EU relations with Iran

SUMMARY

Even though the EU and Iran have worked together over the past 4 years to save the nuclear agreement known as the Joint Comprehensive Plan of Action (JCPOA), relations between the two sides have reached a new low. The EU is concerned about the acceleration of Iran’s nuclear programme in violation of the JCPOA and the country’s reluctance to cooperate fully with the International Atomic Energy Agency. In addition, the Iranian authorities’ violent crackdown on and execution of peaceful protesters has outraged Europeans – and their allies – and drawn new attention to human rights violations in the country.

Iran’s military support for Russia in the context of Russia’s war against Ukraine has put the spotlight on Iran’s conventional weapons capabilities. Moreover, Iran continues to stoke tensions in the Middle East, providing military, financial and political support to non-state actors in countries such as Iraq, Lebanon, Syria and Yemen, as well as the Gaza Strip.

In response to these concerns, the EU has imposed restrictive measures on an increasing number of high-ranking Iranian individuals and entities under four EU sanctions regimes. Sanctions include an asset freeze and a prohibition on making funds and economic resources available to the listed individuals and entities; individuals are also banned from travelling to the EU.

Nevertheless, in December 2022, EU Member States reaffirmed their commitment to, and continued support for, the full and effective implementation of a restored JCPOA.

The European Parliament has adopted several resolutions critical of human rights violations in Iran, most recently in January 2023, and has called for the Islamic Revolutionary Guard Corps to be added to the EU terrorist list, while also expressing its continued support for the JCPOA. After Iran began to sanction certain of its Members in October 2022, Parliament decided in November 2022 that delegations and committees would no longer engage with the Iranian authorities.

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Policy framework for EU-Iran relations

On 12 December 2022, the Council of the EU adopted conclusions on Iran. The Council condemned the repression of recent protests in Iran – which started on 16 September 2022 – and the worsening human rights situation; Iran’s military cooperation with Russia, including delivery of unmanned aerial vehicles (UAVs, or drones) deployed by Russia in its war of aggression against Ukraine; the alarming acceleration of Iran’s nuclear programme that departs gravely from the commitments Iran made in the Joint Comprehensive Plan of Action (JCPOA); and Iran’s destabilising activities in and around the Middle East, which pose a threat to regional security. The Council also strongly rejected Iran’s practice of arbitrary detention of foreign citizens, including dual nationals. Nevertheless, the Council reaffirmed the EU’s commitment to, and continued support for, the full and effective implementation of a restored JCPOA. The European Parliament has called on the Council to add the Islamic Revolutionary Guard Corps (IRGC) to the EU terrorist list. However, for the Council to add an individual or an entity to this list, the competent authority of an EU Member State or of a third country has to take a relevant decision. Once that decision is submitted to the Council, the Council can vote on it and decide – by unanimity – to add an individual or an entity to the terrorist list.

Human rights situation in Iran

The EU has been concerned about the human rights situation in Iran for years. Iran has signed up to several international human rights treaties and the protection of fundamental rights is anchored in the country’s constitution, adopted in 1979 and amended in 1989. However, according to Amnesty International and Human Rights Watch, the human rights situation continues to deteriorate. In 2019, Iran’s judiciary clamped down dramatically on peaceful dissent, sentencing scores of human rights defenders to decades-long prison sentences, including a number of prominent human rights lawyers. Since the – flawed – election of Ebrahim Raisi to the presidency in September 2021, the human rights situation has deteriorated still further. The rights to freedom of expression, association and assembly have been heavily suppressed, torture and other ill-treatment remain widespread and systematic, and women, lesbian, gay, bi, trans- and intersex people and ethnic and religious minorities face widespread discrimination. Since 2012, the country is reported to have executed more than 4500 persons, including juvenile offenders. Recently, executions have seen a marked rise. In 2022, the country is reported to have executed more than 500 persons, twice the number executed in 2020. On 14 January 2023, Iran announced that Alireza Akbari, a British-Iranian dual national and former deputy Iranian defence minister accused of espionage, had been executed.

On 24 November 2022, the United Nations Human Rights Council adopted a resolution on the deteriorating situation of human rights in Iran, especially with regard to women and children, and decided to establish an independent international fact-finding mission on Iran.

