



## THE LATEST ON IRAN & THE JCPOA NEGOTIATIONS

December 14, 2022

1. As nuclear negotiations remain at a standstill, a number of former and current officials are making it clear that Iran is blocking a return to the Joint Comprehensive Plan of Action (JCPOA).
2. This stalemate is due, in important part, to Iran's unwillingness to explain undeclared nuclear material at undeclared sites, a violation of the Nuclear Nonproliferation Treaty, which is the bedrock on which the JCPOA stands. Without an adequate understanding of these materials, the International Atomic Energy Agency (IAEA), charged with monitoring Iranian compliance with the JCPOA, says it cannot determine whether or not Iran's nuclear program is peaceful.
3. World leaders also say we should be wary of an agreement with Iran as the regime continues attacking its own people and providing Russia with military equipment to attack Ukrainian civilians.

### Deputy Secretary General Enrique Mora, European Union Iran Negotiator:

December 08, 2022

"[It is] absolutely obvious that this is not the moment to go for the nuclear agreement...It's fundamentally because the Iranians themselves, they have not taken the decision to go for JCPOA[.]"

### Secretary of State Antony Blinken:

December 04, 2022

"[W]e engaged in a meaningful diplomatic process to see if we could reach agreement for a mutual return to the JCPOA, but Iran has repeatedly demonstrated that it is unwilling or unable to commit to the steps that it needs to take. We continue to believe that diplomacy is the best way to prevent Iran from obtaining a nuclear weapon. But should the Iranian regime reject that path, its leaders should make no mistake that all options are on the table to ensure that Iran does not obtain a nuclear weapon."

**Former Secretary of State Hillary Clinton:**

December 02, 2022

“I would not be negotiating with Iran on anything right now, including the nuclear agreement. I think that, frankly, [the] horse’s out of the barn. When Trump pulled us out, we lost the eyes that we had on what they were doing inside Iran. And I believe they started those centrifuges spinning again and I think it’s unlikely that any agreement would be agreed to and I don’t think we should look like we’re seeking an agreement at a time when the people of Iran are standing up to their oppressors and we are giving them hope and heart.”

**Special Envoy to Iran Rob Malley:**

December 01, 2022

“[T]he United States played a good faith role in trying to get back into the deal. We came very close many times...Each time, Iran stepped back and came up with some new demand, often one that had nothing to do with the nuclear talks—and most recently, having to do with inspections by the International Atomic Energy Agency...Each time we came very close, they were in deals that were presented not by us but by the three European countries—Germany, France, and the U.K.—and by Russia and China, no friends of ours in these circumstances. All of them said that the deal on the table was a fair one. Iran is the one that walked back and rejected it on more than one occasion.”

**November 14, 2022:**

"If these negotiations are not happening, it's because of Iran's position and everything that has happened since (September)...Our focus is not an accord that isn't moving forward, but what is happening in Iran...this popular movement and the brutal crackdown of the regime against protesters. It's the sale of armed drones by Iran to Russia...and the liberation of our hostages[.]"

**The Washington Post Editorial Board:**

November 21, 2022

“We have long felt that the agreement to restrain Iran’s nuclear effort was too important to be derailed because of other conflicts with Tehran. But it is now becoming quite clear that resumption of the talks cannot proceed with an Iranian leadership that is crushing its own people at home and helping Russia destroy Ukraine.”

**On June 8, 2022, the International Atomic Energy Agency (IAEA), which is the designated monitoring body for the Nuclear Non-Proliferation Treaty (NPT) and the JCPOA, passed a resolution expressing “profound concern” about undeclared nuclear material found at undeclared nuclear sites in Iran. The resolution made clear that the issues “remain outstanding due to insufficient substantive cooperation by Iran, despite numerous interactions with the Agency.”<sup>1</sup>**

**Thirty of the 35 countries on the IAEA Board voted in favor of the resolution including the U.S., France, Germany, and the U.K., while Russia and China voted against it, with India, Pakistan and Libya abstaining.**

**The latest IAEA resolution is clear:**

**There is undeclared nuclear material at undeclared Iranian sites, which violates Iran's treaty obligations. These violations predate the Trump Administration’s ill-considered and unfortunate exit from the JCPOA.**

- **From the resolution:** “undeclared nuclear material had been present at several undeclared locations in Iran and that its current location(s) are not known to the IAEA...”<sup>1</sup>
- **IAEA Director General Rafael Grossi** “We found traces of uranium that has been subject to industrial processing in different places, which had not been declared by Iran. That is a big problem... We know that something happened here. There is no way round it. We have found this. There was material here. When was this? What has happened with this equipment? Where is the material? They have to answer.”<sup>2</sup>
- **From the resolution:** “nuclear material used in Iran was not declared as required under Iran’s NPT Safeguards Agreement.”<sup>1</sup>

