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United Nations Security Council Resolution 2231/2015- a
presentation**

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COMENTARII
privind activitatea organizațiilor internaționale în
domeniul dreptului internațional/COMMENTARIES
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The Joint Comprehensive Plan of Action as endorsed by United Nations Security Council Resolution 2231/2015- a presentation

*Radu Mihai ȘERBĂNESCU**

Abstract: *The conclusion of the Joint Comprehensive Plan of Action saw the end of multilateral negotiations that brought together actors of almost the entire international community having some of the most diverging interests in a field that arguably lies at the core of international peace and security: nuclear activity. This article will first analyze the background for the adoption of the agreement, then analyze its provisions and consequence and finally highlight a number of uncertainties that are left on the Iranian nuclear activity and the international sanctions adopted in this regard.*

Key-words: *sanctions, JCPOA, nuclear activity, resolutions, Security Council.*

I. Introduction

14 July 2015 marks the successful conclusion of multilateral diplomatic negotiations for an agreement on Iran's nuclear activity. The negotiations, which spanned over several years, on a background of intense decades of tensions, advancements and drawbacks in talks between Iran and the international community, aimed at addressing the uncertainty of Iranian nuclear power use, question that had evolved since the 1980s and culminated, in recent years, in deep mistrust and fears of regional and international instability. Thus, after repeated talks and deliberations, an agreement on Iran's nuclear activity, settling key answers to concerns and issues forwarded by all parties, was finally reached, under the terms of the Joint Comprehensive Plan of Action (or JCPOA).¹ The Plan is concluded by Iran and the E3/EU+3 countries, namely the European Union/France, Germany, Great Britain, China, the Russian Federation and the United States and endorsed by the United Nations Security Council Resolution 2231 on 20 July 2015.

This article aims at presenting the agreement's core elements, while contextualizing them and trying to assess their impact on the parties to the deal and other international actors. As such, this study will take into consideration the legal obligations and means of implementation envisioned by the agreement and its annexes, as well as its implications for the economies of States and its impact on regional politics.

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¹ Available at <http://www.un.org/en/sc/inc/pages/pdf/pow/RES2231E.pdf>, accessed on 25 September 2015.

II. Background for the JCPOA

The JCPOA was concluded in a context of repeated attempts for a deal between States preoccupied by nuclear proliferation and the development of non-peaceful nuclear capabilities, and the Islamic Republic of Iran, a State with a decades-long history of nuclear activity which it has always maintained is for civilian purposes only. Iran was repeatedly accused by the international community that it was not complying with the Treaty on Non-Proliferation of Nuclear Weapons, which it signed in 1968 as a non-nuclear power and ratified in 1970.² Nuclear activities in Iran first began in the 70s by the Shah, with support by the United States, then stopped after the Islamic Revolution and during the war with Iraq. Activities were restarted in 1980, raising suspicion upon Iran's civil program, reaching a peak in 2002 at the discovery of the secretly built Natanz Fuel Enrichment Plant and Arak heavy-water reactor.³ Concerns further increased in 2003 when inspectors of the International Atomic Energy Agency were admitted for on-site partial verifications only, determining the IAEA to declare it was incapable to confirm or deny whether Iran abided by international standards for nuclear activities. Nevertheless, Iran started to engage in negotiations with EU3 countries, concluded in the Tehran Declaration on full cooperation between Iranian authorities and IAEA inspectors⁴ and, in 2004, in the Paris Agreement on temporary suspension of uranium enrichment.⁵ This cooperative stance diluted once Mahmoud Ahmadinejad was elected as president of the republic in 2005, a hard liner that retracted Iran from these agreements and resumed uranium enrichment for purposes declared for power generation only.⁶ Tensions continued to rise over the next years with the opening of a new facility at Fordow and concerns raised by the IAEA Board of Governors, followed by the series of six UNSC resolutions, between 2006 and 2010,⁷ tightening the sanctions regime over Iran, in response to suspicious enrichment activities.

The situation deescalated once a more moderate president, Hassan Rouhani, was elected in 2013. As such, an Iran-IAEA Framework for Cooperation was initiated that year,⁸ consisting of a process to address issues regarding access to investigation

² In its address to the Security Council after the adoption of Resolution 2231, the representative of Iran invoked the 2000 and 2010 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which stipulated that Member States' choices with regard to their fuel-cycle activities must be respected, so as to prove that Iran had the right to develop nuclear peaceful activities and that the international community's claims on an Iranian program for nuclear weapons were unfounded.