Women's rights in Iran

Since the Islamic Revolution in 1979, women’s rights in Iran have been (severely) restricted in many areas. Women face entrenched discrimination in family and criminal law, including in relation to marriage, divorce, employment, inheritance and political office. Moreover, several laws introduced after the revolution imposed a public dress code for women, including a mandatory headscarf (hijab). Under former President Hassan Rouhani (president from 2013-2021), a relative moderate, the enforcement of the dress code was relaxed and women increasingly defied the modesty laws. In 2017, police in Tehran announced that they would stop arresting women for modesty violations. However, after President Ebrahim Raisi – an ‘ultraconservative cleric’ – took office in 2021, the morality police, a unit of Iran’s police force originally created under former hard-line President Mahmoud Ahmadinejad (president from 2005-2013), started to enforce the dress code once again. On 15 August 2022, President Raisi signed a decree to enforce the country’s headscarf and chastity law, which resulted in new restrictions regarding how women can dress. Simultaneously, reports surfaced of authorities in Iran cracking down increasingly on women deemed to be in violation of
rules on wearing the hijab. Hopes that the authorities would relax the rules on the wearing of the hijab in response to the protests following the death of Mahsa Amini (see below) have been dashed. On 8 January 2023, the Supreme Council of the Cultural Revolution, a body whose decisions can only be overruled by Iran’s Supreme Leader, Ayatollah Ali Khamenei, issued a statement in which it reiterated its support for the mandatory hijab law.

EU response to serious human rights violations in Iran

In 2011, the EU put restrictive measures in place, in response to serious human rights violations in Iran. These measures included travel restrictions and an asset freeze on persons ‘complicit in or responsible for directing or implementing grave human rights violations in the repression of peaceful demonstrators, journalists, human rights defenders, students or other persons who speak up in defence of their legitimate rights’. The measures also targeted those who were ‘complicit in or responsible for directing or implementing grave violations of the right to due process, torture, cruel, inhuman and degrading treatment, or the indiscriminate, excessive and increasing application of the death penalty, including public executions, stoning, hangings or executions of juvenile offenders in contravention of Iran’s international human rights obligations’.

On 23 March 2012, in a further effort to address the deterioration of the human rights situation in Iran, the Council agreed to introduce additional restrictive measures, namely an EU embargo on the export to Iran of equipment which may be used for internal repression and on equipment that may be used to monitor or intercept internet and telephone communications on mobile or fixed networks. These restrictive measures – a travel ban and an asset freeze against listed individuals and entities, as well as a ban on exports to Iran of equipment that might be used for internal repression and for monitoring telecommunications – have been extended on an annual basis ever since, most recently until 13 April 2023.

Following the widespread and disproportionate use of force by the Iranian security forces against non-violent protestors that began on 16 September 2022 (see below), the Council has successively added a further 78 persons and 27 entities to the list of persons and entities subject to a travel ban, asset freezes, and a prohibition on making funds or economic resources available, bringing the total number to 164 individuals and 31 entities.

Recent protests in Iran

Over the past five years, Iran has regularly witnessed widespread protests, to which Iranian authorities have responded with brutal and often lethal force, mass arrests and internet shutdowns. An estimated 304 people were killed in November 2019, in one of the most brutal crackdowns on anti-government protests, sparked by a hike in fuel prices. Protests over deteriorating living conditions that erupted in the south-western province of Khuzestan in July 2021 left at least nine people dead. In 2022, Iranians continued to protest against the deteriorating economic conditions in the country, including 'skyrocketing living costs'. Inflation has been running high – at 52% per annum – and the government has reduced support for welfare and other social services, while drastically increasing the prices of certain commodities. The currency has lost 30% of its value since September 2022, while gross domestic product (GDP) growth is estimated to have dropped by nearly half to 2.9% in 2022, and a further drop to 2.2% is expected in 2023. The clerical regime has increasingly come under attack from protestors including teachers, retirees, farm workers and petrochemical workers, among other groups.

A new wave of massive protests broke out in September 2022, following the death of a 22-year-old Kurdish woman, Mahsa Amini, in police custody. Mahsa Amini was arrested in the capital Tehran on 13 September 2022 for allegedly violating Iran’s compulsory veiling law. She died three days later, succumbing to injuries inflicted on her by the morality police. Her funeral in her native Kurdistan in north-western Iran on 17 September 2022 sparked protests that quickly spread to cities all over the country, including the capital. The protests were mainly led by women, students and schoolgirls, but were supported by many parts of Iranian society throughout Iran’s 31 provinces. Protesters demanded reform of the dress code, greater political freedom, more respect for human rights and an end to the clerical regime that has ruled Iran since 1979. Experts have called the protests ‘notable for their vehemence in opposing regime policies’.
The security forces are believed to have killed at least 506 protesters, including 69 minors. Up to 18,000 protesters are reported to have been detained, including hundreds of students, dozens of journalists, artists, filmmakers and other public figures. Four men have already been executed for their participation in the protests, one publicly, amid grave concerns that they did not receive a fair trial, and more than 40 protesters face charges that could carry the death penalty. Four months later, protests have slowed down, but continue. Iranian personalities, including former Iranian President Mohammad Khatami, have come out in support of the protesters' demands. However, the protests are not believed to pose a significant and immediate threat to the regime.

