

**ANNEXES TO THE APPLICATION  
INSTITUTING PROCEEDINGS**

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## **Annex 1**

Treaty of Amity, Economic Relations, and Consular Rights between the United States of America and Iran, signed at Tehran, on 15 August 1955

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UNITED NATIONS



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## *Treaty Series*

*Treaties and international agreements  
registered  
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VOLUME 284

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## *Recueil des Traités*

*Traités et accords internationaux  
enregistrés  
ou classés et inscrits au répertoire  
au Secrétariat de l'Organisation des Nations Unies*

No. 4132. TREATY<sup>1</sup> OF AMITY, ECONOMIC RELATIONS,  
AND CONSULAR RIGHTS BETWEEN THE UNITED  
STATES OF AMERICA AND IRAN. SIGNED AT TEH-  
RAN, ON 15 AUGUST 1955

The United States of America and Iran, desirous of emphasizing the friendly relations which have long prevailed between their peoples, of reaffirming the high principles in the regulation of human affairs to which they are committed, of encouraging mutually beneficial trade and investments and closer economic intercourse generally between their peoples, and of regulating consular relations, have resolved to conclude, on the basis of reciprocal equality of treatment, a Treaty of Amity, Economic Relations, and Consular Rights, and have appointed as their Plenipotentiaries :

The President of the United States of America :

Mr. Selden Chapin, Ambassador Extraordinary and Plenipotentiary of the United States of America at Tehran; and

His Imperial Majesty, the Shah of Iran :

His Excellency Mr. Mostafa Samiy, Under Secretary of the Ministry of Foreign Affairs;

Who, having communicated to each other their full powers found to be in due form, have agreed upon the following articles :

*Article I*

There shall be firm and enduring peace and sincere friendship between the United States of America and Iran.

*Article II*

I. Nationals of either High Contracting Party shall be permitted, upon terms no less favorable than those accorded to nationals of any third country, to enter and remain in the territories of the other High Contracting Party for the purpose of carrying on trade between their own country and the territories of such other High Contracting Party and engaging in related commercial activities, and for the purpose of developing and directing the operations of an enterprise in which they have invested, or in which they are actively in the process of investing, a substantial amount of capital.

<sup>1</sup> Came into force on 16 June 1957, one month after the day of exchange of the instruments of ratification at Tehran on 16 May 1957, in accordance with article XXIII.

2. Nationals of either High Contracting Party within the territories of the other High Contracting Party shall, either individually or through associations, and so long as their activities are not contrary to public order, safety or morals : (a) be permitted to travel therein freely and reside at places of their choice ; (b) enjoy freedom of conscience and the right to hold religious services ; (c) be permitted to engage in philanthropic, educational and scientific activities ; and (d) have the right to gather and transmit information for dissemination to the public abroad, and otherwise to communicate with other persons inside and outside such territories. They shall also be permitted to engage in the practice of professions for which they have qualified under the applicable legal provisions governing admission to professions.

3. The provisions of paragraphs 1 and 2 of the present Article shall be subject to the right of either High Contracting Party to apply measures which are necessary to maintain public order, and to protect public health, morals and safety, including the right to expel, to exclude or to limit the movement of aliens on the said grounds.

4. Nationals of either High Contracting Party shall receive the most constant protection and security within the territories of the other High Contracting Party. When any such national is in custody, he shall in every respect receive reasonable and humane treatment ; and, on his demand, the diplomatic or consular representative of his country shall without unnecessary delay be notified and accorded full opportunity to safeguard his interests. He shall be promptly informed of the accusations against him, allowed all facilities reasonably necessary to his defense and given a prompt and impartial disposition of his case.

### *Article III*

1. Companies constituted under the applicable laws and regulations of either High Contracting Party shall have their juridical status recognized within the territories of the other High Contracting Party. It is understood, however, that recognition of juridical status does not of itself confer rights upon companies to engage in the activities for which they are organized. As used in the present Treaty, " companies " means corporations, partnerships, companies and other associations, whether or not with limited liability and whether or not for pecuniary profit.

2. Nationals and companies of either High Contracting Party shall have freedom of access to the courts of justice and administrative agencies within the territories of the other High Contracting Party, in all degrees of jurisdiction, both in defense and pursuit of their rights, to the end that prompt and impartial justice be done. Such access shall be allowed, in any event, upon terms no

less favorable than those applicable to nationals and companies of such other High Contracting Party or of any third country. It is understood that companies not engaged in activities within the country shall enjoy the right of such access without any requirement of registration or domestication.

3. The private settlement of disputes of a civil nature, involving nationals and companies of either High Contracting Party, shall not be discouraged within the territories of the other High Contracting Party; and, in cases of such settlement by arbitration, neither the alienage of the arbitrators nor the foreign situs of the arbitration proceedings shall of themselves be a bar to the enforceability of awards duly resulting therefrom.

*Article IV*

1. Each High Contracting Party shall at all times accord fair and equitable treatment to nationals and companies of the other High Contracting Party, and to their property and enterprises; shall refrain from applying unreasonable or discriminatory measures that would impair their legally acquired rights and interests; and shall assure that their lawful contractual rights are afforded effective means of enforcement, in conformity with the applicable laws.

2. Property of nationals and companies of either High Contracting Party, including interests in property, shall receive the most constant protection and security within the territories of the other High Contracting Party, in no case less than that required by international law. Such property shall not be taken except for a public purpose, nor shall it be taken without the prompt payment of just compensation. Such compensation shall be in an effectively realizable form and shall represent the full equivalent of the property taken; and adequate provision shall have been made at or prior to the time of taking for the determination and payment thereof.

3. The dwellings, offices, warehouses, factories and other premises of nationals and companies of either High Contracting Party located within the territories of the other High Contracting Party shall not be subject to entry or molestation without just cause. Official searches and examinations of such premises and their contents, shall be made only according to law and with careful regard for the convenience of the occupants and the conduct of business.

4. Enterprises which nationals and companies of either High Contracting Party are permitted to establish or acquire, within the territories of the other



High Contracting Party, shall be permitted freely to conduct their activities therein, upon terms no less favorable than other enterprises of whatever nationality engaged in similar activities. Such nationals and companies shall enjoy the right to continued control and management of such enterprises; to engage attorneys, agents, accountants and other technical experts, executive personnel, interpreters and other specialized employees of their choice; and to do all other things necessary or incidental to the effective conduct of their affairs.

#### *Article V*

1. Nationals and companies of either High Contracting Party shall be permitted, within the territories of the other High Contracting Party: (a) to lease, for suitable periods of time, real property needed for their residence or for the conduct of activities pursuant to the present Treaty; (b) to purchase or otherwise acquire personal property of all kinds; and (c) to dispose of property of all kinds by sale, testament or otherwise. The treatment accorded in these respects shall in no event be less favorable than that accorded nationals and companies of any third country.

2. Upon compliance with the applicable laws and regulations respecting registration and other formalities, nationals and companies of either High Contracting Party shall be accorded within the territories of the other High Contracting Party effective protection in the exclusive use of inventions, trade marks and trade names.