**Iran stonewalled, supplying false explanations for this undeclared nuclear material and their undeclared sites.**

- **Grossi:** “Iran has not provided explanations that are technically credible in relation to the Agency’s findings at three undeclared locations in Iran. Nor has Iran informed the Agency of the current location, or locations, of the nuclear material and/or of the equipment contaminated with nuclear material, that was moved from Turqzabad in 2018.”<sup>3</sup>

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<sup>1</sup> <https://www.iaea.org/sites/default/files/22/06/gov2022-34.pdf>

<sup>2</sup> <https://www.theguardian.com/world/2021/may/26/iran-failure-explain-uranium-traces-big-problem-iaea-un>

<sup>3</sup> <https://www.iranintl.com/en/202206065167>

- Iran delayed inspections of nuclear sites requested by the IAEA by eight months.<sup>4</sup>
- For two and half years, Iran has refused to provide adequate explanations of the undeclared nuclear material at undeclared nuclear sites.
- **Institute for Science and International Security:** “The IAEA reports that Tehran continues to stonewall its investigation into Iran’s undeclared nuclear material and activities and has not cooperated regarding the agency’s detection of man-made uranium particles at three undeclared sites or answered questions about the use of nuclear material at a fourth site. In the latest report, the IAEA director-general underscores, ‘even after more than two years the safeguards issues related to the four locations in Iran not declared to the Agency remain unresolved.’”<sup>4</sup>

**These violations are not merely historical curiosities, but rather go to core non-proliferation issues. Without a full and honest accounting, the IAEA cannot be sure Iran’s nuclear program is peaceful.**

- **From the resolution:** “unless and until Iran provides technically credible explanations for the presence of uranium particles of anthropogenic origin at three undeclared locations and informs the Agency of the current location(s) of the nuclear material and/or contaminated equipment, the Agency cannot confirm the correctness and completeness of Iran’s declarations under its NPT Safeguards Agreement.”<sup>1</sup>
- **IAEA Director General Grossi:** “The lack of progress in clarifying the agency’s questions concerning the correctness and completeness of Iran’s safeguards declarations seriously affects the ability of the agency [IAEA] to provide assurance of the peaceful nature of Iran’s nuclear programme.”<sup>5</sup>
- **Grossi:** “Some people banalise this and say, ‘this is old stuff.’ We have to get to the bottom of this, not for any academic obsession of the director general but because it is non-proliferation relevant.”<sup>2</sup>
- **Grossi:** “Iran’s failure to provide credible explanations for traces of uranium found at two undeclared sites is ‘a big problem.’”<sup>2</sup>

**Iran’s violation of the Nuclear Non-Proliferation Treaty, NPT, is also a violation of the JCPOA as per “vii” of its preamble and general provisions:**

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<sup>4</sup> <https://isis-online.org/isis-reports/detail/the-iaeas-iran-npt-safeguards-report-november-2021>

<sup>5</sup> <https://www.iaea.org/newscenter/news/iaea-director-general-urges-iran-to-resolve-issues-related-to-four-undeclared-locations>

- JCPOA vii. " The E3/EU+3 and Iran acknowledge that the NPT remains the cornerstone of the nuclear non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament and for the peaceful uses of nuclear energy." <sup>6</sup>

**Iran's response to this censure by 30 countries that make up the IAEA Board "was removing all 27 cameras the [IAEA] watchdog had installed to monitor the [JCPOA] accord, a dramatic retaliation to a western-sponsored IAEA resolution criticising Iran." <sup>7</sup>**

- "The move severely impairs the agency's ability to observe the republic's programme as concerns mount that Tehran is edging closer to enriching uranium to levels that would enable it to produce a nuclear weapon..."<sup>7</sup>
- **Senior U.S. Official:** "If they don't [turn the cameras back on soon] then the steps they're going to have to take to provide the IAEA with sufficient confidence to make up for the gap in knowledge will make it much more difficult to get back into the JCPOA."<sup>7</sup>