EU response to the protests over the death of Mahsa Amini

On 25 September 2022, the High Representative of the Union for Foreign Affairs and Security Policy, Josep Borrell, issued a declaration on behalf of the Union deploiring the widespread and disproportionate use of force by the Iranian security forces against non-violent protestors. The declaration also stated that those responsible for the killing of Mahsa Amini had to be held accountable and called on the Iranian authorities to ensure transparent and credible investigations to clarify the number of deaths and arrested, release all non-violent protestors and provide due process to all detainees. Furthermore, the declaration stressed that Iran’s decision to severely restrict internet access and block instant messaging platforms blatantly violated freedom of expression.

On 15 December 2022, the European Council strongly condemned the death penalty sentences pronounced and carried out against protestors. It called on the Iranian authorities to immediately end this practice and to annul the sentences without delay. On 7 January 2023, the EU once more called on the Iranian authorities to immediately end the practice of imposing and carrying out death sentences against protestors and to annul without delay the recent death penalty sentences. The EU summoned Iran’s ambassador to the bloc on 9 January and told him it was appalled by the two executions that had taken place on 7 January.

Since 17 October 2022, the Council has imposed restrictive measures – travel bans, asset freezes and a prohibition on making funds or economic resources available – on 78 individuals and 27 entities, including members of the morality police, the law enforcement forces of Iran, the special forces of the Iranian police, the paramilitary organisation known as the Basij Resistance Force, the cyber defence command of the Islamic Revolutionary Guard Corps (IRGC) and other units within the organisation, a state-owned broadcasting company, parliamentarians and governors. Sanctioned individuals include the Minister of Information and Communication Technology, Issa Zarepour, the Minister of the Interior, Ahmad Vahidi, the Minister of Sports and Youth, Hamid Sajjadi, the commander-in-chief of the Iranian army, Sayyed Mousavi, and several commanders in the IRGC.

Sanctions adopted on 23 January 2023 were coordinated with the United States and the United Kingdom, which adopted sanctions specifically targeting the IRGC, as well as representatives of the Iranian government and the armed forces, and other regime officials. Some Member States are reported to be pushing for the EU to declare the IRGC a terrorist organisation. The United States designated the IRGC as a terrorist organisation in April 2019, and the UK is preparing to formally declare that the IRGC is a terrorist organisation.

Iran responded on 25 January 2023 by imposing sanctions on 34 individuals and entities from the EU and the UK, also blocking accounts and transactions in Iran’s banks and prohibiting ‘visa issuance and entry’ to Iran.

Iran's military activities

Ballistic missiles and unmanned aerial vehicles (UAVs)

Iran began developing ballistic missile capabilities during the 1980-1988 war with Iraq, during which the country found itself unable to retaliate against Iraq’s superior military power. The possible threat posed by Iran’s ballistic missiles was perceived in the past to stem primarily from their potential connection to its nuclear programme, since ballistic missiles can carry nuclear weapons. When negotiations over Iran’s nuclear programme began in 2013, attempts were made to include ballistic missiles in a final agreement, but Iranian opposition to the idea was too strong.
The JCPOA does not mention Iran's ballistic missile programme, but instead mandated that the matter be regulated in a new Security Council resolution. Endorsing the JCPOA, United Nations Security Council (UNSC) Resolution 2231, which was adopted on 18 October 2015, called upon Iran to observe an eight-year moratorium on ‘any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology’. The expectation was that Iran would suspend missile testing for eight years. When Iran tested a series of ballistic missiles in 2016, this was already seen as ‘threatening the constructive spirit of the JCPOA’, and as a violation of Resolution 2231.

