MINISTRY OF FOREIGN AFFAIRS
OF THE ISLAMIC REPUBLIC OF IRAN

In the Name of God, the Compassionate the Merciful

20 July 2025

Excellency,

In light of the recent assertions by France, Germany, and the United Kingdom (E3) that they retain a purported right to invoke the Dispute Resolution Mechanism (DRM) under Paragraphs 36 and 37 of the Joint Comprehensive Plan of Action (JCPOA) or paragraphs 11-13 of UNSCR 2231, and reinstate the previously terminated Security Council resolutions, I am writing to draw your attention to a series of statements and actions by E3 that constitute flagrant violations of their obligations under UNSC Resolution 2231 (2015), the JCPOA, and international law as a whole.

Mindful that the JCPOA distinguishes its signatories not as "Parties" but "Participants", reflecting how the agreement is a Plan of Action and not a treaty, Participant status is a dynamic condition contingent upon good faith compliance, including an ongoing role in implementing deal provisions. As the actions and positions adopted by the E3 are fundamentally incompatible with JCPOA Participation, any resort to DRM or remedial measures is null and void.

Regrettably, the same unlawful conduct has been evident in the statements of the European Union, through its High Representative for Foreign Affairs and Security Policy, which acts as Coordinator of the JCPOA. This concerning development, a clear manifestation of bad faith conduct aimed at depriving the Islamic Republic of Iran from its rights under the Non-Proliferation Treaty, is accompanied by several statements that signal an intent to abuse the mechanisms foreseen in UNSCR 2231 (2015) and the JCPOA to reinstate the Resolutions that were terminated by UNSCR 2231 (2015).

As detailed in numerous communications, including the letter dated 20 July 2021 and its annexes (A/75/968-S/2021/669) authored by the then Minister of Foreign Affairs of the Islamic Republic of Iran and addressed to the Secretary-General of the United Nations, due to a series of legal, procedural, and substantive reasons the

E3/EU cannot legitimately invoke the DRM under the JCPOA or UNSCR 2231.

As underscored in numerous official communications attached to the aforementioned document—including letters addressed to the JCPOA Coordinator on 25 June 2019, 17 July 2019, 29 January 2020, and 10 March 2020—Iran invoked and exhausted the DRM under Paragraph 36 to address significant non-performance, rendering any subsequent invocation by the E3/EU inadmissible.

1. Legal and Procedural Exhaustion of Paragraph 36

The Islamic Republic of Iran formally triggered the DRM under Paragraph 36 of the JCPOA on 10 May 2018, following the unlawful withdrawal of the United States from the agreement and its subsequent re-imposition of sanctions. While Iran was entitled to immediately cease compliance, it acted in good faith, postponing its remedial measures to allow the E3/EU time to meet their obligations. This forbearance is thoroughly documented in letters sent to the JCPOA Coordinator, where Iran repeatedly identified E3/EU failures.

- **6 November 2018 Letter**: Iran detailed its grievances regarding E3/EU non-performance, highlighting that, despite the U.S. withdrawal, the E3/EU still bore independent obligations to safeguard Iran's economic benefits. The failure to do so, particularly regarding normal banking and financial channels, was already jeopardizing the deal's viability.
- **8 May 2019 Letter**: Iran officially notified the coordinator that it had exhausted the DRM procedures and would begin remedial measures. Despite convening multiple Joint Commission meetings to address breaches by the E3/EU and the U.S., none of Iran's fundamental concerns such as restoring essential commercial and financial channels were resolved.

Subsequent communications—including the letters of 25 June 2019 and 29 January 2020—underscored how Iran not only invoked Paragraph 36 several times in good faith but also requested further ministerial sessions to discuss persistent E3/EU non-performance. Having gone well beyond what the JCPOA itself required, Iran firmly asserts that any new attempt by the E3/EU to trigger the very same paragraph is incompatible with basic principles of fairness and good faith, set out both in the JCPOA and in international law.

2. Lack of Legal Standing of the E3 to Invoke JCPOA Mechanisms

It is well established in international law that a party failing to fulfill its own obligations cannot then claim the benefits of the same agreement it has violated.

The International Court of Justice (ICJ), in its 1971 *Namibia* Advisory Opinion, stated that a party "which disowns or does not fulfill its own obligations cannot be recognized as retaining the rights which it claims to derive from the relationship."

