adoption of those resolutions, have long been answered and closed, as reflected in the IAEA Director General’s report GOV/2015/68 of 2 December 2015 and the IAEA Board of Governors resolution GOV/2015/72 of 15 December 2015. In other words, the nuclear-related concerns contained in previous Security Council resolutions that initially led to the imposition of sanctions were addressed through the JCPOA.

There is a risk that despite all the legal and procedural flaws, for the first time in United Nations practice, restrictive measures are introduced against a sovereign State for an indefinite period of time, as Security Council resolution [2231 \(2015\)](#) does not contain any provisions allowing to lift one more time Security Council sanctions that were enforced before 2015.

We are also convinced that the terminated Security Council resolutions, namely all provisions of resolutions [1696 \(2006\)](#), [1737 \(2006\)](#), [1747 \(2007\)](#), [1803 \(2008\)](#), [1835 \(2008\)](#), [1929 \(2010\)](#) and [2224 \(2015\)](#), have lost their relevancy. As a result, those resolutions should be deemed obsolete.

It is important to uphold Security Council resolution [2231 \(2015\)](#), including its time frames. Hasty intervention by the Security Council will not help build confidence or bridge differences among relevant parties. Initiating the “snapback” mechanism will only bring negative impact to diplomatic efforts. Political and diplomatic engagement and dialogue based on the principle of mutual respect remains the only viable and practical option, and relevant parties should be committed to addressing the root cause of the current condition and abandoning sanction, pressure and threat of force.

The Security Council must act responsibly to safeguard the legitimacy of multilateral agreements, protect the integrity of the Council’s authority, and ensure the effective implementation of the JCPOA and resolution [2231 \(2015\)](#). All members of the Security Council should approach the “snapback” mechanism with the utmost caution and prioritize dialogue and diplomatic solutions in accordance with established international legal principles.

---