

B. Non-proliferation

During the period under review, the Council held two meetings under the item entitled “Non-proliferation”. Both meetings took the form of briefings.¹⁰¹⁸ More information on the meetings, including on participants and speakers, is provided in the table below.¹⁰¹⁹

Under the item, the Council heard briefings by the Under-Secretary-General for Political and Peacebuilding Affairs, by the Head of the Delegation of the European Union to the United Nations, speaking on behalf of the High Representative of the European Union for Foreign Affairs and Security Policy, in his capacity as Coordinator of the Joint Commission of the Joint Comprehensive Plan of Action, and by the representative of Malta, speaking as Security Council Facilitator for the implementation of resolution [2231 \(2015\)](#). The representatives of Germany, the Islamic Republic of Iran, and Ukraine participated in the meetings under rule 37 of the provisional rules of procedure and delivered statements.

On 6 July, after the agenda of the meeting was adopted, the representative of the Russian Federation took the floor and questioned the presidency’s decision to invite Ukraine to participate under rule 37 of the Council’s provisional rules of procedure, opining that Ukraine was not a party to the Joint Comprehensive Plan of Action (“Plan”).¹⁰²⁰ The representative of the United Kingdom, who held the presidency of the month, explained that the acceptance of Ukraine’s request to participate was on the basis that a clear majority of Council members had expressed their support. Referring to the past practice of limiting the discussion to the delegations directly involved in the negotiations concerning the Plan, the representative of the Russian Federation opined that this participation would prevent the Council from having a meaningful, substantive discussion and instead, result in the Council being politicized. The representative of the United States, on the contrary, stated that it would be unconscionable to deny Ukraine the opportunity to speak at the meeting when the country was experiencing the devastating effects of the Islamic Republic of Iran’s violation of resolution [2231 \(2015\)](#) first-hand, opining that both the Islamic Republic of Iran and the Russian Federation had violated

¹⁰¹⁸ For more information on the format of meetings, see part II.

¹⁰¹⁹ See also [A/78/2](#), part II, chap. 30.

¹⁰²⁰ See [S/PV. 9367](#).

their obligations under the resolution by participating in the transfer of unmanned aerial vehicles without obtaining advance approval from the Council. In view of the comments made by Council members, the president proposed to put to vote the proposal of extending an invitation under rule 37 to the representative of Ukraine to participate in the meeting. The proposal received 12 votes in favor, two votes against and one abstention.¹⁰²¹ The proposal to invite the representative of Ukraine was adopted. After the vote, the representative of the Russian Federation expressed regret about the breakdown of the established format for the discussion on the subject of the Plan and cautioned that its consequences would be far-reaching.¹⁰²² In the following discussion, the representative of China explained his vote, stating that all parties should treat the Iranian nuclear issue separately from any other issues and avoid any negative actions that could escalate the situation and undermine a political and diplomatic solution. The representative of the Islamic Republic of Iran considered the extension of the invitation to a state having no direct or indirect relevance to the agenda item of the meeting was an abuse of the process and a misuse of the Council's presidency.¹⁰²³

Following the vote, the Council heard the briefings by the Under-Secretary-General for Political and Peacebuilding Affairs on the Plan and the implementation of resolution [2231 \(2015\)](#),¹⁰²⁴ the Head of the Delegation of the European Union to the United Nations in his capacity as the Coordinator of the Joint Commission of the Joint Comprehensive Plan of Action, and the representative of Malta in her capacity as the Security Council Facilitator for the implementation of resolution [2231 \(2015\)](#).

In her remarks, the Under-Secretary-General noted that negotiations to restore the Plan since her last briefing in December 2022 remained stalled. She reiterated the Secretary-General's appeal to the United States to lift or waive its sanctions, as outlined in the Plan, and to extend waivers with regard to the trade in oil with the Islamic Republic of Iran and for the Islamic Republic of Iran to reverse the steps inconsistent with its nuclear-related commitments, as well

¹⁰²¹ *For:* Albania, Brazil, Ecuador, France, Gabon, Ghana, Japan, Malta, Switzerland, United Arab Emirates, United Kingdom, United States; *against:* China, Russian Federation; *abstentions:* Mozambique. For more information about the procedural vote, see part II.

¹⁰²² See [S/PV. 9367](#).