A. E3/EU Non-Performance: In numerous communications, in particular those addressed to the JCPOA Joint Commission Coordinator such as the letters of 17 July 2019 and 10 March 2020, Iran has enumerated specific and ongoing breaches by the E3/EU, including failure to preserve the effects of sanctions-lifting required under Paragraphs 3, 4, and 5 of Annex II of the JCPOA; lack of any practical mechanism to shield European operators from U.S. secondary sanctions; and insufficient efforts to sustain lawful trade with Iran. These unremedied violations undermine the E3's legal basis for invoking the DRM.

B. UN Security Council Resolution 2231 (2015): This resolution endorses the JCPOA and provides a carefully constructed multi-tiered mechanism to prevent the arbitrary and unlawful "snapback" of sanctions. Activating the DRM while disregarding Iran's documented complaints of non-performance contradicts the Resolution's aim of ensuring balanced, good-faith compliance by all parties.

3. Iran's Good Faith Efforts and the E3's Non-Performance

Iran demonstrated restraint and patience for more than a year following the U.S. withdrawal before gradually implementing remedial measures in keeping with Paragraph 36 of the JCPOA. As described in the 25 June 2019 letter, Iran exercised the remedial measures only after repeatedly calling for meaningful action from the E3/EU. These efforts included:

A. Engaging in Ministerial-Level Meetings: Iran requested THE urgent convening of the JCPOA Joint Commission to address the impact of U.S. sanctions and E3/EU shortfalls in providing promised economic dividends to the Iranian people. Although statements were issued on 6 July and 24 September 2018, the E3/EU did not deliver the measures they pledged, such as facilitating oil exports and normalizing banking relations.

B. Providing Detailed Evidence of Non-Performance: Iran's letters repeatedly cited cases where the E3 effectively harmonized their policies with those of the U.S. "maximum pressure" campaign, rather than fulfilling independent obligations. This discrepancy was most evident when banks and financial institutions left the Iranian market or restricted services, demonstrating that the economic benefits promised by the JCPOA had not materialized.

C. Urging Dialogue: The 10 March 2020 letter reiterated Iran's willingness to continue discussions at any level in order to reverse the remedial measures it had lawfully adopted under Paragraph 36 of the JCPOA full compliance. The E3, however, persisted in referencing a "better deal" or "longer-term framework," going well beyond the scope of the JCPOA and contradicting the timelines explicitly negotiated in 2015 and enshrined in UNSCR 2231.

Based on the above points, it is unequivocal that:

1. Iran Has Exhausted the DRM: The Islamic Republic of Iran has triggered—and in good faith concluded—all procedures under Paragraph 36 of the JCPOA. Having received no adequate redress, Iran began proportional remedial steps only after extensive correspondence, ministerial sessions, and official notifications. Any subsequent E3 effort to reopen or manipulate the same mechanism is inadmissible.

2. The E3 Lack Legal Standing: Because the E3/EU themselves have not upheld key commitments—including facilitating normal trade, preventing extraterritorial effects of U.S. sanctions, and delivering on promises made in 2018 ministerial statements—they lack the necessary standing to invoke the DRM's provisions against Iran.

3. Abuse of Process: Attempting to trigger "snapback" under these circumstances, in defiance of established facts and prior communications, constitutes an abuse of process that the international community must reject.

In the last few weeks, the E3/EU have explicitly condoned, supported and actively contributed to the unprovoked and reckless Israeli and later U.S. aggressions—right in the middle of nuclear talks between Iran and the United States—against safeguarded Iranian nuclear facilities, and residential quarters—leading to the massacre of countless women and children as well as cold-blooded murder of scientists and off-duty military commanders. These are all blatant violations of international law—making E3 leaders accomplices in these war crimes. The actions and statements of the E3 countries, as briefly elaborated below, has made them accomplices in these war crimes and has rendered any claim of good will and commitment to UNSC Resolution 2231 (2015) and the JCPOA spurious and false.

The shameful statement by German Chancellor Merz on 17 June 2025 that *"This is the dirty work Israel is doing for all of us"* is a clear admission of guilt and participation in this act of aggression by Germany and other E3 leaders.

In the same vein, France and the UK have voiced support for the unprovoked attacks against Iran by invoking the claim of "Israel's right to defense" instead of condemning the Israeli regime's aggression against the Iranian people, which claimed over 1,000 lives in the period 13 June 2025-24 June 2025. They have further contributed to the Israeli aggression by supplying the aggressor with arms and ammunition. France admitted that it has provided direct military assistance to Israel, as it is evident in the statement made by French Defense Minister Sebastien Lecornu on 25 June 2025, where he admitted complicity in defending the aggressor and obstructing the exercise of Iran's right to self-defense by stating that the French Army shot down fewer that ten drones, using aircraft and surface to air missiles.