On 22 April 2020, Iran launched its first military satellite into orbit, in the context of the IRGC’s space programme. Iran has launched satellites into orbit in the past for communications and remote sensing purposes, but this was the first for military purposes. The US administration condemned the launch and said it proved that Iran’s space programme was ‘neither peaceful nor entirely civilian’. While satellite launch vehicles (SLVs) and ballistic missiles have different technical requirements and trajectories, they share features, raising fears over whether the technology used to launch the satellite could help Iran develop intercontinental ballistic missile.

Today, Iran’s active ballistic missile programme is considered to be one of the largest deployed missile forces in the Middle East, including an estimated 1,000 short- and intermediate-range ballistic missiles. US estimates put this figure as high as over 3,000 ballistic missiles. Moreover, the country is believed to have a large land-attack cruise missile force. Iran is also believed to have made substantial progress in the last 10 years as regards the precision and accuracy of its missiles, so that they represent an increasingly powerful conventional threat. So far, Iran has limited the range of its missiles to 2,000 km. However, according to experts, ‘Iran could abandon the limit at any time, and is developing a system that, if deployed, would seemingly nullify it’.

Since 2017, Iran has used missiles on many occasions. In January 2020, Iran launched 11 ballistic missiles in an attack on US troops stationed in Iraq, causing extensive damage, and a dozen ballistic missiles rained down on Iraq’s northern city of Erbil in March 2020, targeting the US and its allies. Iran has also targeted exiled Iranian Kurdish opposition groups in Iraq, which Iran blames for fuelling the protests that followed the killing of Mahsa Amini.

Moreover, Iran has transferred missiles – and drones – to state and non-state actors alike, including proxies in Syria, Lebanon, Yemen and the Gaza Strip. Hezbollah, a Lebanese political party and an armed group, has been the primary beneficiary of Iran’s arms exports and is believed to hold an estimated 130,000 rockets and missiles. In the context of Russia’s war on Ukraine, Iran has supplied Russia with UAVs, also referred to as military drones (see below). The Institute for Science and International Security, a Washington-based think tank, estimates that Iran has supplied hundreds of UAVs to Russian forces in Ukraine. The Institute also quotes media sources as indicating that Iran plans to supply at least a thousand, if not thousands, of additional drone systems to Russia and eventually export short-range ballistic missiles.
According to the G7 countries (Canada, France, Germany, Italy, Japan, the United Kingdom and the United States) and many experts, Iran is in blatant violation of the UN missile embargo under UNSC Resolution 2231. The UN Security Council met on 19 December 2022 to debate the implementation of UNSC Resolution 2231, particularly Iran's nuclear, ballistic and proliferation activities inconsistent with that resolution. The Security Council urged Iran to abide by its commitments under the JCPOA, and the US to lift sanctions against Iran. Following the debate, the governments of France, Germany and the UK called on the Security Council to examine and report on Iranian weapons deliveries to Russia for use in Ukraine in violation of Resolution 2231. There have been unconfirmed reports for months that the US wants to see the re-imposition of UN sanctions against Iran that were lifted under the JCPOA, in accordance with the so-called 'snap-back procedure'.

Iran's military cooperation with Russia

Iran's military cooperation with Russia was first shaped in Syria, over the two countries' shared goal of keeping the regime of Bashar al-Assad in power. However, the relationship has been evolving significantly in the context of Russia's current war on Ukraine, with Russia transferring UAVs that it had purchased from Iran into Crimea to use in the war. Wreckage of Iranian-made UAVs was first found in Ukraine in September 2022, during Russia's intensifying campaign against Ukraine's civilian infrastructure; Iran has reportedly supplied hundreds of drones to Russia. Furthermore, according to US reports, Iran has sent personnel to Ukraine to train Russian drone operators.

The US and other Western officials have also raised concerns over the possibility of Iran sending ballistic missiles to Russia, to help Moscow face its missile shortage in Ukraine. This now 'full-fledged defence partnership', as the US National Security Spokesperson, John Kirby, phrased it, fulfils both countries' defence needs. On the one hand, Russia desperately needs additional military capability to sustain its war in Ukraine and match the Western weaponry delivered to Kyiv. On the other hand, Iran is seeking to modernise its military, and particularly its air force, with the help of modern equipment. Russia is reported to be offering Iran an 'unprecedented level of military and technical support', possibly including helicopters and air defence systems. Iranian pilots are reported to have received training to fly Russian Sukhoi Su-35 advanced fighter planes, which Iran may receive soon.