¹⁰²³ For more information on presidency of the Council, see part II.

¹⁰²⁴ See [S/PV. 9367](#).

as to address concerns in relation to annex B to resolution [2231 \(2015\)](#). She welcomed the issuance of a joint statement by the International Atomic Energy Agency (IAEA) and the Islamic Republic of Iran in March 2023, aimed at expediting the resolution of outstanding safeguards issues and allowing the IAEA to implement further appropriate verification, monitoring and reporting activities. She also pointed out that the IAEA remained unable to verify the stockpile of enriched uranium in the country, and that based on IAEA estimates, the Islamic Republic of Iran had a total enriched uranium stockpile of more than 20 times the allowable amount under the Plan.

Regarding the restrictive measures set out in annex B of resolution [2231 \(2015\)](#), and as outlined in the Secretary-General's fifteenth report,¹⁰²⁵ she noted that the letters received from Member States in relation to the ballistic missile-related provisions continued to reflect divergent views as to whether the launches and missile developments were inconsistent with the resolution. She also reported on the examination of information related to paragraph 4 of annex B, including ballistic missile parts of alleged Iranian origin, as seized by the British Royal Navy in February 2023, and transfers of unmanned aerial vehicles from the Islamic Republic of Iran to the Russian Federation. In closing, she emphasized that the Plan remained the best available option for ensuring the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme, as well as for enabling the country to reach its full economic potential.

Given the lack of progress since 2022, the Head of the Delegation of the European Union and Coordinator of the Joint Commission reaffirmed that the compromise text, which laid down the necessary steps for the United States to return to the Plan and for the Islamic Republic of Iran to resume the full implementation of its commitments, as put forward in August 2022 by the High Representative, was still on the table for any renewed efforts to bring the Plan back on track. In reference to the March 2023 joint statement between the IAEA and the Islamic Republic of Iran, the Head of the Delegation of the European Union encouraged the Islamic Republic of Iran to continue in that direction and make further progress. Notwithstanding, he expressed concern about military support provided by the Islamic Republic of Iran to the Russian Federation's war in Ukraine, including through deliveries of drones, and noted that the country

¹⁰²⁵ [S/2023/473](#).

had unveiled new ballistic missiles in violation of resolution [2231 \(2015\)](#). He stressed that restoring the Plan remained the only way to result in a comprehensive lifting of the sanctions, and for the Islamic Republic of Iran to reap its full benefits and reach its full economic potential. In that connection, he noted that the European Council's conclusions of December 2022 provided a framework for the engagement of the European Union towards the Islamic Republic of Iran, reaffirming its commitment and continued support to the full and effective implementation of a restored Plan. In closing, he noted that the High Representative continued to be in close contact with all the Plan's participants and the United States, in working to find a diplomatic solution.

The representative of Malta, speaking in her capacity as the Security Council Facilitator for the implementation of resolution [2231 \(2015\)](#), presented the fifteenth report of the Facilitator on the implementation of resolution [2231 \(2015\)](#).¹⁰²⁶ Among others, she highlighted the "2231 format" meeting, which was held on 30 June for the discussion of the findings and recommendations contained in the Secretary-General's report, prior to its public release. Furthermore, she reported that no new proposals had been submitted to the Council through the procurement channel during the reporting period, which represented a key transparency and confidence-building mechanism under the Plan. She echoed the other briefers in stating that it was essential that all parties to the agreement uphold it both in letter and spirit, so that the Plan could achieve its goals for the benefit of all.

During the deliberations, some speakers shared the Secretary-General's assessment that the Plan remained the best available option for ensuring the exclusively peaceful nature of the Iranian nuclear programme.¹⁰²⁷ Some called for all the parties to the Plan to take steps to return to the full implementation of the agreement and of resolution [2231 \(2015\)](#).¹⁰²⁸ Underlining the important role of the IAEA in verifying, monitoring nuclear activities and restoring trust and confidence, some speakers urged the Islamic Republic of Iran to re-establish full cooperation with the Agency and live up to its commitments.¹⁰²⁹ Several delegations considered the holding

¹⁰²⁶ [S/2023/448](#).

¹⁰²⁷ [S/2023/473](#). See also [S/PV.9367](#), Brazil, Switzerland, Japan, Ecuador, Malta, Ghana, Russian Federation and Gabon.