**In addition:**

**The problems the U.S. is encountering in trying to return to the JCPOA lay with Iran, not the Biden Administration.**

- **Grossi:** "It would be difficult to imagine you can have a cooperative relationship as if nothing had happened if the clarification of very important safeguards issues were to fail"<sup>8</sup>
- **Grossi:** "It would be difficult to believe or to imagine that such an important return to such a comprehensive agreement [ JCPOA] ... would be possible if the agency [IAEA] and Iran would not be seeing eye to eye on how to resolve these important safeguards issues."<sup>9</sup> — 3/5/22
- Thirty of the 35 members of the IAEA Board of Governors put the blame for these issues clearly on Iran's shoulders.
- **Statement by the French Foreign Ministry:** "The proposals presented by Iran...do not constitute a reasonable basis that is compatible with the objective of a rapid conclusion... Iran is continuing its nuclear programme at an extremely worrying direction"<sup>10</sup> — 12/7/21

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<sup>6</sup> <https://2009-2017.state.gov/documents/organization/245317.pdf>

<sup>7</sup> <https://www.ft.com/content/105e26a2-9dd4-438a-ae4e-641aca5c8305>

<sup>8</sup> <https://www.reuters.com/business/energy/iaea-chief-says-nuclear-deal-not-possible-until-iran-resolves-its-issues-with-2022-03-05/>

<sup>9</sup> <https://apnews.com/article/europe-middle-east-iran-donald-trump-iran-nuclear-4b3a674fe14f6cc4a1a9b0714e19e2d2>

<sup>10</sup> <https://www.barrons.com/news/iran-nuclear-proposals-not-a-reasonable-basis-for-accord-france-01638884707?refsec=afp-news>

- **German Foreign Minister Annalena Baerbock:** “Time is running out. It has shown in the last days that we do not have any progress.”<sup>11</sup> — 12/12/21
- **U.K. Foreign Secretary Liz Truss:** "This is the last chance for Iran to come to the negotiating table with a serious resolution to this issue, which has to be agreeing the terms of the JCPOA... This is their last chance, and it is vital that they do so. We will not allow Iran to acquire a nuclear weapon.”<sup>12</sup>— 12/12/21

**In May 2021, the IAEA determined that simply re-entering the JCPOA is not a scientifically feasible approach, while the U.S. has argued for months that return is still possible, but time is running out.**

- “Rafael Grossi, the director general of the International Atomic Energy Agency (IAEA), also said Iran and the U.S. could not simply return to the old nuclear deal on exactly the same terms as signed in 2015, but needed a new understanding on how to handle Iran’s increased nuclear knowledge, and its possession of more advanced centrifuges.”<sup>2</sup>
- “More broadly, [Grossi] said a linear return to the old JCPOA was not feasible in the talks in Vienna. ‘It is not possible. Iran has accumulated knowledge, has accumulated centrifuges and has accumulated material.’”<sup>2</sup>
- “There needed to be what [Grossi] described as ‘an agreement within an agreement, or an implementation roadmap’ on how to address Iran’s improved nuclear strength, including its use of more advanced centrifuges than allowed under the 2015 agreement”<sup>2</sup>
- **Grossi:** “They have developed new centrifuges. Research and development has taken place. It was not allowed by the original JCPOA. It has happened and now the issue is how to deal with the results. What you absolutely need is a way to verify that if they have that knowledge, it is not being used to make bombs.”<sup>2</sup>

**Iran appears to be using the talks as cover for speeding up its nuclear program.**

- **French Foreign Minister Jean-Yves Le Drian:** “We have the feeling the Iranians want to make it last and the longer the talks last, the more they go back on their commitments...and get closer to capacity to get a nuclear weapon.”<sup>13</sup> — 12/7/21

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<sup>11</sup> <https://www.israelnationalnews.com/news/318528>

<sup>12</sup> <https://www.reuters.com/world/middle-east/britain-tells-iran-still-time-last-chance-nuclear-deal-2021-12-12/>

<sup>13</sup> <https://www.reuters.com/world/middle-east/iran-nuclear-talks-seen-resuming-thursday-france-discouraged-2021-12-07/>

- **Senior State Department Official involved in the negotiations:** “...Every day that goes by is a day where we come closer to the conclusion that they don’t have in mind a return to the JCPOA in short order. What they have in mind is what we’d call their own plan B, which is to use the talks as a cover, as a front for continued build-up of their nuclear program to serve as leverage for a better deal for them. And that’s what Secretary Blinken has said clearly, we will not accept, if Iran continues with this approach, we will adjust in ways that I think are pretty self-evident to all. If the path to a return to compliance with the agreement turns out to be a dead-end, we will pursue other options.”<sup>14</sup> — 12/4/21

**Iran’s nuclear program is moving ahead at breakneck speed, in ways for which there is no civilian justification.**<sup>15</sup>