³ A short background on the issue is available at *Global Security.org* in the Weapons of Mass Destruction chapter, <http://www.globalsecurity.org/wmd/world/iran/natanz.htm>, accessed on 25 September 2015.

⁴ The Tehran Declaration can be consulted at http://news.bbc.co.uk/2/hi/middle_east/3211036.stm, last visited on 25 September 2015.

⁵ *Communication Dated 26 November 2004 received from the Permanent Representatives of France, Germany, the Islamic Republic of Iran and the United Kingdom concerning the agreement signed in Paris on 15 November*, INFCIRC/637, available at <https://www.iaea.org/sites/default/files/publications/documents/infcircs/2004/infcirc637.pdf>, accessed on 25 September 2015

⁶ Iran has always claimed that its nuclear activity was destined to civilian, peaceful use only, and that the Islamic law prevented Iran from building weapons of mass destructions. Ayatollah Khomeini, and, more recently, Ayatollah Khamenei issued a fatwa, an Islamic law, in this sense. More details and an analysis of this fatwa: Gareth Porter, "When the ayatollah said no to nukes" in *Foreign Policy*, article available at <http://foreignpolicy.com/2014/10/16/when-the-ayatollah-said-no-to-nukes/>, accessed on 25 September 2015.

⁷ Security Council Resolutions no. 1696/2006, 1737/2006, 1747/2007, 1803/2008, 1835/2008, 1929/2010.

⁸ "IAEA, Iran Sign Joint Statement on Framework for Cooperation" in *IAEA Press Releases*, available at <https://www.iaea.org/newscenter/pressreleases/iaea-iran-sign-joint-statement-framework-cooperation>, accessed on 25 September 2015.

and verification on arms control⁹ and, most importantly, an interim agreement, the Joint Plan of Action, between Iran and the E3/EU+3, on a short-term freeze of portions of the nuclear program, in exchange for the suspension of some economic sanctions.¹⁰ Among the provisions, Iran agreed to limit the enrichment of uranium to 5% and stop the development at Natanz, Arak and Fordow in exchange for U.S. and EU suspension of sanctions on petrochemical exports, gold and precious metals and the automotive industry, as well as the pausing of efforts by the U.S. and EU to reduce Iran oil exports.¹¹

III. The JCPOA and UN Security Council Resolution 2231/2015

The JCPOA was endorsed by the Security Council in its Resolution 2231/2015. The Resolution was adopted on 20 July 2015, 5 days after the conclusion in Vienna of the Joint Comprehension Plan of Action. Apart JCPOA and its five annexes, the UNSC resolution includes provisions for the termination of previous of Security Council resolutions 1696/2006, 1737/2006, 1747/2007, 1803/2008, 1835/2008, 1929/2010 and 2224/2015, as well as provisions on the implementation of the JCPOA.¹²

Although not specifically mentioned in its preamble, Resolution 2231/2015 was adopted under UN Charter. This is because the Security Council first recalls several of its resolutions adopted under Chapter VII¹³ and later decides on a number of measures in accordance with Article 41 of the UN Charter. Resolution 2231/2015 is legally binding and mandatory for all UN member States,¹⁴ because of the imperative wording used on several occasions in the operative paragraphs in relation to the JCPOA. Thus, the Resolution reinforces the primary responsibility of the Security Council, namely the maintenance of international peace and security, in light of a series of irrefutable principles of international security: non-nuclear proliferation, collective security and nuclear cooperation.¹⁵ Moreover, the resolution reveals the willingness to cooperate internationally in accordance to nonproliferation norms, regarding Iran's "indigenous program"¹⁶ as the country envisions its nuclear activities.