¹⁰²⁸ See [S/PV.9367](#), Switzerland, Ecuador, Malta, China, United Arab Emirates, Ghana, Mozambique and Gabon.

¹⁰²⁹ *Ibid.*, Switzerland, Ecuador, Malta, Ghana and Germany.

of high-level meetings between the IAEA and the Islamic Republic of Iran, as well as the issuance of a joint statement as positive developments to be sustained in order for all of the commitments to be fulfilled.¹⁰³⁰

Expressing concern about the allegations of transfers of ballistic missiles and unmanned aerial vehicles from the Islamic Republic of Iran to third countries in violation of annex B to resolution [2231 \(2015\)](#), several speakers called for the Secretariat to conduct investigations and to provide full clarity on the issue.¹⁰³¹ However, the representative of the Russian Federation expressed the view that the functions of the Secretariat related to resolution [2231 \(2015\)](#) were of a purely administrative and technical nature, and urged the Secretariat to strictly comply with its obligations and refrain from the practice of non-consensual visits and unauthorized investigations. The representative of the Islamic Republic of Iran questioned the legal basis for the Secretariat to conduct such investigations. With some of the restrictive measures in resolution [2231 \(2015\)](#) expiring in October 2023, several speakers cautioned about triggering the snapback mechanism, which according to the representative of Brazil, would represent a point of no return and lead to a perilous path.¹⁰³²

On 18 December, the Council held its second briefing for the year. In her statement, the Under-Secretary-General noted that despite repeated calls on all parties concerned to renew dialogue and engagement aimed at a return to the full implementation of the Plan and resolution [2231 \(2015\)](#), diplomatic efforts remained at a standstill.¹⁰³³ She noted the verification and monitoring [activities] of the IAEA continued to be seriously affected by Islamic Republic of Iran's cessation of its nuclear-related commitments under the Plan. Furthermore, she informed that the restrictive measures related to missile activities and transfers, as well as the assets freeze, as set out in annex B to resolution [2231 \(2015\)](#), expired the day after 18 October 2023, and therefore, the sixteenth report of the Secretary-General covered the implementation of those provisions until 18 October.¹⁰³⁴ Among others, she noted the assessment by the Secretariat that

¹⁰³⁰ Ibid., Ecuador, Malta, United Arab Emirates, Albania, Ghana, Russian Federation, and Gabon.

¹⁰³¹ Ibid., United States, Switzerland, Japan, Albania, France, Ukraine and Germany.

¹⁰³² Ibid., Brazil, China and Russian Federation.

¹⁰³³ See [S/PV.9511](#).

¹⁰³⁴ See [S/2023/975](#).

the cruise missile used in an attack by the Houthis in November 2022 had been of Iranian origin and might have been transferred inconsistent with resolution [2231 \(2015\)](#).

The Head of the Delegation of the European Union mission to the United Nations, in his capacity as the Coordinator of the Joint Commission, noted the continued expansion of the Islamic Republic Iran's nuclear programme, as documented by the IAEA, and the deteriorating relationship between the country and the Agency.¹⁰³⁵ He told the Council that the High Representative had received a letter from France, Germany and the United Kingdom expressing their intention not to lift further sanctions on transition day of 18 October 2023, and stated that the issue had remained unresolved after consultations with all participants. He informed the Council about the decision of the Council of the European Union to maintain the restrictive measures on the Islamic Republic of Iran on transition day. Furthermore, he expressed concern about the Islamic Republic of Iran's military support for the Russian Federation's war in Ukraine and called on the Government of the Islamic Republic of Iran to cease its military cooperation with the Russian Federation. In conclusion, he reiterated that the compromise text put forward by the High Representative was still on the table for any renewed effort to bring the Plan back on the track.

The representative of Malta, in her capacity as Security Council Facilitator for the implementation of resolution [2231 \(2015\)](#), presented the sixteenth report covering the period of 1 July to 14 December 2023,¹⁰³⁶ which included a summary of activities of the "2231 format", monitoring the implementation of the resolution, relevant communications, key aspects of the workings of the procurement channel, and transparency, outreach and guidance.¹⁰³⁷

The discussions following the briefings focused on the challenges pertaining to the full implementation of the Plan, the decision by France, Germany and the United Kingdom (E3) and the European Union to maintain the restrictive measures which expired on transition day of 18 October 2023, and the way moving forward. Some speakers expressed deep concern about the withdrawal of the United States from the Plan as well as the various measures taken by the Islamic Republic of Iran inconsistent with its commitments under the Plan.¹⁰³⁸ They called on

¹⁰³⁵ See [S/PV.9511](#).