#### *Article VI*

1. Nationals and companies of either High Contracting Party shall not be subject to the payment of taxes, fees or charges within the territories of the other High Contracting Party, or to requirements with respect to the levy and collection thereof, more burdensome than those borne by nationals, residents and companies of any third country. In the case of nationals of either High Contracting Party residing within the territories of the other High Contracting Party, and of nationals and companies of either High Contracting Party engaged in trade or other gainful pursuit or in non-profit activities therein, such payments and requirements shall not be more burdensome than those borne by nationals and companies of such other High Contracting Party.

2. Each High Contracting Party, however, reserves the right to: (a) extend specific tax advantages only on the basis of reciprocity, or pursuant to agreements for the avoidance of double taxation or the mutual protection of revenue; and (b) apply special requirements as to the exemptions of a personal

nature allowed to non-residents in connection with income and inheritance taxes.

3. Companies of either High Contracting Party shall not be subject, within the territories of the other High Contracting Party, to taxes upon any income, transactions or capital not attributable to the operations and investment thereof within such territories.

#### *Article VII*

1. Neither High Contracting Party shall apply restrictions on the making of payments, remittances, and other transfers of funds to or from the territories of the other High Contracting Party, except (a) to the extent necessary to assure the availability of foreign exchange for payments for goods and services essential to the health and welfare of its people, or (b) in the case of a member of the International Monetary Fund, restrictions specifically approved by the Fund.

2. If either High Contracting Party applies exchange restrictions, it shall promptly make reasonable provision for the withdrawal, in foreign exchange in the currency of the other High Contracting Party, of: (a) the compensation referred to in Article IV, paragraph 2, of the present Treaty, (b) earnings, whether in the form of salaries, interest, dividends, commissions, royalties, payments for technical services, or otherwise, and (c) amounts for amortization of loans, depreciation of direct investments and capital transfers, giving consideration to special needs for other transactions. If more than one rate of exchange is in force, the rate applicable to such withdrawals shall be a rate which is specifically approved by the International Monetary Fund for such transactions or, in the absence of a rate so approved, an effective rate which, inclusive of any taxes or surcharges on exchange transfers, is just and reasonable.

3. Either High Contracting Party applying exchange restrictions shall in general administer them in a manner not to influence disadvantageously the competitive position of the commerce, transport or investment of capital of the other High Contracting Party in comparison with the commerce, transport or investment of capital of any third country; and shall afford such other High Contracting Party adequate opportunity for consultation at any time regarding the application of the present Article.

#### *Article VIII*

1. Each High Contracting Party shall accord to products of the other High Contracting Party, from whatever place and by whatever type of carrier

arriving, and to products destined for exportation to the territories of such other High Contracting Party, by whatever route and by whatever type of carrier, treatment no less favorable than that accorded like products of or destined for exportation to any third country, in all matters relating to : (a) duties, other charges, regulations and formalities, on or in connection with importation and exportation; and (b) internal taxation, sale, distribution, storage and use. The same rule shall apply with respect to the international transfer of payments for imports and exports.

2. Neither High Contracting Party shall impose restrictions or prohibitions on the importation of any product of the other High Contracting Party or on the exportation of any product to the territories of the other High Contracting Party, unless the importation of the like product of, or the exportation of the like product to, all third countries is similarly restricted or prohibited.

3. If either High Contracting Party imposes quantitative restrictions on the importation or exportation of any product in which the other High Contracting Party has an important interest :

- (a) It shall as a general rule give prior public notice of the total amount of the product, by quantity or value, that may be imported or exported during a specified period, and of any change in such amount or period; and
- (b) If it makes allotments to any third country, it shall afford such other High Contracting Party a share proportionate to the amount of the product, by quantity or value, supplied by or to it during a previous representative period, due consideration being given to any special factors affecting the trade in such product.

4. Either High Contracting Party may impose prohibitions or restrictions on sanitary or other customary grounds of a non-commercial nature, or in the interest of preventing deceptive or unfair practices, provided such prohibitions or restrictions do not arbitrarily discriminate against the commerce of the other High Contracting Party.

5. Either High Contracting Party may adopt measures necessary to assure the utilization of accumulated inconvertible currencies or to deal with a stringency of foreign exchange. However, such measures shall deviate no more than necessary from a policy designed to promote the maximum development of non-discriminatory multilateral trade and to expedite the attainment of a balance-of-payments position which will obviate the necessity of such measures.

6. Each High Contracting Party reserves the right to accord special advantages: (a) to products of its national fisheries, (b) to adjacent countries in order to facilitate frontier traffic, or (c) by virtue of a customs union or free trade area of which either High Contracting Party, after consultation with the other High Contracting Party, may become a member. Each High Contracting Party, moreover, reserves rights and obligations it may have under the General Agreement on Tariffs and Trade,<sup>1</sup> and special advantages it may accord pursuant thereto.

#### *Article IX*

1. In the administration of its customs regulations and procedures, each High Contracting Party shall: (a) promptly publish all requirements of general application affecting importation and exportation; (b) apply such requirements in a uniform, impartial and reasonable manner; (c) refrain, as a general practice, from enforcing new or more burdensome requirements until after public notice thereof; (d) provide an appeals procedure by which prompt and impartial review of administrative action in customs matters can be obtained; and (e) not impose greater than nominal penalties for infractions resulting from clerical errors or from mistakes made in good faith.

2. Nationals and companies of either High Contracting Party shall be accorded treatment no less favorable than that accorded nationals and companies of the other High Contracting Party, or of any third country, with respect to all matters relating to importation and exportation.

3. Neither High Contracting Party shall impose any measure of a discriminatory nature that hinders or prevents the importer or exporter of products of either country from obtaining marine insurance on such products in companies of either High Contracting Party.

#### *Article X*

1. Between the territories of the two High Contracting Parties there shall be freedom of commerce and navigation.

2. Vessels under the flag of either High Contracting Party, and carrying the papers required by its law in proof of nationality, shall be deemed to be vessels of that High Contracting Party both on the high seas and within the ports, places and waters of the other High Contracting Party.

<sup>1</sup> See footnote 2, p. 76 of this volume.

3. Vessels of either High Contracting Party shall have liberty, on equal terms with vessels of the other High Contracting Party and on equal terms with vessels of any third country, to come with their cargoes to all ports, places and waters of such other High Contracting Party open to foreign commerce and navigation. Such vessels and cargoes shall in all respects be accorded national treatment and most-favored-nation treatment within the ports, places and waters of such other High Contracting Party; but each High Contracting Party may reserve exclusive rights and privileges to its own vessels with respect to the coasting trade, inland navigation and national fisheries.

4. Vessels of either High Contracting Party shall be accorded national treatment and most-favored-nation treatment by the other High Contracting Party with respect to the right to carry all products that may be carried by vessel to or from the territories of such other High Contracting Party; and such products shall be accorded treatment no less favorable than that accorded like products carried in vessels of such other High Contracting Party, with respect to : (a) duties and charges of all kinds, (b) the administration of the customs, and (c) bounties, drawbacks and other privileges of this nature.

5. Vessels of either High Contracting Party that are in distress shall be permitted to take refuge in the nearest port or haven of the other High Contracting Party, and shall receive friendly treatment and assistance.

6. The term "vessels", as used herein, means all types of vessels, whether privately owned or operated, or publicly owned or operated; but this term does not, except with reference to paragraphs 2 and 5 of the present Article, include fishing vessels or vessels of war.