This pattern of material assistance, public endorsement, and operational coordination with a foreign military assault targeting safeguarded Iranian facilities amounts to more than diplomatic bias—it constitutes direct abetment of unlawful aggression. These acts have not only undermined the E3's residual credibility as good faith participants, but have also triggered a fundamental change in the circumstances under which the JCPOA was concluded. The entire framework of mutual obligations and expectations that once underpinned the agreement has been ruptured by the E3's alignment with policies aimed at forcibly dismantling Iran's peaceful nuclear program through extrajudicial means.

Even the EU, as the Coordinator of the JCPOA, has breached its obligations by questioning Iran's legal rights and calling for *"ending Iran's nuclear program"* as stated by EU High Representative for Foreign Affairs and Security Policy Kaja Kallas on 1 July 2025.

These admissions make the E3 liable for compensation and reparation to Iran and deprive them of any legal, moral, or political ground to opportunistically invoke the DRM. If anything, E3 leaders must be held to account in international criminal tribunals as defendants for complicity in war crimes, and not claimants in the United Nations Security Council.

The abhorrent statement of the G7 Foreign Ministers—which include the E3 Foreign Ministers on 1 July 2025—that *"we... urge Iran to refrain from reconstituting its unjustified enrichment activities"* is a clear indication that the E3 have relinquished their role as "Participants in the JCPOA" by rejecting its most fundamental pillar—namely Iranian enrichment—and actively participating in its dangerous destruction through an unprovoked war of aggression right in the middle of diplomatic talks.

There is no doubt of the strong grounds to deprive the E3/EU of any standing in good faith under the JCPOA and UNSCR 2231, and thus being legally in a position to conveniently and unjustifiably resort to JCPOA mechanisms in absolute bad faith. Under the terms of the Joint Comprehensive Plan of Action (JCPOA), the agreement distinguishes its members not as "parties" in the traditional treaty sense, but as "participants." This designation is not merely semantic; it reflects a functional concept. Participation is not a static status acquired once and for all, but a dynamic condition contingent upon continued engagement, good faith compliance, and sustained commitment to the object and purpose of the agreement. In clear departure from these requirements, the E3—France, Germany, and the United Kingdom—have, in recent years and especially in recent months, adopted a series of positions and undertaken actions fundamentally incompatible with the responsibilities and qualifications of JCPOA participants.

Based on the above, it is abundantly clear that since Iran has lawfully and conclusively exhausted the DRM in accordance with Paragraph 36, and since the E3 have themselves failed to discharge their own obligations following the U.S. withdrawal; actively supported, participated in and even publicly admitted sponsorship of the Israeli aggression against Iranian safeguarded nuclear facilities; and finally renounced their Participant status in the JCPOA by rejecting the agreement's fundamental pillars in recent statements, any recourse to the DRM by these same parties is legally baseless, morally flawed and politically dangerous, constituting in and of itself a threat to international peace and security.

Excellency,

The E3 cannot and should not be allowed to undermine the credibility of the UN Security Council by abusing a Resolution to which they themselves have not been committed. Iran calls on the United States and the E3/EU—which have in effect abandoned any claims to JCPOA Participant status—to cease and desist their illegal measures, including blatant aggression—in violation of the JCPOA and international law—and provide compensation for the severe human and financial losses imposed on Iran by the U.S. unlawful withdrawal and the E3/EU failure to fulfill their obligations under UNSCR 2231 coupled with their active participation in the Israeli regime's act of aggression against Iran. After a decade of bad faith in not implementing any of their individual and collective obligations under the JCPOA and UNSCR 2231, the United States and the E3/EU must also provide objective guarantees to Iran and the international community that they will refrain from such reckless illegal acts in the future.

Iran has shown that it is capable of defeating any delusional "dirty work" but has always been prepared to reciprocate meaningful diplomacy in good faith.

I will be grateful if you would circulate this letter as documents of the General Assembly and of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Seyed Abbas Araghchi

Minister of Foreign Affairs

- H.E Mr. Antonio Guterres, Secretary General of the United Nations.
- H.E Mr. Asim Iftikhar Ahmad, President of the United Nations Security Council.
- H.E. Madam Kaja Kallas, High Representative of the European Union for Foreign Affairs and Security Policy and Coordinator of the JCPOA Joint Commission