The preamble paragraphs express the historical importance of the moment, by declaring the creation of a "new partnership with Iran"¹⁷ through the JCPOA. The resolution underlines the high role of the International Atomic Energy Agency in the process of the agreement's implementation by Iran. It is for the IAEA to monitor and verify nuclear activities as technically detailed in the annexes of the agreement. The importance of the IAEA is apparent not only because of its attributions of control and verification, but from the perspective of its role as a facilitator, an enabler of development, technologically and research, as emphasized by Annex III on types of joint projects with Iran and possible areas of cooperation.¹⁸

Moving further into the document, every aspect is minutely detailed, be it on technical elements, nuclear-related measures, the timing of sanctions-lifting or methods of dispute settlement. Structure-wise, the agreement establishes a central body, in charge of reviewing the implementation of the Plan and discussing eventual disputes:

⁹ "Implementation of the Iran-IAEA Framework for Cooperation" in *Arms Control Association*, 30 September 2014, updated on July 2015, available at <https://www.armscontrol.org/Implementation-of-the-Iran-IAEA-Framework-for-Cooperation>, page consulted on 25 September 2015.

¹⁰ *Joint Plan of Action*, Geneva, 24 November 2013, available at http://eeas.europa.eu/statements/docs/2013/131124_03_en.pdf, accessed on 25 September 2015.

¹¹ *Idem*.

¹² S/RES/2231 (2015), pp 1-3.

¹³ *Ibid*, p. 1.

¹⁴ See Annex B of the Resolution, p. 98.

¹⁵ *Ibid*, p 2.

¹⁶ *Ibid*, p 8.

¹⁷ *Ibid*, p 1.

¹⁸ *Ibid*, p 81.

the Joint Commission.¹⁹ Another important provision to be taken into consideration for the interpretation of the resolution before entering into the technical annexes is that “all provisions contained in the JCPOA are only for the purposes of its implementation between the E3/EU+3 and Iran and should not be considered as setting precedents for any other State or for principles of international law and the rights and obligations under the Treaty on the Non Proliferation of Nuclear Weapons and other relevant instruments, as well as for internationally recognized principles and practices”.²⁰

With this mention in mind, the JCPOA regulates enrichment activities and research and development activities and provides for the lifting of international and national sanctions on the Iranian nuclear program, without bringing changes in other nuclear dossiers and without altering the international laws and principles on nonproliferation and nuclear weapons.

Regarding general nuclear measures, they refer to Iran’s obligations on uranium enrichment, research and development, stockpiles, Arak heavy water reactor, as well as transparency and confidence building measures, and to the EU and U.S. financial and economic sanctions-lifting.

Thus, the agreement foresees a gradual limitation of uranium enrichment and of IR-1 centrifuges, followed by the phasing-out in 10 years.²¹ All activity of uranium enrichment will be made at Natanz facility solely, for 15 years, without passing a level higher than 3.67%, and in research purposes only.²² Enrichment activities for research and development is permitted as long it does not accumulate enriched uranium.²³ Furthermore, current enriched uranium surpassing 300 kg will be taken out of Iran via commercial transactions, with the specification that “Russian designed, fabricated and licensed fuel assemblies for use in Russian supplied reactors in Iran do not count against the 300 kg UF6 stockpile limit.”²⁴ Equally important, Fordow Fuel Enrichment Plant will become a research plant used in nuclear science, technology and physics and no heavy water will be produced for 15 years.²⁵ Added to this, Iran is totally forbidden to build nuclear explosive devices for the same time span.²⁶

At the same time, Iran will stop building a new reactor it had in plan for Arak, it will minimize the production of plutonium and will proceed to modernize the reactor, with the technical and financial assistance of participant States, upon final approval of the project by the Joint Commission.²⁷ In addition, all heavy water in excess to the reactor will be cleared for export, Iran will not be keeping irradiated fuel, plutonium or uranium on its territory for 15 years, and the EU3 countries will help Iran comply with this obligation, by storing the fuels.²⁸ The Arak reactor is a very good example for understanding the implementation the implementation of the agreement: Iran has the main responsibility for the accomplishment of its obligations, but it is assisted by the international community, and particularly, the participating States, and it is verified by the IAEA.

In exchange for these measures taken by Iran which experts say will neuter Iran’s capability of producing a nuclear weapon not only for 15 years, but on a longer term, the EU and the U.S. agree to lift, as a first measure, economic and financial sanctions as detailed in Annex II of the document. The sanctions will be lifted following, and not prior to, Iranian implementation of measures on nuclear activity. In a first stage, the EU and the U.S. will lift economic and financial sanctions, followed, in a second stage, 8 years after the adoption of JCPOA, by sanctions on nuclear related

¹⁹ *Ibid*, p. 5.