#### *Article XI*

1. Each High Contracting Party undertakes (a) that enterprises owned or controlled by its Government, and that monopolies or agencies granted exclusive or special privileges within its territories, shall make their purchases and sales involving either imports or exports affecting the commerce of the other High Contracting Party solely in accordance with commercial considerations, including price, quality, availability, marketability, transportation and other conditions of purchase or sale; and (b) that the nationals, companies and commerce of such other High Contracting Party shall be afforded adequate opportunity, in accordance with customary business practice, to compete for participation in such purchases and sales.

2. Each High Contracting Party shall accord to the nationals, companies and commerce of the other High Contracting Party fair and equitable treatment, as compared with that accorded to the nationals, companies and commerce of any third country, with respect to : (a) the governmental purchase of supplies, (b) the awarding of government contracts, and (c) the sale of any service sold by the Government or by any monopoly or agency granted exclusive or special privileges.

3. The High Contracting Parties recognize that conditions of competitive equality should be maintained in situations in which publicly owned or controlled trading or manufacturing enterprises of either High Contracting Party engage in competition, within the territories thereof, with privately owned and controlled enterprises of nationals and companies of the other High Contracting Party. Accordingly, such private enterprises shall, in such situations, be entitled to the benefit of any special advantages of an economic nature accorded such public enterprises, whether in the nature of subsidies, tax exemptions or otherwise. The foregoing rule shall not apply, however, to special advantages given in connection with : (a) manufacturing goods for government use, or supplying goods and services to the Government for government use; or (b) supplying at prices substantially below competitive prices, the needs of particular population groups for essential goods and services not otherwise practically obtainable by such groups.

4. No enterprise of either High Contracting Party, including corporations, associations, and government agencies and instrumentalities, which is publicly owned or controlled shall, if it engages in commercial, industrial, shipping or other business activities within the territories of the other High Contracting Party, claim or enjoy, either for itself or for its property, immunity therein from taxation, suit, execution of judgment or other liability to which privately owned and controlled enterprises are subject therein.

#### *Article XII*

Each High Contracting Party shall have the right to send to the other High Contracting Party consular representatives, who, having presented their credentials and having been recognized in a consular capacity, shall be provided, free of charge, with exequaturs or other authorization.

#### *Article XIII*

1. Consular representatives of each High Contracting Party shall be permitted to reside in the territory of the other High Contracting Party at the places where consular officers of any third country are permitted to reside and

at other places by consent of the other High Contracting Party. Consular officers and employees shall enjoy the privileges and immunities accorded to officers and employees of their rank or status by general international usage and shall be permitted to exercise all functions which are in accordance with such usage; in any event they shall be treated, subject to reciprocity, in a manner no less favorable than similar officers and employees of any third country.

2. The consular offices shall not be entered by the police or other local authorities without the consent of the consular officer, except that in the case of fire or other disaster, or if the local authorities have probable cause to believe that a crime of violence has been or is about to be committed in the consular office, consent to entry shall be presumed. In no case shall they examine or seize the papers there deposited.

#### *Article XIV*

1. All furniture, equipment and supplies consigned to or withdrawn from customs custody for a consular or diplomatic office of either High Contracting Party for official use shall be exempt within the territories of the other High Contracting Party from all customs duties and internal revenue or other taxes imposed upon or by reason of importation.

2. The baggage, effects and other articles imported exclusively for the personal use of consular officers and diplomatic and consular employees and members of their families residing with them, who are nationals of the sending state and are not engaged in any private occupation for gain in the territories of the receiving state, shall be exempt from all customs duties and internal revenue or other taxes imposed upon or by reason of importation. Such exemptions shall be granted with respect to the property accompanying the person entitled thereto on first arrival and on subsequent arrivals, and to that consigned to such officers and employees during the period in which they continue in status.

3. It is understood, however, that : (a) paragraph 2 of the present Article shall apply as to consular officers and diplomatic and consular employees only when their names have been communicated to the appropriate authorities of the receiving state and they have been duly recognized in their official capacity; (b) in the case of consignments, either High Contracting Party may, as a condition to the granting of exemption, require that a notification of any such consignment be given, in a prescribed manner; and (c) nothing herein authorizes importations specifically prohibited by law.

*Article XV*

1. The Government of either High Contracting Party may, in the territory of the other, acquire, own, lease for any period of time, or otherwise hold and occupy, such lands, buildings, and appurtenances as may be necessary and appropriate for governmental, other than military, purposes. If under the local law the permission of the local authorities must be obtained as a prerequisite to any such acquiring or holding, such permission shall be given on request.

2. Lands and buildings situated in the territories of either High Contracting Party, of which the other High Contracting Party is the legal or equitable owner and which are used exclusively for governmental purposes by that owner, shall be exempt from taxation of every kind, national, state, provincial and municipal, other than assessments levied for services or local public improvements by which the premises are benefited.

*Article XVI*

1. No tax or other similar charge of any kind, whether of a national, state, provincial, or municipal nature, shall be levied or collected within the territories of the receiving state in respect of the official emoluments, salaries, wages or allowances received (a) by a consular officer of the sending state as compensation for his consular services, or (b) by a consular employee thereof as compensation for his services at a consulate. Likewise, consular officers and employees, who are permanent employees of the sending state and are not engaged in private occupation for gain within the territories of the receiving state, shall be exempt from all taxes or other similar charges, the legal incidence of which would otherwise fall upon such officers or employees.

2. The preceding paragraph shall not apply in respect of taxes and other similar charges upon: (a) the ownership or occupation of immovable property situated within the territories of the receiving state; (b) income derived from sources within such territories (except the compensation mentioned in the preceding paragraph); or (c) the passing of property at death.

3. The provisions of the present Article shall have like application to diplomatic officers and employees, who shall in addition be accorded all exemptions allowed them under general international usage.

*Article XVII*

The exemptions provided for in Articles XIV and XVI shall not apply to nationals of the sending state who are also nationals of the receiving state, or to any other person who is a national of the receiving state, nor to persons having immigrant status who have been lawfully admitted for permanent residence in the receiving state.



*Article XVIII*

Consular officers and employees are not subject to local jurisdiction for acts done in their official character and within the scope of their authority. No consular officer or employee shall be required to present his official files before the courts or to make declaration with respect to their contents.

*Article XIX*

A consular officer shall have the right within his district to : (a) interview, communicate with, assist and advise any national of the sending state; (b) inquire into any incidents which have occurred affecting the interests of any such national; and (c) assist any such national in proceedings before or in relations with the authorities of the receiving state and, where necessary, arrange for legal assistance to which he is entitled. A national of the sending state shall have the right at all times to communicate with a consular officer of his country and, unless subject to lawful detention, to visit him at the consular office.

*Article XX*

1. The present Treaty shall not preclude the application of measures :
  - (a) regulating the importation or exportation of gold or silver;
  - (b) relating to fissionable materials, the radio-active by-products thereof, or the sources thereof;
  - (c) regulating the production of or traffic in arms, ammunition and implements of war, or traffic in other materials carried on directly or indirectly for the purpose of supplying a military establishment; and
  - (d) necessary to fulfill the obligations of a High Contracting Party for the maintenance or restoration of international peace and security, or necessary to protect its essential security interests.
2. The present Treaty does not accord any rights to engage in political activities.
3. The stipulations of the present Treaty shall not extend to advantages accorded by the United States of America or its Territories and possessions, irrespective of any future change in their political status, to one another, to the Republic of Cuba, to the Republic of the Philippines, to the Trust Territory of the Pacific Islands or to the Panama Canal Zone.
4. The provisions of Article II, Paragraph I, shall be construed as extending to nationals of either High Contracting Party seeking to enter the territories of

the other High Contracting Party solely for the purpose of developing and directing the operations of an enterprise in the territories of such other High Contracting Party in which their employer has invested or is actively in the process of investing a substantial amount of capital : provided that such employer is a national or company of the same nationality as the applicant and that the applicant is employed by such national or company in a responsible capacity.