Iran's supply of drones to Russia has drawn attention to troubling security issues for the EU and its Member States: the presence of European-made components in Iran's military drones. The drones were found to contain parts originating from Austria and Germany, as well as from the UK, the US, and Japan. According to experts, many of the components used in the Iranian drones are 'off-the-shelf parts' that are used in civil aircraft, including civilian drones. Moreover, experts found that Iran sources parts – often copies of Western-made components – that it uses to produce UAV combat drones from Chinese companies, giving China a more important role than previously assumed in allowing Iran to manufacture and supply drones to Russian forces.

According to reports, Ukrainian intelligence estimates that three-quarters of components of the Iranian drones brought down over Ukraine are American-made. The presence of these components raises serious questions about the effectiveness of comprehensive US sanctions on Iran, as well as the effectiveness of US and EU embargos on the export of dual-use goods to Iran. Both should theoretically make it impossible for Iran to acquire such components.

The EU's response to Iran's military support for Russia's war of aggression on Ukraine

Since 20 October 2022, the Council has imposed restrictive measures on seven Iranian individuals and five Iranian entities involved in the development and delivery of UAVs to Russia, including the Chief of Staff of Iran's Armed Forces, Mohammad Hossein Bagheri, and Shahed Aviation Industries, an Islamic Revolutionary Guard Corps Aerospace Force-linked company responsible for the design and development of the Shahed series of Iranian UAVs. The measures were adopted with respect to actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.
The Joint Comprehensive Plan of Action (JCPOA)

In July 2015, Iran and the E3/EU+3 (France, Germany, the UK and the EU, plus China, Russia and the US) signed the JCPOA, a landmark agreement to ensure the peaceful nature of Iran’s nuclear programme in exchange for the termination of restrictive measures against Iran. Following certification by the International Atomic Energy Agency (IAEA) that Iran had complied with its nuclear dismantlement commitments, implementation of the JCPOA commenced on 16 January 2016. On that day, known as Implementation Day, all nuclear-related UN, US and EU sanctions on Iran were lifted. However, former US President Donald Trump, who took office a year later in January 2017, strongly disliked the agreement and consistently called it a 'terrible deal' that did not address Iran’s ballistic missile programme or alleged shortcomings in the IAEA’s inspection regime and made provisions for restrictions to end too early (‘sunset clauses’). Even though Iran fully complied with the JCPOA at the time, on 8 May 2018 President Trump withdrew the US from the nuclear deal with Iran and re-imposed US sanctions, which have had a very serious impact on the Iranian economy. Considering that the expected economic benefits of the JCPOA were an essential condition for its agreement to limit its nuclear activities, Iran announced in July 2019 that it was reducing its commitments under the JCPOA.

The election of Joe Biden to the US presidency in November 2020 raised hopes that the US would rejoin the JCPOA, in exchange for renewed Iranian compliance with the agreement. Eight rounds of indirect US-Iran talks began in early 2021, coordinated by the EU and also involving France, the UK, Russia, China and Germany, and seemed to make good progress. By March 2022, the parties had agreed on a ‘close to final text’. However, since then the US and Iran have been locked in disagreement over key issues, and diplomatic activity concerning the agreement has stopped. At the same time, Iran has been accelerating its production of enriched uranium to levels far exceeding the levels agreed under the JCPOA, and has openly declared that it is no longer respecting any of the limits on its nuclear programme imposed by the agreement.

In a statement issued on 22 November 2022, France, Germany and the UK accused Iran of having taken ‘further significant steps in hollowing out the JCPOA’. On 14 November 2022, French President Emmanuel Macron hinted that a ‘new framework’ will likely be necessary to address Iran’s nuclear programme. Following the execution in early January 2023 of a UK-Iranian dual national, the UK announced that it was considering ending its support for the JCPOA. President Biden is reported to have described the JCPOA as ‘dead’ as far back as November 2022, but the US administration has not officially announced the end of attempts to revive the agreement.

The UN conventional arms embargo on Iran

In 2006, the UN Security Council began to adopt a series of resolutions imposing increasingly tough sanctions on Iran. This was part of an international effort to pressure Iran into multilateral talks to curb its nuclear programme and prevent it from acquiring nuclear weapons. During negotiation of the JCPOA, Iran argued that the conventional arms embargo – which prohibited the sale to Iran, but also by Iran, of battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems – ought to be lifted immediately upon implementation of the nuclear deal. Russia and China reportedly supported that effort. The US was in favour of retaining the embargo and negotiated the five-year extension, which is reflected in Annex B, Paragraph 5 of UNSC Resolution 2231. The five-year extension started on Adoption Day, 18 October 2015, and expired in October 2020. The end of the embargo means that Iran can import and export military hardware.