²⁰ *Ibid*, p. 6.

²¹ *Ibid*, p. 11.

²² *Ibid*, p. 22.

²³ *Ibid*, p. 21.

²⁴ *Ibid*, p. 30. The same rule applies for enriched uranium from outside sources currently used for research in Iran.

²⁵ *Ibid*, p. 11.

²⁶ *Ibid*, p. 34.

²⁷ *Ibid*, p. 23.

²⁸ *Idem*.

goods and activities²⁹ (sanctions related to subjects such as human rights violations, the embargo on ballistic missile technology or terrorism will remain in place, be them economic or not). Iran can also indicate if measures by participant States are preventing the lift of sanctions, with the consequence that the parties have to address the issue. If they cannot reach an agreement, the Joint Commission shall be seized, according to JCPOA.³⁰ The high commitment by States is further revealed as the agreement gives additional insurances to Iran: the EU and the U.S. will refrain from reintroducing or creating new sanctions, the U.S. will address regional or national law if it prevents sanction lifting, together with administrative and regulatory measures for the lift of sanctions or for the normalization of economic relations.

Another aspect that certifies the extent of commitment and the amount of precision exercised in this agreement and, thus, the genuine intent of parties to reach a solid, lasting deal is represented by the methods conceived for dispute settlement. These methods stipulate that participating States can refer to the Joint Commission if other participants aren't meeting their obligations. The Joint Commission has 30 days to assess the petition, and if the problem is still not solved, the participant can refer to the ministers of foreign affairs, doubled by an Advisory Board³¹ if this is considered to be necessary. Furthermore, if a solution is still not drawn, the Security Council will be notified in order to decide on the continuation of sanctions-lifting, while the petitioning State can withdraw from JCPOA.³² To this procedure, it is extremely relevant and important to mention that "Iran has stated that if sanctions are reinstated in whole or in part, Iran will treat that as grounds to cease performing its commitments under this JCPOA in whole or in part".³³ This mechanism reveals the importance of the agreement and of the objective of transparent behavior with regards to assumed engagements. This is underlined by the fact that all situations where the parties do not reach an agreement to the dispute be treated at the highest level of political representation. Equally important, Iran holds a very strong position in case a State will decide to withdraw from the deal.

In response to Iran's measures to be implemented in its nuclear program, the resolution lists in Annex II the sanctions-related commitments taken by the EU and the U.S.. In this respect, EU commits to the termination of Council Regulation 267/2012, Council Decision 2010/413/CFSP and of national legislation as required.³⁴ These terminations affect the following sectors: financial, banking and insurance measure (meaning financial assistance, public bonds, trade with Iran), oil gas and petrochemical (meaning investments, export/import in these fields), shipping and transport sectors, gold and precious metals, non-proliferation measures (in all activities, including investments, training), metals sales, software exports and imports, arms, as well as asset freeze and visa ban for persons, entities and bodies banned in all above sectors by the EU and the UNSC.³⁵

It is thus very clear that the agreement is crucial for Iran's economy, as it stipulates the lifting of economic and financial international sanctions that have crippled the Iran economy until the present day. There is an evident major economic impact of these terminations, triggering a historical opening of relations between Iran and international western States, with closed opportunities that are will eventually be opened: EU funding will be accessible towards Iranian persons, institutions, and entities, Iranian banks can be present on EU soil, together with the possibility of joint ventures, of financial support to trade, import and transport of Iranian oil products. Also, Iran will be able to benefit from related technology for exploration, production refining, naval equipment, and the construction of cargo vessels. Iranian cargo international movement will be admitted without inspection. Added to this, the sale,

²⁹ See Annex II of JCPOA.

³⁰ S/RES/2231 (2015), p. 16.

³¹ The Advisory Board can only provide for non-binding opinions.

³² S/RES/2231 (2015), p 20.

³³ *Idem*.