*Article XXI*

1. Each High Contracting Party shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as the other High Contracting Party may make with respect to any matter affecting the operation of the present Treaty.

2. Any dispute between the High Contracting Parties as to the interpretation or application of the present Treaty, not satisfactorily adjusted by diplomacy, shall be submitted to the International Court of Justice, unless the High Contracting Parties agree to settlement by some other pacific means.

*Article XXII*

1. The present Treaty shall replace the following agreements between the United States of America and Iran :

- (a) the provisional agreement relating to commercial and other relations, concluded at Tehran May 14, 1928,<sup>1</sup> and
- (b) the provisional agreement relating to personal status and family law, concluded at Tehran July 11, 1928.<sup>2</sup>

2. Nothing in the present Treaty shall be construed to supersede any provision of the trade agreement and the supplementary exchange of notes between the United States of America and Iran, concluded at Washington April 8, 1943.<sup>3</sup>

*Article XXIII*

1. The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Tehran as soon as possible.

2. The present Treaty shall enter into force one month after the day of exchange of ratifications. It shall remain in force for ten years and shall continue in force thereafter until terminated as provided herein.

<sup>1</sup> De Martens, *Nouveau Recueil général de Traités*, troisième série, tome XXX, p. 885.

<sup>2</sup> De Martens, *Nouveau Recueil général de Traités*, troisième série, tome XXV, p. 58.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 106, p. 155.

3. Either High Contracting Party may, by giving one year's written notice to the other High Contracting Party, terminate the present Treaty at the end of the initial ten-year period or at any time thereafter.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed the present Treaty and have affixed hereunto their seals.

DONE in duplicate, in the English and Persian languages, both equally authentic, at Tehran this fifteenth day of August one thousand nine hundred fifty-five, corresponding with the twenty-third day of Mordad one thousand three hundred and thirty-four.

Selden CHAPIN  
[SEAL]

MOSTAFA SAMIY  
[SEAL]



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## **Annex 2**

Presidential Memoranda, Ceasing U.S. Participation in the JCPOA and Taking Additional Action to Counter Iran's Malign Influence and Deny Iran All Paths to a Nuclear Weapon, 8 May 2018

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PRESIDENTIAL MEMORANDA

# **Ceasing U.S. Participation in the JCPOA and Taking Additional Action to Counter Iran's Malign Influence and Deny Iran All Paths to a Nuclear Weapon**

— FOREIGN POLICY | Issued on: May 8, 2018



MEMORANDUM FOR THE SECRETARY OF STATE  
THE SECRETARY OF THE TREASURY  
THE SECRETARY OF DEFENSE  
THE ATTORNEY GENERAL  
THE SECRETARY OF ENERGY  
THE SECRETARY OF HOMELAND SECURITY  
THE ASSISTANT TO THE PRESIDENT AND CHIEF OF  
STAFF  
THE UNITED STATES TRADE REPRESENTATIVE  
THE UNITED STATES PERMANENT REPRESENTATIVE  
TO THE UNITED NATIONS  
THE DIRECTOR OF NATIONAL INTELLIGENCE  
THE DIRECTOR OF THE CENTRAL INTELLIGENCE  
AGENCY

THE ASSISTANT TO THE PRESIDENT FOR NATIONAL  
SECURITY AFFAIRS

THE COUNSEL TO THE PRESIDENT

THE ASSISTANT TO THE PRESIDENT FOR ECONOMIC  
POLICY

THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

THE DIRECTOR OF THE FEDERAL BUREAU OF  
INVESTIGATION

SUBJECT: Ceasing United States Participation in the Joint Comprehensive Plan of Action and Taking Additional Action to Counter Iran's Malign Influence and Deny Iran All Paths to a Nuclear Weapon

As President, my highest priority is to ensure the safety and security of the United States and the American people. Since its inception in 1979 as a revolutionary theocracy, the Islamic Republic of Iran has declared its hostility to the United States and its allies and partners. Iran remains the world's leading state sponsor of terrorism, and provides assistance to Hezbollah, Hamas, the Taliban, al-Qa'ida, and other terrorist networks. Iran also continues to fuel sectarian violence in Iraq, and support vicious civil wars in Yemen and Syria. It commits grievous human rights abuses, and arbitrarily detains foreigners, including United States citizens, on spurious charges without due process of law.

There is no doubt that Iran previously attempted to bolster its revolutionary aims through the pursuit of nuclear weapons and that Iran's uranium enrichment program continues to give it the capability to reconstitute its weapons-grade uranium program if it so chooses. As President, I have approved an integrated strategy for Iran that includes the strategic objective of denying Iran all paths to a nuclear weapon.

The preceding administration attempted to meet the threat of Iran's pursuit of nuclear capabilities through United States participation in the Joint Comprehensive Plan of Action (JCPOA) on Iran's nuclear program. The JCPOA lifted nuclear-related sanctions on Iran and provided it with other significant



benefits in exchange for its temporary commitments to constrain its uranium enrichment program and to not conduct work related to nuclear fuel reprocessing, the two critical pathways to acquiring weapons-grade nuclear material. Some believed the JCPOA would moderate Iran's behavior. Since the JCPOA's inception, however, Iran has only escalated its destabilizing activities in the surrounding region. Iranian or Iran-backed forces have gone on the march in Syria, Iraq, and Yemen, and continue to control parts of Lebanon and Gaza. Meanwhile, Iran has publicly declared it would deny the International Atomic Energy Agency (IAEA) access to military sites in direct conflict with the Additional Protocol to its Comprehensive Safeguards Agreement with the IAEA. In 2016, Iran also twice violated the JCPOA's heavy water stockpile limits. This behavior is unacceptable, especially for a regime known to have pursued nuclear weapons in violation of its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons.

Iran's behavior threatens the national interest of the United States. On October 13, 2017, consistent with certification procedures stipulated in the Iran Nuclear Agreement Review Act, I determined that I was unable to certify that the suspension of sanctions related to Iran pursuant to the JCPOA was appropriate and proportionate to the specific and verifiable measures taken by Iran with respect to terminating its illicit nuclear program. On January 12, 2018, I outlined two possible paths forward — the JCPOA's disastrous flaws would be fixed by May 12, 2018, or, failing that, the United States would cease participation in the agreement. I made clear that this was a last chance, and that absent an understanding to fix the JCPOA, the United States would not continue to implement it.

That understanding has not materialized, and I am today making good on my pledge to end the participation of the United States in the JCPOA. I do not believe that continuing to provide JCPOA-related sanctions relief to Iran is in the national interest of the United States, and I will not affirm what I know to be false. Further, I have determined that it is in the national interest of the United States to re-impose sanctions lifted or waived in connection with the JCPOA as expeditiously as possible.