- **Secretary Blinken:** "It remains unclear whether Iran is willing and prepared to do what it needs to do come back into compliance... Meanwhile, its program is galloping forward... The longer this goes on, the more the breakout time gets down... It’s now down, by public reports, to a few months at best. And if this continues, it will get down to a matter of weeks.”<sup>16</sup>
- The IAEA, vested with authority for monitoring the JCPOA by the agreement, confirmed on December 1<sup>st</sup> that Iran has begun enriching uranium at up to 20% purity at its underground facility at Fordow — a site the JCPOA banned from conducting any enrichment.<sup>17</sup>
- **Grossi:** This increased production at Fordow allows the Iranians to go “much faster and increase [enrichment] volumes significantly... I think it is very important” because “we had an agreement on certain activities that has not been complied with by Iran.”<sup>14</sup>
- **Institute for Science and International Security:** “The growth of Iran’s stocks of near 20 and 60 percent enriched uranium has dangerously reduced breakout timelines... Iran has enough enriched uranium hexafluoride (UF<sub>6</sub>)...to produce enough weapon-grade uranium (WGU)...for a single nuclear weapon in as little as three weeks... In just over two months...Iran could have produced enough additional WGU for a second weapon.”<sup>17</sup>

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<sup>14</sup> <https://www.state.gov/briefing-with-senior-state-department-official-on-the-seventh-round-of-the-jcpoa-talks/>

<sup>15</sup> [https://www.washingtonpost.com/world/vienna-talks-iran-uranium-enrichment-fordow/2021/12/02/fb1b859e-5379-11ec-83d2-d9dab0e23b7e\\_story.html](https://www.washingtonpost.com/world/vienna-talks-iran-uranium-enrichment-fordow/2021/12/02/fb1b859e-5379-11ec-83d2-d9dab0e23b7e_story.html)

<sup>16</sup> <https://www.youtube.com/watch?v=2r6rcydui3Q>

<sup>17</sup> <https://isis-online.org/isis-reports/detail/analysis-of-iaea-iran-verification-and-monitoring-report-november-2021#fn3>

- **U.S. State Department spokesperson Ned Price** : "Iran has no credible need to produce uranium metal, which has direct relevance to nuclear weapons development."<sup>18</sup>
- **Grossi**: "A country enriching at 60 percent is a very serious thing — only countries making bombs are reaching this level."<sup>19</sup>
- **Secretary Blinken**: "...What we will not allow is for Iran to, in effect, tread water at talks and not come forward with any meaningful and serious propositions for resolving the outstanding issues to returning to compliance while at the same time advancing its program. So, the runway is getting very, very short on that."<sup>20</sup>

### **Iran's leadership continues its bellicose rhetoric.**

- **Supreme Leader Khamenei**: "Today, #Zionism is an obvious plague for the world of #Islam. The Zionists have always been a plague, even before establishing the fraudulent Zionist regime. Even then, Zionist capitalists were a plague for the whole world. Now they're a plague especially for the world of Islam."<sup>21</sup>
- **General Abolfazl Shekarchi** told the Iranian Students News Agency on November 28<sup>th</sup>, "We will not back off from the annihilation of Israel, even one millimeter. We want to destroy Zionism in the world."<sup>22</sup>
- **General Esmail Qaani**, the head of the Iranian Revolutionary Guard Corps' elite Quds Force, was quoted by the Iranian state media as saying that if the United States makes any military moves against Iran, "your teeth will be crushed in your mouth."<sup>23</sup>

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<sup>18</sup> <https://www.reuters.com/world/middle-east/iaea-reports-iranian-progress-uranium-metal-despite-western-objections-2021-08-16/>

<sup>19</sup> <https://www.reuters.com/world/middle-east/iaea-head-calls-irans-nuclear-programme-very-concerning-ft-2021-05-26/>

<sup>20</sup> <https://www.state.gov/secretary-antony-j.-blinker-with-thorold-barker-of-the-wall-street-journal-ceo-council-summit>

<sup>21</sup> [https://twitter.com/khamenei\\_ir/status/1534481981681111041?s=20&t=sYMMm058IJMFDrs04Dt60g](https://twitter.com/khamenei_ir/status/1534481981681111041?s=20&t=sYMMm058IJMFDrs04Dt60g)

<sup>22</sup> <https://www.jpost.com/middle-east/iran-news/iranian-brig-gen-urges-destruction-of-israel-prior-to-nuke-talks-687248>

<sup>23</sup> <https://www.reuters.com/world/middle-east/quds-force-chief-says-usteeth-will-be-crushed-if-it-moves-against-iran-2021-12-02/>