³⁴ *Ibid*, p. 37

³⁵ *Ibid*, pp 37-39.

export of gold, the delivery of coinage, of metals and software from the European Union will be available to Iran.³⁶

As for sanctions by the United States, they are to be lifted by executive waivers in the following sectors: financial sanctions applied to a number of individuals and entities such as the Central Bank of Iran, the National Iranian Oil Company, sanctions on the Iranian Rial, on bilateral trade limitations, on governmental bonds, as well as on limitations of crude oil sales or investments in technology, or transportation of oil and natural gas.³⁷ In comparison to sectors foreseen by the EU, the U.S. commits on sanctions-lifting in the automotive sector, allows joint ventures in uranium mining, production and transportation, and also the termination of exclusion of Iranian students to classes in nuclear science or energy.³⁸ The U.S. obligations are underlying the shipment and naval sanctions-lifting, as well as sales in civil aviation and operations in Iranian ports.³⁹

At this point, it is highly important to mention that “U.S. sanctions relief will only be provided through the suspension and termination of nuclear-related secondary sanctions, which were applicable to non-U.S. persons.”⁴⁰ Thus, foreign companies that reengage in relations with Iranian ones will not be sanctioned by the U.S.. However, “sanctions will remain in place with regard to activities by U.S. persons, which includes U.S. citizens, U.S. permanent residents, companies organized under the laws of the U.S. and their foreign branches, and any entity owned (50% or more) or “otherwise controlled” by a U.S. person”.⁴¹ All U.S. persons and companies will have the possibility of engaging in business with Iran if they have their transactions authorized by the U.S. government.⁴² This rule does not apply to EU citizens and entities, as they will be able to make transactions with Iran without restrictions or prior approval.

Added to that, the preamble of the JCPOA includes a series of exemptions to sanctions-lifting for member States, as they will not be able to benefit from interaction on key sensible issues of the agreement: the works on the Fordow cascades, the export of Iran’s enriched uranium, the modernization of Arak.⁴³ The interaction on these activities will fall back on participating States, with the possibility of being extended to other States provided they are granted permission from the Joint Commission and the IAEA.⁴⁴

Sanctions and nuclear measures are not the only important aspects of the agreement, as Annex III highlights commitments to civil nuclear cooperation. This part of the agreement is relevant in showing that the parties agree to go beyond the elimination of a series of sanctions in exchange for the reduction of the nuclear activity (production, research and development) of Republic of Iran and its employment in peaceful purposes only. This Annex, being guided by the principle of international cooperation, is indicative of efforts of added contribution to the economies and industries of the implied parties. It is not only about eliminating potential threats to regional and international security, but also about building security and prosperity, meaning positively using the negotiations to achieve not only an even level of commitments based on political compromises in exchange for facilities such as trade and investments, but also going one step further in the direction of an integrative perspective via civil nuclear cooperation. Concretely, the areas of cooperation include

³⁶ *Ibid*, pp 40-42.

³⁷ *Ibid*, pp 43-47.

³⁸ *Ibid*, pp 43-47.

³⁹ *Ibid*, pp 43-47.

⁴⁰ Theodore W. Kassinger, Greta Lichtenbaum, Thomas E. Donilon, Arthur B. Culvahouse Jr., David J. Ribner, “*The Iran Nuclear Deal: Setting the Path Forward to Lift International Economic Sanctions*” in *O’Melveny and Myers LLP*, 15 July 2015, available at <http://www.omm.com/the-iran-nuclear-deal-setting-the-path-forward-to-lift-international-economic-sanctions-07-15-2015/>, accessed on 25 September 2015.

⁴¹ *Idem*.

⁴² *Idem*.

⁴³ S/RES/2231 (2015), p. 5.

⁴⁴ *Idem*.

light water power and research reactors, software and supplies for these reactors, equipment, system upgrades, Arak modernization process into a research reactor, via a partnership between Iran and a working group (of E3/EU+3 origin),⁴⁵ research and development practices transposed into scientific exchanges, research at Fordow facility for “international collaborative projects.”⁴⁶ All these areas of cooperation address concerns on sensible nuclear activities in Iran that would raise potential queries. The establishment of a Nuclear Safety Centre based on international cooperation and of trainings and workshops for the creation of a nuclear culture are good examples in this sense.⁴⁷

All these measures are to be decided and implemented by the Joint Commission, the core entity to assure the well-functioning of the JCPOA provisions, as stated in Annex IV. Among its functions, one notes reviewing and approving technical plans for uranium production, research development facilities, centrifuges, plant development and modernization, supporting assistance, approving possible explosive detonation systems, evaluating claims of nonperformance by members.⁴⁸ For 15 years, the Joint Commission will have to approve every commercial transaction that Iran makes on nuclear technology and equipment. A powerful symbol for the negotiations preceding the conclusion of the JCPOA is the fact that the High Representative is the coordinator of the Commission. This is one of the indicators of the leading role played by the EU at the negotiations table, placing it as an important player in the deal, its observance and implementation.