Section 1. Policy. It is the policy of the United States that Iran be denied a nuclear weapon and intercontinental ballistic missiles; that Iran's network and campaign of regional aggression be neutralized; to disrupt, degrade, or deny the Islamic Revolutionary Guards Corps and its surrogates access to the resources that sustain their destabilizing activities; and to counter Iran's aggressive development of missiles and other asymmetric and conventional weapons capabilities. The United States will continue to pursue these aims and the objectives contained in the Iran strategy that I announced on October 13, 2017, adjusting the ways and means to achieve them as required.

Sec. 2. Ending United States Participation in the JCPOA. The Secretary of State shall, in consultation with the Secretary of the Treasury and the Secretary of Energy, take all appropriate steps to cease the participation of the United States in the JCPOA.

Sec. 3. Restoring United States Sanctions. The Secretary of State and the Secretary of the Treasury shall immediately begin taking steps to re-impose all United States sanctions lifted or waived in connection with the JCPOA, including those under the National Defense Authorization Act for Fiscal Year 2012, the Iran Sanctions Act of 1996, the Iran Threat Reduction and Syria Human Rights Act of 2012, and the Iran Freedom and Counter-proliferation Act of 2012. These steps shall be accomplished as expeditiously as possible, and in no case later than 180 days from the date of this memorandum. The Secretary of State and the Secretary of the Treasury shall coordinate, as appropriate, on steps needed to achieve this aim. They shall, for example, coordinate with respect to preparing any recommended executive actions, including appropriate documents to re-impose sanctions lifted by Executive Order 13716 of January 16, 2016; preparing to re-list persons removed, in connection with the JCPOA, from any relevant sanctions lists, as appropriate; revising relevant sanctions regulations; issuing limited waivers during the wind-down period, as appropriate; and preparing guidance necessary to educate United States and non-United States business communities on the scope of prohibited and sanctionable activity and the need to unwind any such dealings with Iranian persons. Those steps should be accomplished in a manner that, to the extent reasonably practicable, shifts the financial burden of unwinding

any transaction or course of dealing primarily onto Iran or the Iranian counterparty.

Sec. 4. Preparing for Regional Contingencies. The Secretary of Defense and heads of any other relevant agencies shall prepare to meet, swiftly and decisively, all possible modes of Iranian aggression against the United States, our allies, and our partners. The Department of Defense shall ensure that the United States develops and retains the means to stop Iran from developing or acquiring a nuclear weapon and related delivery systems.

Sec. 5. Monitoring Iran's Nuclear Conduct and Consultation with Allies and Partners. Agencies shall take appropriate steps to enable the United States to continue to monitor Iran's nuclear conduct. I am open to consultations with allies and partners on future international agreements to counter the full range of Iran's threats, including the nuclear weapon and intercontinental ballistic missile threats, and the heads of agencies shall advise me, as appropriate, regarding opportunities for such consultations.

Sec. 6. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP


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**Annex 3**

Remarks by President Trump on the Joint Comprehensive Plan of Action,  
8 May 2018

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# Remarks by President Trump on the Joint Comprehensive Plan of Action

 [whitehouse.gov/briefings-statements/remarks-president-trump-joint-comprehensive-plan-action/](https://www.whitehouse.gov/briefings-statements/remarks-president-trump-joint-comprehensive-plan-action/)

- Share:



Diplomatic Reception Room

2:13 P.M. EDT

THE PRESIDENT: My fellow Americans: Today, I want to update the world on our efforts to prevent Iran from acquiring a nuclear weapon.

The Iranian regime is the leading state sponsor of terror. It exports dangerous missiles, fuels conflicts across the Middle East, and supports terrorist proxies and militias such as Hezbollah, Hamas, the Taliban, and al Qaeda.

Over the years, Iran and its proxies have bombed American embassies and military installations, murdered hundreds of American servicemembers, and kidnapped, imprisoned, and tortured American citizens. The Iranian regime has funded its long reign of chaos and terror by plundering the wealth of its own people.

No action taken by the regime has been more dangerous than its pursuit of nuclear weapons and the means of delivering them.

In 2015, the previous administration joined with other nations in a deal regarding Iran's nuclear program. This agreement was known as the Joint Comprehensive Plan of Action, or JCPOA.

In theory, the so-called "Iran deal" was supposed to protect the United States and our allies from the lunacy of an Iranian nuclear bomb, a weapon that will only endanger the survival of the Iranian regime. In fact, the deal allowed Iran to continue enriching uranium and, over time, reach the brink of a nuclear breakout.

The deal lifted crippling economic sanctions on Iran in exchange for very weak limits on the regime's nuclear activity, and no limits at all on its other malign behavior, including its sinister activities in Syria, Yemen, and other places all around the world.

In other words, at the point when the United States had maximum leverage, this disastrous deal gave this regime — and it's a regime of great terror — many billions of dollars, some of it in actual cash — a great embarrassment to me as a citizen and to all citizens of the United States.

A constructive deal could easily have been struck at the time, but it wasn't. At the heart of the Iran deal was a giant fiction that a murderous regime desired only a peaceful nuclear

energy program.

Today, we have definitive proof that this Iranian promise was a lie. Last week, Israel published intelligence documents long concealed by Iran, conclusively showing the Iranian regime and its history of pursuing nuclear weapons.

The fact is this was a horrible, one-sided deal that should have never, ever been made. It didn't bring calm, it didn't bring peace, and it never will.

In the years since the deal was reached, Iran's military budget has grown by almost 40 percent, while its economy is doing very badly. After the sanctions were lifted, the dictatorship used its new funds to build nuclear-capable missiles, support terrorism, and cause havoc throughout the Middle East and beyond.

The agreement was so poorly negotiated that even if Iran fully complies, the regime can still be on the verge of a nuclear breakout in just a short period of time. The deal's sunset provisions are totally unacceptable. If I allowed this deal to stand, there would soon be a nuclear arms race in the Middle East. Everyone would want their weapons ready by the time Iran had theirs.

Making matters worse, the deal's inspection provisions lack adequate mechanisms to prevent, detect, and punish cheating, and don't even have the unqualified right to inspect many important locations, including military facilities.

Not only does the deal fail to halt Iran's nuclear ambitions, but it also fails to address the regime's development of ballistic missiles that could deliver nuclear warheads.

Finally, the deal does nothing to constrain Iran's destabilizing activities, including its support for terrorism. Since the agreement, Iran's bloody ambitions have grown only more brazen.

In light of these glaring flaws, I announced last October that the Iran deal must either be renegotiated or terminated.

Three months later, on January 12th, I repeated these conditions. I made clear that if the deal could not be fixed, the United States would no longer be a party to the agreement.

Over the past few months, we have engaged extensively with our allies and partners around the world, including France, Germany, and the United Kingdom. We have also consulted with our friends from across the Middle East. We are unified in our understanding of the threat and in our conviction that Iran must never acquire a nuclear weapon.

After these consultations, it is clear to me that we cannot prevent an Iranian nuclear bomb under the decaying and rotten structure of the current agreement.

The Iran deal is defective at its core. If we do nothing, we know exactly what will happen. In just a short period of time, the world's leading state sponsor of terror will be on the cusp of acquiring the world's most dangerous weapons.

Therefore, I am announcing today that the United States will withdraw from the Iran nuclear deal.

THE PRESIDENT: Thank you very much. This will make America much safer. Thank you very much.

Q Is Secretary Pompeo bringing the detainees home?

