

**Security Council**

Distr.: General
12 June 2019

Original: English

Letter dated 11 June 2019 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

In connection with the seventh report of the Joint Commission, which is due to be circulated among the members of the Security Council, I would like to inform you of the following.

The fully fledged functioning of the “procurement channel” is one of the key elements for the comprehensive implementation of not only the Joint Comprehensive Plan of Action, but also of Security Council resolution [2231 \(2015\)](#). In this regard, the Russian Federation considers attempts by the United States to undermine the “procurement channel” and the Joint Comprehensive Plan of Action as a whole as absolutely unacceptable. An overt threat of use of unilateral sanctions against potential exporters and Member States who act in full conformity with a Security Council decision is unprecedented by itself and merits an appropriate response.

The Russian Federation is firmly of the view that in order to raise efficiency and ensure the stable work of the “procurement channel” it is imperative to increase international trust in this mechanism. Given the current situation we deem it necessary to promptly elaborate, within the Procurement Working Group and the Joint Commission established in the Joint Comprehensive Plan of Action, special security mechanisms in order to negate the effects of unilateral sanctions and thus ensure the continued implementation of resolution [2231 \(2015\)](#).

To this end, the Russian Federation has submitted a proposal (see annex) in the context of the Procurement Working Group, which we would like to bring to the attention of the members of the Security Council.

We are looking forward to continuing the substantive discussion on the draft proposal within the Joint Comprehensive Plan of Action mechanisms with a view to adopting a decision by the Joint Commission on this matter in a timely fashion.

Given that issues pertaining to the work of the “procurement channel” encompass all aspects of the implementation of resolution [2231 \(2015\)](#), including annex B thereto, we request that the present communication be adequately reflected in the upcoming reports of both the Secretary-General and the Council’s Facilitator on the implementation of Security Council resolution [2231 \(2015\)](#).

I would be grateful for the circulation of the present letter and its annex as a document of the Security Council.

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



Annex to the letter dated 11 June 2019 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

Agreed approach to secure efficiency and stable functioning of the “procurement channel” in view of United States unilateral sanctions against Iran (draft proposal for approval by the Procurement Working Group as a contribution to a future decision by the Joint Commission established in the Joint Comprehensive Plan of Action)

1. The Procurement Working Group is gravely concerned that the United States failed to comply with its obligations under the Joint Comprehensive Plan of Action and decided to renew its unilateral sanctions against Iran in contravention of the comprehensive accord and Security Council resolution [2231 \(2015\)](#), thus disrupting the regular functioning of the “procurement channel”.

These actions of the United States should be resolutely condemned by the Joint Commission, and the Joint Commission should alert the Security Council to the impermissible situation that the United States not only has failed to comply with its obligations under the Joint Comprehensive Plan of Action, but also deliberately disrupts the implementation of Security Council resolution [2231 \(2015\)](#), including by hindering the activity of the “procurement channel”.

Procurement Working Group members deem it necessary to recommend to the Joint Commission that it communicate this position to the Secretary-General, with a request to reflect it in his next report on the implementation of Security Council resolution [2231 \(2015\)](#), in particular, stressing the unacceptable nature of the above-mentioned situation, associating himself with the concerns of the Joint Comprehensive Plan of Action States and urging the United States to take measures without further delay to remedy the situation, to rectify its compliance with resolution [2231 \(2015\)](#) and to refrain from any action which does not correspond with the letter of the above-mentioned resolution and hinders the activity of the “procurement channel”.

2. Procurement Working Group members recognize that by failing to comply with its obligations under the Joint Comprehensive Plan of Action and Security Council resolution [2231 \(2015\)](#), the United States has lost the right to participate and any possibility of participating in the development of decisions to be adopted by the Procurement Working Group and the Joint Commission concerning applications for the transfer to Iran of relevant nuclear and dual-use goods. Nevertheless, it does not waive the responsibility and obligation of the United States to abide by resolution [2231 \(2015\)](#), and any action of the United States side contrary to the resolution or creating hurdles to the implementation thereof should be considered as non-compliance with the requirements of the Security Council, including those related to the functioning of the “procurement channel”.

Procurement Working Group decisions do not require any further coordination with or approval by the United States and should not become subject to any consultations with the United States. While preparing and adopting such decisions, Procurement Working Group members are obliged to remain impartial, independent and should not take into account any advice or recommendations from the United States. Information on any attempts by the United States side to put pressure on Procurement Working Group members and to interfere in the development of

recommendations concerning applications under review should be considered as deliberate obstruction of the implementation of the Joint Comprehensive Plan of Action and Security Council resolution [2231 \(2015\)](#) and should be immediately brought to the attention of the Joint Commission, so that it could further alert the Security Council and the Secretary-General.

3. While reviewing applications for transfers to Iran of relevant nuclear and dual-use goods and technology, Procurement Working Group members should be guided exclusively by those procedures and requirements that are contained in the Joint Comprehensive Plan of Action and enshrined in Security Council resolution [2231 \(2015\)](#).

Should the United States attempt to impede the consideration by and approval in the Security Council of Joint Commission recommendations concerning transfers to Iran of relevant nuclear and dual-use goods and technology, Procurement Working Group members will jointly ensure the approval by the Security Council of the above-mentioned recommendations of the Joint Commission. Any attempts aimed at blocking the consideration of the Joint Commission recommendations by the Security Council will be opposed by Procurement Working Group members, as they are not consistent with Security Council resolution [2231 \(2015\)](#).

4. Procurement Working Group members will use all available means to secure the conditions necessary for the stable functioning of the “procurement channel”, which remains one of the key instruments for the fully fledged implementation of the Joint Comprehensive Plan of Action and Security Council resolution [2231 \(2015\)](#). Guided by the need to facilitate the fulfilment of applications approved by the Joint Commission, Joint Comprehensive Plan of Action States will take measures so that exporters could benefit from those protective mechanisms, which are established in various countries, to mitigate the negative extraterritorial impact of sanctions against Iran imposed by the United States in contravention of the Joint Comprehensive Plan of Action and Security Council resolution [2231 \(2015\)](#).