The last Annex offers in its turn important technical aspects agreed by parties with regards to the timeline, especially because every national representative declared that the importance of the agreement does not derive from its commitments, but from their implementation.⁴⁹ The endorsement of the JCPOA upon conclusion of negotiation represents the Finalization Day. JCPOA was endorsed by the UNSC and adopted by the EU on 20 July 2015. The agreement stipulates an Adoption Day, 90 days after the endorsement in the Security Council, representing the beginning of the necessary preparations for all parties so as to be able to comply with their commitments. Also, Adoption Day will see an EU regulation and a U.S. order taking effect on Implementation Day, on the termination of a number of nuclear related economic and financial sanctions. Thirdly, Implementation Day will occur after the IAEA has verified that Iran has taken the nuclear related measures (regarding heavy water, the Arak reactor, centrifuges, Fordow Plant, and uranium enrichment) and will have as a consequence the termination of the EU, U.S. economic and financial sanctions, as well as those adopted by the UN Security Council, as established on Adoption Day. 8 years after the Adoption Day, after the IAEA will have confirmed that all Iranian nuclear activities are for peaceful ends, the EU and the U.S. will lift another set of sanctions, marking Transition Day. Finally, Termination Day will occur 10 years from Adoption Day, unless previous resolutions have been reinstated, and the termination by the EU of all remaining nuclear activity-related sanctions.⁵⁰

Once more, the Implementation Plan is indicative of the minute work done by the negotiators of the agreement, assessed as “one of the most comprehensive and detailed nuclear arms agreements ever reached.”⁵¹

IV. Reactions by the international community. Conclusions

⁴⁵ *Ibid*, p. 82.

⁴⁶ *Ibid*, p. 83.

⁴⁷ *Ibid*, p. 84.

⁴⁸ *Ibid*, pp 87-89.

⁴⁹ “Resolution 2231 and debates (Iranian nuclear)” in *Voltairenet.org*, 20 July 2015, available at <http://www.voltairenet.org/article188256.html>, accessed on 25 September 2015.

⁵⁰ The sequence of the Implementation Plan is detailed in S/RES/2231 (2015), pp 93-97.

⁵¹ John Mecklin, “The experts assess the Iran agreement of 2015” in *Bulletin of the Atomic Scientists*, 14 July 2015, available at <http://thebulletin.org/experts-assess-iran-agreement-20158507>, accessed on 25 September 2015.

Of course, there are also critics and concerns over the deal, rightfully claimed by analysts. Among the most invoked, is the short time span of the deal (15 years) and that it allows a short breakout time for Iran to develop nuclear weapons after the termination of the deal, or even in the second part of the deal.⁵² Other criticism on those time spans are linked to the 5 years restrictions on export and import of conventional arms and 8 years restrictions on the ballistic missile program, which some consider to be too short.⁵³

Linked to the economical aspect, one pertinent concern is the usage of the estimated \$100 billion in frozen assets that will be unlocked, unrecoverable in case sanctions are reinstated.⁵⁴ Other critics argue that Iran is not obliged by the deal to disclose its nuclear past, while the future is not assured when it comes of Iran's new possibilities to destabilize its region. Other fears, although smaller, are linked to the strong debates in the U.S. Congress where Republicans are against the deal and threat not to ratify it. At its turn, the Majlis, the Iranian Parliament, awaits the vote in Congress to ratify the accord.⁵⁵

Beyond all criticism, almost everyone agrees that a better deal could not have been drawn. What is more, the deal is crucial for regional politics as it enables Iran to become a powerful regional and international player. The agreement can be considered a tactical achievement that could strategically reshape Middle East politics. Iran will thus become a leading regional player-its geographical position, its resources and the economic recovery will make it a very important actor, as High Representative Federica Mogherini declared in Tehran.⁵⁶ On the same note, Donald Tusk, president of the European Council, evaluated the agreement as a game-changer in world politics.