THE PRESIDENT: Thank you. Secretary Pompeo is, right now, going to North Korea. He will be there very shortly in a matter of virtual — probably an hour. He's got meetings set up. We have our meeting scheduled. We have our meeting set. The location is picked — the time and the date. Everything is picked. And we look forward to having a very great success.

We think relationships are building with North Korea. We'll see how it all works out. Maybe it will, maybe it won't. But it can be a great thing for North Korea, South Korea, Japan and the entire world. We hope it all works out.

Thank you very much.

Q Are the Americans being freed?

Q Are the Americans coming home, Mr. President?

THE PRESIDENT: We'll all soon be finding out. We will soon be finding out. It would be a great thing if they are. We'll soon be finding out. Thank you very much.

END

2:25 P.M. EDT



In a few moments, I will sign a presidential memorandum to begin reinstating U.S. nuclear sanctions on the Iranian regime. We will be instituting the highest level of economic sanction. Any nation that helps Iran in its quest for nuclear weapons could also be strongly sanctioned by the United States.

America will not be held hostage to nuclear blackmail. We will not allow American cities to be threatened with destruction. And we will not allow a regime that chants "Death to America" to gain access to the most deadly weapons on Earth.

Today's action sends a critical message: The United States no longer makes empty threats. When I make promises, I keep them. In fact, at this very moment, Secretary Pompeo is on his way to North Korea in preparation for my upcoming meeting with Kim Jong-un. Plans are being made. Relationships are building. Hopefully, a deal will happen and, with the help of China, South Korea, and Japan, a future of great prosperity and security can be achieved for everyone.

As we exit the Iran deal, we will be working with our allies to find a real, comprehensive, and lasting solution to the Iranian nuclear threat. This will include efforts to eliminate the threat of Iran's ballistic missile program; to stop its terrorist activities worldwide; and to block its menacing activity across the Middle East. In the meantime, powerful sanctions will go into full effect. If the regime continues its nuclear aspirations, it will have bigger problems than it has ever had before.

Finally, I want to deliver a message to the long-suffering people of Iran: The people of America stand with you. It has now been almost 40 years since this dictatorship seized power and took a proud nation hostage. Most of Iran's 80 million citizens have sadly never known an Iran that prospered in peace with its neighbors and commanded the admiration of the world.

But the future of Iran belongs to its people. They are the rightful heirs to a rich culture and an ancient land. And they deserve a nation that does justice to their dreams, honor to their history, and glory to God.

Iran's leaders will naturally say that they refuse to negotiate a new deal; they refuse. And that's fine. I'd probably say the same thing if I was in their position. But the fact is they are going to want to make a new and lasting deal, one that benefits all of Iran and the Iranian people. When they do, I am ready, willing, and able.

Great things can happen for Iran, and great things can happen for the peace and stability that we all want in the Middle East.

There has been enough suffering, death, and destruction. Let it end now.

Thank you. God bless you. Thank you.

(The presidential memorandum is signed.)

Q Mr. President, how does this make America safer? How does this make America safer?

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**Annex 4**

Letter sent to the Secretary-General of the United Nations on 10 May 2018,  
UN Doc A/72/869-S/2018/453

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**General Assembly  
Security Council**

Distr.: General  
22 May 2018

Original: English

**General Assembly**  
**Seventy-second session**  
Agenda item 65  
**Peacebuilding and sustaining peace**

**Security Council**  
**Seventy-third year**

**Letter dated 11 May 2018 from the Permanent Representative of  
the Islamic Republic of Iran to the United Nations addressed to  
the Secretary-General**

I have the honour to enclose herewith a letter dated 10 May 2018 from the Minister for Foreign Affairs of the Islamic Republic of Iran, M. Javad Zarif, regarding the unilateral and unlawful decision of the United States to withdraw from the Joint Comprehensive Plan of Action (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 65, and of the Security Council.

*(Signed)* Gholamali **Khoshroo**  
Permanent Representative of the Islamic Republic of Iran

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**Annex to the letter dated 11 May 2018 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General**

As you are aware, on 8 May 2018, the President of the United States announced his unilateral and unlawful decision to withdraw from the Joint Comprehensive Plan of Action (JCPOA), in material breach of Security Council resolution 2231 (2015), to which the JCPOA is annexed. Simultaneously, he signed a presidential memorandum instructing relevant US authorities “to cease the participation of the United States in the JCPOA” and “to reimpose all United States sanctions lifted or waived in connection with the JCPOA”, thus committing multiple cases of “significant non-performance” with the JCPOA, and in clear non-compliance with Security Council resolution 2231 (2015). These acts constitute a complete disregard for international law and the Charter of the United Nations, undermine the principle of the peaceful settlement of disputes, endanger multilateralism and its institutions, indicate a regress to the failed and disastrous era of unilateralism, and encourage intransigence and illegality.

Unlike the Islamic Republic of Iran, which has scrupulously fulfilled its undertakings under the JCPOA, as repeatedly and consistently verified by the International Atomic Energy Agency (IAEA), the United States has consistently failed — since “implementation day”, and particularly after the assumption of office by President Trump — to abide by its commitments under the JCPOA. I have brought the most significant cases of US non-performance to the attention of the Joint Commission, inter alia, through 12 official letters to the High Representative of the European Union for Foreign Affairs and Security Policy, in her capacity as Coordinator of the JCPOA Joint Commission.

In my letter of 2 September 2016, I registered Iran’s complaints about US failures to perform its obligations eight months after “implementation day” by not issuing the necessary licences for the sale or lease of passenger aircraft, by hindering Iran’s free access to its assets abroad, by obstructing re-engagement of the non-American banking and financial community with Iran and by the reintroduction of certain sanctions under Executive Order 13645, which was supposed to be terminated in its totality. That letter also referred to the failure of the US President to use his constitutional authority to prevent “the US Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015” from violating US obligations under the JCPOA.

In my letter of 17 November 2016, I underlined the necessity of the use of the US President’s constitutional authority to prevent the coming into force of the “Iran Sanctions Extension Act”, which constituted the reimposition of the sanctions lifted under the JCPOA, which is clearly prohibited by the JCPOA. The same letter underlined that “Iran has hitherto exercised enormous restraint in the face of lackluster implementation of JCPOA by some participants, in particular the United States, especially with regard to banking and financial services as well as persistent public and private harassment of Iran’s business partners by various US institutions, agencies and instrumentalities.”

Subsequently, in my letter of 16 December 2016, I informed the JCPOA Joint Commission that, as a result of the extension of the “Iran Sanctions Act” (ISA) on 14 December 2016, “the United States committed a significant breach of its obligations under the JCPOA by reintroducing the sanctions under ISA.”

In my letter of 28 March 2017, I protested to the Joint Commission that, “Since the assumption of office by the new US administration, what used to be ‘lackluster’ implementation of the JCPOA by the previous administration has now turned into

total and open hostility towards the deal, threatening to render the entire bargain meaningless, unbalanced and unsustainable.” The letter underlined that the Trump administration had “maliciously intended to prevent normalization of trade with Iran and to deprive Iran from the economic dividends clearly envisaged in the JCPOA, by ensuring continued — and even exacerbated — uncertainty about the future of economic relations and cooperation with Iran”, inter alia, through the illegal “review process” and by “the pattern of provocative statements against the JCPOA by senior US administration officials”.