Many observers now believe that the JCPOA can no longer be restored and that the agreement is essentially dead or obsolete. On 24 January 2023, the head of the IAEA, Rafael Grossi, described it as an ‘empty shell’. This raises the question of how the international community should address the growing challenge that Iran poses to the global non-proliferation system. Nevertheless, on 12 December 2022 the EU reaffirmed its ‘commitment to, and continued support for, the full and effective implementation of a restored JCPOA’. However, the EU also called on Iran to ‘reverse its alarming nuclear trajectory’, noted that the risk of a nuclear non-proliferation crisis in the region had
increased as a result of the country’s continued escalation of its nuclear programme, and acknowledged that this made it increasingly difficult to reach a deal.

Moreover, experts have noted that it is difficult to see how the JCPOA could be revived while Iran – and Russia, for that matter – is blatantly violating the UN missile embargo, due to expire in October 2023, by transferring drones to Russia and participating in the widespread killing of civilians and the large-scale destruction of infrastructure. The same experts have also called for a revival of the UN arms embargo on Iran, which expired in 2020, and which provided an additional legal obstacle to the sale of Iranian drones and missiles that has now been removed.

Iran's enrichment activities

The essential purpose of the JCPOA was to limit Iran's ability to hold sufficient quantities of highly enriched uranium to arm a nuclear bomb. Accordingly, the JCPOA placed limits on Iran's enriched uranium stocks and its enrichment capacity. The key stipulations of the JCPOA were as follows:

- Iran was allowed to enrich uranium to only 3.67% (substantially below the 90% threshold required for the production of a nuclear bomb).
- Iran was also required to reduce its stockpile of low-enriched uranium and keep it to a maximum of 300kg for 15 years.
- Iran’s research and development and testing capacity for enrichment was also limited.
- Enrichment activity was to be restricted to a single site, Natanz, where only Iran's oldest and least efficient centrifuges were to be operated for a period of 10 years.
- Iran also agreed to export spent nuclear fuel and heavy water.
- The IAEA was to have full access to Iran's declared and suspected nuclear sites, for regular inspections.

Iran has breached all of the key stipulations of the JCPOA.

- The IAEA estimated that, as of 22 October 2022, Iran's total enriched uranium stockpile was 3673.7 kg, more than 17 times the allowed quantity, including 1479 kg enriched to levels prohibited under the JCPOA. In January 2023, this includes more than 70kg enriched up to 60% U-235, and 1000 kg enriched to 20%. Uranium enriched to 60% U-235 can theoretically be used for building a nuclear bomb, but would not fit with the weapons that Iran designed as part of its pre-2003 nuclear weapons programme. However, Iran has now stockpiled enough 60% U-235 to allow it to produce enough weapons-grade material – 90% U-235 – for a bomb in less than one week.
- Iran has continued to conduct enrichment activities that are not in line with its long-term enrichment and enrichment research and development (R&D) plan.
- Iran has also installed more powerful centrifuges, which are needed as part of the uranium enrichment process. By October 2022, Iran had installed 4000 advanced centrifuges across all three of its declared enrichment facilities. Experts have noted that Iran has vastly increased the deployment of advanced centrifuges, almost doubling their numbers between May and October 2022.
- Iran has also moved uranium enrichment activity back to Fordow, a site that was transformed into a research facility under the JCPOA. The JCPOA prohibited uranium enrichment at Fordow for 15 years, partly because the facility is built deep inside a mountain, making it more difficult to attack and destroy in the event of a military strike. In November 2019, Iran resumed enrichment activities at Fordow, first to produce 20% U-235. On 22 November 2022, the Iran's Atomic Energy Organization announced that it had begun enrichment of uranium to 60% U-235 at the underground facility at Fordow.
- Since 23 February 2021, Iran has neither informed the IAEA about the inventory of heavy water in Iran and the production of heavy water at the Khondab Heavy Water Production Plant (HWPP), nor allowed the Agency to monitor the quantities of Iran's heavy water stocks and the amount of heavy water produced at the HWPP.
Following a request from Iran, from 9-11 June 2022 the IAEA removed all of its equipment previously installed in Iran for surveillance and monitoring under the JCPOA. In total, the IAEA removed 27 cameras, the online enrichment monitor (OLEM) at the Fuel Enrichment Plant (FEP) in Natanz and the flow-rate unattended monitoring (FLUM) equipment installed at the Khondab HWPP.