Bibliography

Primary sources

Communication Dated 26 November 2004 received from the Permanent Representatives of France, Germany, the Islamic Republic of Iran and the United Kingdom concerning the agreement signed in Paris on 15 November, INFCIRC/637, available at <https://www.iaea.org/sites/default/files/publications/documents/infcircs/2004/infcirc637.pdf>

The Tehran Declaration, 2003, available at http://news.bbc.co.uk/2/hi/middle_east/3211036.stm

United Nations Security Council Resolution 2231 S/RES/2231 (2015), available at <http://www.un.org/en/sc/inc/pages/pdf/pow/RES2231E.pdf>

Secondary sources

Analyses

Robert Einhorn, "Debating the Iran nuclear deal. A former American negotiator outlines the battleground issues" in *Brookings.edu*, available at

⁵² Robert Einhorn, "Debating the Iran nuclear deal. A former American negotiator outlines the battleground issues" in *Brookings.edu*, available at <http://www.brookings.edu/research/reports2/2015/08/iran-nuclear-deal-battleground-issues-einhorn>, accessed on 25 September 2015.

⁵³ *Idem*.

⁵⁴ *Idem*.

⁵⁵ Mehdi Khalaji, "Iran's Security Concern and Legal Controversies Over the Nuclear Deal" in *The Washington Institute, PolicyWatch* 2460, 5 August 2015, available at <http://www.washingtoninstitute.org/policy-analysis/view/irans-security-concerns-and-legal-controversies-over-the-nuclear-deal>, accessed on 25 September 2015.

⁵⁶ "After Iran deal, Mogherini holds talks in Tehran on implementation: Stresses "New Chapter"" in *European Union External Action-Features*, available at http://eeas.europa.eu/top_stories/2015/290715_federica_mogherini_in_iran_en.htm, accessed on 25 September 2015.

<http://www.brookings.edu/research/reports2/2015/08/iran-nuclear-deal-battleground-issues-einhorn>

Theodore W. Kassinger, Greta Lichtenbaum, Thomas E. Donilon, David Culvahouse Jr., Arthur B. J. Ribner, “*The Iran Nuclear Deal: Setting the Path Forward to Lift International Economic Sanctions*” in *O’Melveny and Myers LLP*, 15 July 2015, available at <http://www.omm.com/the-iran-nuclear-deal-setting-the-path-forward-to-lift-international-economic-sanctions-07-15-2015/>

Mehdi Khalaji, “*Iran’s Security Concern and Legal Controversies Over the Nuclear Deal*” in *The Washington Institute*, PolicyWatch 2460, 5 August 2015, available at <http://www.washingtoninstitute.org/policy-analysis/view/irans-security-concerns-and-legal-controversies-over-the-nuclear-deal>

John Mecklin, “*The experts assess the Iran agreement of 2015*” in *Bulletin of the Atomic Scientists*, 14 July 2015, available at <http://thebulletin.org/experts-assess-iran-agreement-20158507>

Gareth Porter, “*When the ayatollah said no to nukes*” in *Foreign Policy*, article available at <http://foreignpolicy.com/2014/10/16/when-the-ayatollah-said-no-to-nukes/>

“Resolution 2231 and debates (Iranian nuclear)” in *Voltairenet.org*, 20 July 2015, available at <http://www.voltairenet.org/article188256.html>

Press Releases, Fact sheets

“After Iran deal, Mogherini holds talks in Tehran on implementation: Stresses “New Chapter”” in *European Union External Action-Features*, available at http://eeas.europa.eu/top_stories/2015/290715_federica_mogherini_in_iran_en.htm

“IAEA, Iran Sign Joint Statement on Framework for Cooperation” in *IAEA Press Releases*, available at <https://www.iaea.org/newscenter/pressreleases/iaea-iran-sign-joint-statement-framework-cooperation>

“Implementation of the Iran-IAEA Framework for Cooperation” in *Arms Control Association*, 30 September 2014, updated on July 2015, available at <https://www.armscontrol.org/Implementation-of-the-Iran-IAEA-Framework-for-Cooperation>

“Weapons of Mass Destruction” chapter in *Global Security.org*, <http://www.globalsecurity.org/wmd/world/iran/natanz.htm>