In my letter of 28 May 2017, I brought several instances to the attention of the Joint Commission illustrating that, even when the United States purported to comply by renewing the required waivers, “it aimed to reverse Iran’s benefit from the JCPOA ... and to ‘call into question the US’s long-term support for the nuclear accord’ in order to increase uncertainty and dissuade engagement with Iran”.

In my letter of 19 July 2017, I produced conclusive evidence which corroborated that the United States was following a systematic policy aimed at dissuading Iran’s economic partners from engaging with Iran in clear contradiction of US commitments under the JCPOA, in particular paragraphs 28 and 29. In this respect, I referred to an official statement by the White House Principal Deputy Press Secretary in which she officially acknowledged through a ‘public statement’ that President Trump, “in his discussions with more than half a dozen foreign leaders ... underscored the need ... to stop doing business with ... Iran”.

In my letter of 13 August 2017, I warned the Joint Commission that the United States was destroying the ‘atmosphere’ needed for the ‘successful implementation’ of the JCPOA in an exhibition of bad faith. Specifically, I referred to President Trump’s rhetoric and his administration’s distortions — in blatant violation of the letter, spirit and intent of the JCPOA — in order to allege non-compliance by Iran in spite of repeated verifications by the IAEA.

In my letter of 19 August 2017, I provided one example of how the United States sought to affect the professional work of the IAEA. While objecting to the US Permanent Representative’s travel to Vienna “to discuss the US Government’s concerns about the Iran nuclear deal with the International Atomic Energy Agency” and to “press IAEA on Iran deal compliance”, I insisted that the publicly stated purpose of such visits raises several serious concerns over further violations of the letter and spirit of the JCPOA and Security Council resolution 2231 (2015), which could also undermine the credibility of the Agency — vital to the non-proliferation regime in general, and the JCPOA in particular.

In my letter of 18 September 2017, I informed the Joint Commission that the United States Government was manufacturing fabricated excuses either to get out of the JCPOA outright or to make it impossible and irrational for Iran to continue its good faith, patient and scrupulous adherence with the agreement. Several facts at that time were indicating that the US was concocting “decertification” of Iran’s compliance, in spite of all IAEA reports and US State Department repeated admissions. I underlined in that letter that the US administration cannot hide behind such domestic procedure that it is maliciously initiating itself, and will have to bear full responsibility for the aftermath in Congress. I indicated that, “while the Islamic Republic of Iran has a clear preference for the survival and continued scrupulous implementation of the JCPOA, and while it has proven its good faith and exercised maximum restraint in the face of continued and persistent US violations and intransigence, the renowned patience of Iranian people is not limitless, and the options of the Iranian Government are not limited”.

In my letter of 16 October 2017, referring to the unlawful decertification within a US domestic procedure on 13 October 2017, I underscored that the United States

was actively seeking to deprive Iran of enjoying the benefits of American sanction-lifting obligations under the JCPOA. As such, they constituted a grave breach of the very letter and substance of paragraphs 26, 28 and 29 of the JCPOA. In the same letter, I reiterated that the Islamic Republic of Iran will never accept illegal demands and expects other JCPOA participants to do likewise.

In my letter of 1 February 2018, I officially objected to the ultimatum by President Trump on 12 January 2018, demanding that other JCPOA participants follow him in unlawfully altering the terms of the agreement. I urged other JCPOA participants to remain cognizant of their shared responsibility to safeguard the agreement by holding the United States accountable for its reckless and unlawful actions, and refraining from any statement or action that may be interpreted as conceding or acquiescing to US attempts to alter, amend or otherwise undermine the JCPOA.

In my letter dated today, I specified measures that need to be taken through the Joint Commission to address the wrongful acts by the United States against Iran and international law, including its unlawful withdrawal from the accord and the reimposition of sanctions.

As you have seen from these correspondences, the United States had been persistently violating the terms of the agreement almost from its inception, even preventing other JCPOA participants from fully performing their obligations. Those violations included systematic failures, late, lackluster, defective, superficial and ineffective nominal implementation, undue delays, new sanctions and designations, derogatory anti-JCPOA statements by senior officials — in particular the President himself — refusal to issue any Office of Foreign Assets Control licences in the past 16 months, as well as concerted efforts by the US Government's agencies and instrumentalities to actively dissuade businesses from engagement with Iran.

The unlawful US act of unwarranted withdrawal from the JCPOA renders it responsible for the most blatant material breach of its obligations under the agreement. The US has also flagrantly violated Security Council resolution 2231 (2015), which was sponsored, *inter alia*, by the United States itself and adopted unanimously by the Council. The United States must, therefore, be held accountable for the consequences of its reckless and wrongful act, which flies in the face of the United Nations Charter and international law.

The prolonged and multiple cases of significant non-performance by the US over the last three years — particularly in the last 16 months — its active obstruction of performance by other JCPOA participants, its bad faith nominal implementation, and its unlawful and unwarranted cessation of implementation of its commitments under the JCPOA and the official reimposition of unlawful sanctions have caused irreparable harm to Iran and its international business relations. The United States should be held responsible for these damages, and the Iranian nation must be compensated.

The JCPOA is a multi-party agreement based on reciprocity. Its scope, provisions and time frames are based on a delicate, negotiated and multilaterally accepted balance that cannot be widened, altered or renegotiated. Its benefits to the Iranian people cannot be subjected to any conditionality other than those nuclear-related voluntary measures specifically stipulated solely in the JCPOA and its annexes. Some of the most significant economic benefits to Iran from the JCPOA derive from the sanctions-lifting obligation of the United States. If the JCPOA is to survive, the remaining JCPOA participants and the international community need to fully ensure that Iran is compensated unconditionally through appropriate national, regional and global measures.

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The Islamic Republic of Iran has been in full compliance with its commitments under the JCPOA. This fact has been repeatedly verified by the IAEA, as reflected in its Director-General's reports to the IAEA Board of Governors and the United Nations Security Council since "implementation day" in January of 2016. In line with Iran's commitment to legality and the peaceful resolution of international disputes, the Islamic Republic of Iran has decided to resort to the JCPOA mechanism in good faith to find solutions in order to rectify the United States' multiple cases of significant non-performance and its unlawful withdrawal, and to determine whether and how the remaining JCPOA participants and other economic partners can ensure the full benefits that the Iranian people are entitled to derive from this global diplomatic achievement. If, after the exhaustion of available remedies, our people's rights and benefits are not fully compensated, it is Iran's unquestionable right — recognized also under the JCPOA and Security Council resolution 2231 (2015) — to take appropriate action in response to persistent, numerous unlawful acts by the US, particularly its withdrawal and reimposition of all sanctions.

I urge the United Nations to keep the United States accountable for its unilateral and irresponsible conduct, which will detrimentally affect the rule of law, multilateralism and the very foundations of diplomacy.

(Signed) M. Javad **Zarif**

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## **Annex 5**

Note Verbale No 381/289/4870056 sent on 11 June 2018 to the Embassy of Switzerland (U.S. Interest Section) to be transmitted to the U.S. Government

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جمهوری اسلامی ایران  
وزارت امور خارجه

شماره : ۳۸۱/۲۸۹/۴۸۷۰۰۵۶  
تاریخ : ۱۳۹۷/۳/۲۱  
پیوست : ندارد

بسمه تعالی

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت سوئیس (دفتر حفاظت منافع خارجی) در تهران، احتراماً اشعار می‌دارد:

موجب امتنان خواهد بود متن پیام جمهوری اسلامی ایران به دولت ایالات متحده امریکا را بشرح زیر به مقصد عالی آن منتقل نمایند.

