

Information Circular

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Communication dated 29 January 2021 from the Permanent Mission of the Islamic Republic of Iran to the Agency

1. The Secretariat has received a communication dated 29 January 2021 from the Permanent Mission of the Islamic Republic of Iran to the Agency, enclosing an Explanatory Note on the law passed by the Islamic Republic of Iran's Parliament entitled "Strategic Action Plan to Lift Sanctions and Protect Iranian Nation's Interest".
2. The communication and, as requested by the Permanent Mission, the explanatory note are circulated herewith for information.



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نیا سدی کی داغم ترد و قمر مل تمه و سارانا نامای مین المللی
وین

In the Name of God, the Most Compassionate, the Most Merciful

No. 677235

The Permanent Mission of the Islamic Republic of Iran to the United Nations Office and other International Organizations in Vienna presents its compliments to the International Atomic Energy Agency's Secretariat and has the honor to herewith enclose an Explanatory Note on the law passed by the Islamic Republic of Iran's Parliament entitled "Strategic Action Plan to Lift Sanctions and Protect Iranian Nation's Interests".

The Permanent Mission of the Islamic Republic of Iran would like to request the latter to publish the attached Explanatory Note as an INFCIRC document.

The Permanent Mission of the Islamic Republic of Iran to the United Nations Office and other International Organizations in Vienna avail itself of this opportunity to renew to the International Atomic Energy Agency's Secretariat the assurances of its highest consideration.

Secretariat of the Policy Making Organs
International Atomic Energy Agency



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Explanatory Note

On the Law Passed by the Islamic Republic of Iran's Parliament: "Strategic Action Plan to Lift Sanctions and Protect Iranian Nation's Interests"

In the Name of God, the Most Compassionate, the Most Merciful

On 2 December 2020, the Islamic Republic of Iran's Parliament passed a bill entitled "Strategic Action Plan to Lift Sanctions and Protect Iranian Nation's Interests", which was published in the official gazette on 10 December 2020 and entered into force on 25 December, 2020.

Consideration of the following points is central to any analysis in this regard:

1. All participants of the Joint Comprehensive Plan of Action (JCPoA) would confirm that this deal includes reciprocal commitments in all its stages. On the one hand, the JCPoA was supposed to ensure that Iran's nuclear programme will remain exclusively peaceful, and on the other hand, it would result in the comprehensive lifting of all UN Security Council sanctions as well as multilateral and national sanctions related to Iran's nuclear programme, including steps on access in areas of trade, technology, finance and energy.
2. On 8 May 2018, in material breach of Security Council Resolution 2231 (2015) to which the JCPoA is annexed to, the former President of the United States announced his decision to unilaterally and unlawfully withdraw from the JCPoA. As a result, the US has not sufficed to re-imposing its previously lifted unilateral sanctions, but also widened the scope of sanctions through imposing new ones under different pretexts and exerted pressures on the others, be it public or private, to follow suit, in defiance of the UNSC Resolution 2231 (2015). While the U.S. withdrawal brought about strong condemnation and criticism among the other participants to the deal, the EU/E3 failed to take proper measures in ensuring the benefits to Iran as endorsed by the UNSC Resolution 2231 (2015).

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3. In response to the request of the heads of Governments of some remaining JCPoA participants, Iran initially agreed to show “strategic patience” for more than a year and to postpone adoption of the measures envisaged under paragraphs 26 and 36 of the JCPoA. In this period, Iran has been implementing all its commitments under the deal, and as the world witnessed, the Agency has continuously confirmed the full compliance of Iran with the JCPoA in all its fifteen subsequent IAEA reports.
4. Unfortunately, apart from issuing numerous political statements containing the intentions of EU/E3 for supporting the deal, no operational mechanism has been put in place to effectively counter U.S. sanctions and to compensate for them in terms of sanction lifting effects, as specified in Annex II of the JCPoA that allows for the normalization of trade and economic relations with Iran.
5. Therefore, in the absence of effective and meaningful measures by the other JCPoA participants to remedy the most devastating effects of the US actions, the Islamic Republic of Iran decided to undertake practical measures to exercise its recognized rights under Paragraphs 26 and 36 of the JCPoA, to restore, at least partially, the long lost balance to the commitments set forth in the JCPoA. In another words, the US unilateral actions have rendered the significant part of the JCPoA ineffective, and substantially destroyed the balance between the gives-and-takes, which were attained after almost twelve years of complicated and difficult negotiations. All these have provided "grounds to cease performing its commitments under the JCPoA in whole or in part" by Iran as stipulated in Paragraph 26 of the JCPoA. At the same time, as a sign of strategic flexibility, Iran has repeatedly stated that such ceasing of commitments would be reversed commensurate with the implementation of the commitments by the remaining participants under the JCPoA. It should also be noted that all remedial measures by the Islamic Republic of Iran are carried out under monitoring and verification by the IAEA.
6. The all-out animosity approach taken by the administration of the US under the so-called “Maximum Pressure approach” has inflicted huge damages on the Islamic Republic of Iran which the US should be held accountable. Since its withdrawal from the deal, the US administration has imposed more than 180 sanctions against Iran. In the same period, more than 271 Iranians, 259 Iranian entities, 38 non-

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Iranians and 139 non-Iranian entities were added to the list of sanctions. During this period, more than 802 persons and entities who were removed from the list of sanctions have been re-introduced to the list of sanctions, which brings up the total number of designated persons to 1553. These inhuman sanctions which have directly targeted the lives of people, including those in desperate need of medicine, especially in this critical situation when the whole world including Iran is encountering Corona Virus, is a clear irreversible violation of the right to health and the right to life. Simultaneously, lack of implementation of the commitments by the European participants to the JCPoA, including in the areas of financial, banking, insurance, trade, energy, investments, etc., has only aggravated the situation more, therefore, practically speaking, Iran has not benefitted from the deal so far.

7. While, the Islamic Republic of Iran is still acting within the framework of the JCPoA, and fully and transparently cooperating with the Agency on the one hand, and the JCPoA participants, especially EU/E3, were in non-compliance with their commitments under the deal on the other, Dr. Mohsen Fakhrizadeh, an outstanding Iranian nuclear and defensive scientist was assassinated. There are clear evidences showing that Israeli regime is behind this terrorist act, and should be held responsible for such an inhumane crime. This heinous act along with the recent sabotage in Natanz nuclear facility, which were received by silence from certain countries and relevant international organizations, all in all, represented a confluence of sabotage, assassination, inaction and excessive-demand policy.
8. In this context, the Iranian lawmakers' move in enacting "Strategic Action Plan to Lift Sanctions and Protect Iranian Nation's Interests" should be seen as a calibrated strategic reaction to the measures that the Trump administration adopted against Iran over the past few years and the failures to act by others. The bill is part of a broader strategy that aims to retrieve the lost balance in the implementation of the JCPoA, the root-causes of which was the United States withdrawal from the deal and its re-imposition of sanctions on Iran and their extra-territorial nature and impacts. In fact, this bill seeks to act in such a way as to provide another opportunity to save the JCPoA through lifting sanctions. It should be noted that in accordance with the Act passed by the Parliament, Iran's remedial measures are

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reversible if the other participants of the JCPoA implement their commitments and fully remove the anti-Iran sanctions.

The Islamic Republic of Iran strongly believes that this law should be seen and analyzed in its proper context and calls on all parties to respect the letter and spirit of the deal by taking practical steps in returning to and upholding fully their commitments.