As France, Germany and the UK noted in their statement of 22 November 2022, there is ‘no credible civilian justification’ for Iran’s decision to produce 60% U-235 at its underground facility at the Fordow FEP, since Iran does not operate any reactors requiring uranium enriched to these levels. The three signatories of the JCPOA condemned the Iranian regime’s decision to further expand its nuclear programme. At the same time, the head of the IAEA, Rafael Grossi, confirmed in January 2023 that, while ‘Iran now has more than enough high[ly] enriched uranium to make a bomb, that does not mean that it has a bomb’. He explained that, if nothing else, building an atomic bomb would require designing and testing.

Safeguards/obligations under the Non-Proliferation Treaty (NPT)

At the same time, concerns are growing that Iran may not be complying with its safeguards obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT); Iran’s NPT obligations are separate and legally independent from Iran’s commitments under the JCPOA. Iran ratified the nuclear NPT in 1970 – Article III of which requires non-nuclear weapon states that are party to the NPT to accept comprehensive IAEA safeguards – and Tehran concluded a comprehensive safeguards agreement with the IAEA in 1974. This agreement gives the IAEA the right to ensure that safeguards are applied on all nuclear material under Iranian state control, to verify that such material is not diverted to nuclear weapons or other nuclear explosive devices.

For the past three years, Iran has refused to provide information to the IAEA to allay fears that the country’s declaration of its nuclear materials and activities may be incomplete. Iran denies these allegations, but has failed to provide technically credible explanations for the presence of uranium particles of anthropogenic origin at three undeclared locations. The IAEA has asked Iran for information on the current location(s) of the nuclear material and/or contaminated equipment.

In response to the EU’s ‘anti-Iranian position’, Iran has threatened once again to withdraw from the NPT, a threat it has voiced in the past. The Democratic People’s Republic of North Korea (DPRK) withdrew from the NPT in 2003, the only former NPT state so far to have done so.

Iran's regional role

Iran’s influence in western Asia has grown very significantly over the past 20 years. The ‘Shia crescent’, extending Iranian influence from Tehran to Baghdad, Damascus and Beirut, gives Iran access to the Mediterranean and provides a route for Iranian weapon supplies to its proxies in Lebanon. Iran’s growing role in the region began with the 2003 US invasion of Iraq and expanded during the civil wars in Syria and Yemen. Iran has also been a staunch supporter of Hamas, the Palestinian faction that controls the Gaza Strip.

Iran presents itself as a firefighter in a turbulent region, responding to crises and chaos in its immediate neighbourhood, and coming to the aid of historical allies. However, Iran has also been engaged for decades in a battle for supremacy in the Middle East with its rival Saudi Arabia, and has used proxies – the ‘Popular Mobilisation Units’ in Iraq, Hezbollah in Lebanon and Syria, and the Houthis in Yemen – to engage with its adversaries. The US and its allies – Israel, Saudi Arabia and the United Arab Emirates (UAE) – see Iran’s growing influence as a direct threat to their interests and security. In recent years, Iran has increasingly turned to ‘irregular warfare’ to expand its influence.

In 2019, the full extent of Iran’s strong influence in Iraq was confirmed through leaked Iranian intelligence reports. The documents provided evidence of Tehran’s vast influence in Iraq, detailing years of painstaking work [...] to co-opt the country’s leaders [...] and infiltrate every aspect of Iraq’s political, economic and religious life, turning Iraq into ‘a gateway for Iranian power’. Many Iraqi
political parties have close ties to Iran, which in turn provides them with funds and trains paramilitary groups that support them. Some paramilitary groups have pledged loyalty to Iran's Supreme Leader, Ayatollah Ali Khamenei. Militias backed by Iran have frequently attacked the 2,500 US troops that still remain in Iraq, albeit in an advisory capacity, with the aim of driving them out of the country; the United States ended its combat mission in Iraq in December 2021. In January 2020, a US strike outside the Iraqi capital, Baghdad, killed Iranian General Qasem Soleimani, the leader of the Quds force within the IRGC. Iran retaliated by attacking US bases in Iraq with missile strikes.