دولت جمهوری اسلامی ایران مراتب اعتراض شدید خود را نسبت به تصمیم یکجانبه و غیرقانونی اخیر دولت ایالات متحده آمریکا در تاریخ ۱۸ اردیبهشت ۱۳۹۷ مبنی بر اعمال مجدد تحریم های اقتصادی و مالی که وفق برنامه جامع اقدام مشترک (برجام) رفع شده بود، اعلام می‌دارد.

همانگونه که وزیر امور خارجه جمهوری اسلامی ایران طی نامه مورخ ۲۰ اردیبهشت ۱۳۹۷ خطاب به دبیر کل ملل متحد بیان داشته است، این رفتار آمریکا نقض فاحش حقوق بین الملل و منشور ملل متحد بوده و اصل حل و فصل مسالمت آمیز اختلافات را به مخاطره خواهد انداخت. دولت جمهوری اسلامی ایران کماکان بر این باور است که تحریم های یکجانبه ایالات متحده آمریکا علیه ایران ناقض تعهدات بین المللی ایالات متحده آمریکا بوده و موجب مسئولیت بین المللی آن دولت به دلیل ارتکاب این عمل متخلفانه بین المللی است.

بر این اساس، دولت جمهوری اسلامی ایران از ایالات متحده آمریکا می‌خواهد که بر مبنای تعهدات بین المللی خویش، در اسرع وقت اقدام های لازم را به منظور توقف این عمل متخلفانه و

اصلاح و جبران آثار آن به عمل آورد. بدیهی است، در صورت عدم فیصله این موضوع از طرق دیپلماتیک، دولت جمهوری اسلامی ایران کلیه حقوق قانونی خود را برای پیگیری حقوقی و متناسب موضوع، از جمله وفق معاهدات لازم الرعایه فیما بین محفوظ می دارد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت سوئیس (دفتر حفاظت منافع خارجی) - تهران

**Informal English Translation of Note verbal dated 11 June 2018**

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Switzerland (Interest Section of the United States) and highly appreciates if this message of the Islamic Republic of Iran will be transmitted to the Government of the United States at its highest level:

“The Islamic Republic of Iran is expressing its serious complaint over the unilateral and unlawful decision of the Government of the United States, made on 8 May 2018, “to re-impose the United States sanctions lifted or waived in connection with the JCPOA”.

As the Minister of Foreign Affairs of the Islamic Republic of Iran has indicated in his letter of 10 May 2018 addressed to the Secretary General of the United Nations<sup>1</sup>, “These acts constitute a complete disregard for international law and the Charter of the United Nations, undermine the principle of the peaceful settlement of disputes,”.

The Government of the Islamic Republic of Iran continues to believe that the unilateral sanctions of the United States against Iran are in violation of US international obligations which entails, as a result of this unlawful act, the international responsibility of the US.

Accordingly, the Government of the Islamic Republic of Iran calls upon the United States, in compliance with its international obligations, to immediately take the necessary measures in order to cease this unlawful act and make full reparation for its consequences. It is obvious that the Government of the Islamic Republic of Iran preserves all its rights to legally and appropriately pursue this matter, including in accordance with legally-binding treaties between two parties; should the matter would not be resolved through diplomacy.”

The Ministry of Foreign Affairs of the Islamic Republic of Iran avails of this opportunity to renew to the Embassy of Switzerland the assurance of its highest consideration.

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<sup>1</sup>. UN Documents; A/72/869-S/2018/453

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## **Annex 6**

Note verbale No 381/210/4875065 sent on 19 June 2018 to the Embassy of Switzerland (U.S. Interest Section) to be transmitted to the U.S. Government

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جمهوری اسلامی ایران

وزارت امور خارجه

شماره : ۳۸۱/۳۱۰/۴۸۷۵۰۴۵

تاریخ : ۱۳۹۷/۳/۲۹

پیوست : -

بسمه تعالی

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت سوئیس (دفتر حفاظت منافع خارجی) در تهران احتراماً اشتهار می‌دارد:

موجب امتنان خواهد بود متن پیام جمهوری اسلامی ایران به دولت ایالات متحده آمریکا را به مقصد عالی آن منتقل نمایند:

دولت جمهوری اسلامی ایران پیام خود به عنوان ایالات متحده آمریکا مندرج در یادداشت شماره ۴۸۷۰۰۵۶ مورخ ۳۱ / ۳ / ۱۳۹۷ به سفارت سوئیس در تهران (دفتر حفاظت منافع) را یادآوری می‌نماید.

دولت جمهوری اسلامی ایران بدین وسیله به دولت ایالات متحده آمریکا اعلام می‌نماید که تصمیم آن کشور در ۸ مه ۲۰۱۸ و اعمال مجدد تحریم‌ها، نقض تعهدات بین‌المللی ایالات متحده و به ویژه تعهدات مندرج در عهدنامه ۱۹۵۵ مودت، روابط اقتصادی و حقوق کنسولی بین ایران و ایالات متحده می‌باشد.

دولت جمهوری اسلامی ایران از دولت ایالات متحده آمریکا می‌خواهد تا همه اقدام‌های لازم را به منظور توقف فوری نقض تعهدات بین‌المللی خود به عمل آورده و در اسرع وقت و حداکثر تا تاریخ ۲۵ ژوئن ۲۰۱۸ به دولت جمهوری اسلامی ایران اطلاع دهد که در ایفای تعهدات خود، تصمیم مورخ ۸ مه ۲۰۱۸ را لغو کرده و مجدداً تحریمی را علیه جمهوری اسلامی ایران وضع

نخواهد کرد. در غیر این صورت، دولت جمهوری اسلامی ایران حقوق قانونی خود را بر اساس قواعد حاکمه حقوق بین الملل اعمال خواهد کرد.

ترجمه غیر رسمی انگلیسی متن پیام مذکور به ضمیمه این یادداشت می باشد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت سوئیس (دفتر حفاظت منافع خارجی) - تهران

### Unofficial translation of the Message

"The Islamic Republic of Iran recalls its message addressed to the Government of the United States, contained in Note Verbal No. 381/289/4870056 dated 11 June 2018 to the Embassy of Switzerland (Interest Section of the United States).

The Islamic Republic of Iran hereby notifies the Government of the United States that its decision of 8 May 2018 and the re-imposition of sanctions constitute a breach of international obligations of the United States and in particular those contained in the 1955 Treaty of Amity, Economic Relations, and Consular Rights between Iran and the United States of America .

The Government of the Islamic Republic of Iran calls upon the United States to take all necessary measure to cease immediately its breach of international obligations and to communicate, on an expedited basis and not later than 25 June 2018 that, in fulfillment of its obligations, it has revoked its decision announced on 8 May 2018 and that it will not re-impose the sanctions against the Islamic Republic of Iran and Iranian nationals. Otherwise, the Government of the Islamic Republic of Iran will exercise its legal rights under applicable rules of international law."

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. Treaty of Amity, Economic Relations, and Consular Rights of 1955 between Iran and the United States, signed at Tehran on 15 August 1955, 284 U.N.T.S. 93.