¹⁰³⁶ [S/2023/963](#).

¹⁰³⁷ See [S/PV.9511](#).

¹⁰³⁸ *Ibid.*, China, Switzerland, Malta, Ghana, Gabon, Mozambique, Japan, United Arab Emirates and Ecuador.

the parties concerned to refrain from taking any steps that might escalate the situation,¹⁰³⁹ to prioritize and make real compromises,¹⁰⁴⁰ and to renew dialogue and engagement aimed at achieving a return to the full implementation of the Plan.¹⁰⁴¹ Emphasizing the importance of developing a practical road map, the representative of Ghana considered it critical for the E3 to reconsider their decision and held the view that, in unity, the sanctions relief as specified in annex V, paragraph 20 to the Plan would contribute to fostering stability and trust among the key stakeholders as well as in the rest of the region. The representative of Brazil stressed the need for a new framework to be built on the success of the Plan and resolution [2231 \(2015\)](#), which must involve a greater range of stakeholders and use clear language on key aspects to avoid conceptual disagreement on their implementation.

Other speakers attributed the stalemate to the Islamic Republic of Iran's continued development of its nuclear programme, including the production and stockpile of highly enriched uranium, and alleged transfers of unmanned aerial vehicles in violation of resolution [2231 \(2015\)](#), and urged the Islamic Republic of Iran to cease its weapons proliferation and to honour its commitments under the Plan.¹⁰⁴² In that connection, the representative of France explained that the Islamic Republic of Iran's persistent violations of its commitments led to the decision of E3 and the European Union to maintain the restrictive measures on the country. He expressed readiness to reverse the decision should the Islamic Republic of Iran resume implementation of its commitments.

Disagreeing that Islamic Republic of Iran bore the main responsibility for the dysfunctionality of the Plan, the representative of the Russian Federation opined that the Islamic Republic of Iran's return to fulfilling its suspended voluntary obligations of limiting its nuclear power programme could take place only with simultaneous reciprocity of the Western parties and the United States. He expressed the view that the decisions of the E3 and the European Union on restrictive measures were destructive to the implementation of the Plan.

¹⁰³⁹ Ibid., China.

¹⁰⁴⁰ Ibid., Brazil.

¹⁰⁴¹ Ibid., China, Malta, Ghana, Gabon, Mozambique, Japan, United Arab Emirates and Ecuador.

¹⁰⁴² Ibid., United States, Albania, France, Switzerland, United Kingdom, United Arab Emirates and Germany.

Meetings: Non-proliferation, 2023

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.9367 6 July	Fifteenth report of the Secretary-General on the implementation of Security Council resolution 2231 (2015) (S/2023/473) Letter dated 27 June 2023 from the Security Council Facilitator for the implementation of resolution 2231 (2015) addressed to the President of the Security Council (S/2023/479) Letter dated 30 June 2023 from the Security Council Facilitator for the implementation of resolution 2231 (2015) addressed to the President of the Security Council (S/2023/488)		Germany, Iran (Islamic Republic of), Ukraine	Under-Secretary-General for Political and Peacebuilding Affairs, Head of the Delegation of the European Union to the United Nations	All Council members, ^a all invitees ^b	
S/PV.9511 18 December	Letter dated 5 December 2023 from the Security Council Facilitator for the implementation of resolution 2231 (2015) addressed to the President of the Security Council (S/2023/963)		Germany, Iran (Islamic Republic of)	Under-Secretary-General for Political and Peacebuilding Affairs, Head of the Delegation of the European Union to the United Nations	All Council members, ^a all invitees ^b	

^a The representative of Malta spoke twice, once in her capacity as the Security Council Facilitator for the implementation of resolution [2231 \(2015\)](#) and once in her national capacity.

^b The Head of the Delegation of the European Union to the United Nations spoke in his capacity as Coordinator of the Joint Commission of the Joint Comprehensive Plan of Action.