After the 2011 uprising in Syria, Iran came to the rescue of its long-time ally Bashar al-Assad, considering the survival of the Assad regime as crucial to Iran's interests in the region. Over the past 12 years, Iran has remained an unwavering supporter of the regime, and Iran's political, economic and security influence in Syria has only increased over the last few years, even though there are some signs that Iran's own economic woes are forcing it to curtail some of its support. To prevent Iranian military entrenchment on Syrian territory and disrupt shipments of strategic weapons from Iran to Hezbollah, the Israeli military has struck Iranian and Hezbollah targets in Syria 'hundreds of times' over the past five years. Israel has also engaged in special operations against Iranian interests, including two attacks on Damascus International Airport, hitting Hezbollah positions and pro-Iranian groups inside the airport. Experts warn of 'a more vigorous Iranian response' to Israeli operations against its interests in Syria; there is also a risk that the geopolitical competition between Turkey and Iran in Syria could spark new conflicts.

Further to the west, in Lebanon, over the past 30 years Iran has helped to turn Hezbollah into the world's most heavily armed non-state actor. The US designated the group as a terrorist organisation in 1997. The Shi'a Islamist militant group and political party was created in the early 1980s as a resistance movement, with the declared aim of expelling Israeli troops from southern Lebanon and destroying the Jewish state. The political wing of the group is a key political actor in Lebanon. The military wing, which the EU has designated as a terrorist organisation, is believed to hold up to 130,000 rockets and missiles, stationed in southern Lebanon and Syria. Israel considers Hezbollah's military capabilities to be the leading conventional threat facing the country.

In Yemen, Iran's support for the Houthi movement has drawn neighbouring Saudi Arabia, the UAE and several other Sunni Arab states into an armed conflict that has dragged on for the past eight years, causing a humanitarian catastrophe among the local population. The Houthi movement (known formally as Ansar Allah), made up largely of Yemeni Zaidi Shi'a Muslims, rose to power following the 2011 uprising that forced Yemen's long-time president, Ali Abdullah Saleh, to relinquish power. Houthi forces, who have taken control of the west and north-west of the country, have launched hundreds of missiles and drones across the border into Saudi Arabia, mostly at nearby military and civilian targets, but also at the capital, Riyadh, as well as oil installations in the coastal city of Jeddah. According to experts, the Houthis are 'orchestrating an increasingly intense irregular warfare campaign against Saudi Arabia and other countries in the Gulf using sophisticated cruise and ballistic missiles, UAVs, and other weapons'. Iran is believed to play a critical role in providing weapons, technology, training and other assistance to the Houthis. The UN Security Council has designated the Houthis as a terrorist group.

The Islamist militant group Hamas has ruled the Gaza Strip since winning the Palestinian legislative elections in 2006. The group has been engaged in armed resistance to Israel for decades, including suicide bombings and rocket attacks, which has led the US and the EU to designate the group as a terroristorganisation. Iran's support for Hamas goes back to the 1990s, turning Hamas into a 'pragmatic partner to Tehran's anti-Israel axis'. Iran has supplied Hamas with generous funds, has trained and armed Hamas operatives, and has supplied Hamas with rockets. In the 2012 conflict between Israel and Hamas, Hamas launched long-range Iranian rockets at Tel Aviv and Jerusalem. The outbreak of the Syrian civil war in 2011 led to a cooling-off of relations between Iran and Hamas, with Iran backing the Assad regime and Hamas supporting the Sunni Arab opposition. However, ties were gradually restored, starting in 2017, and weapons transfers from Iran to Hamas resumed. Hamas has also produced rockets domestically, based on Iranian models.
Developments in EU-Iran relations since 2016

Following the signature of the JCPOA in 2015 and the lifting of all nuclear-related UN and EU sanctions on Iran in January 2016, expectations were high for a new era of engagement. In April 2016, former EU High Representative/Vice-President (HR/VP) Federica Mogherini led a delegation of seven Commissioners to Iran, to explore areas of cooperation. The joint statement issued by the HR/VP and the Iranian Foreign Minister during this unprecedented visit provided the framework for regular political consultation and practical cooperation in priority sectors for the EU. In November 2016 and in 2019, the Council adopted conclusions in which the EU reiterated its commitment to developing EU-Iran relations in those priority sectors, including political dialogue; human rights; economic cooperation; trade and investment; agriculture; transport; energy and climate change; civil nuclear cooperation; the environment; civil protection; science, research and innovation; education, including through university exchanges; culture; drugs; migration; regional issues; and humanitarian cooperation. In principle, the EU is still looking for cooperation with Iran in the sectors defined in the 2016 joint statement. However, as experts have pointed out, it has become increasingly clear that ‘Europe needs a new Iran strategy’.

EU funding for Iran

In December 2021, the European Commission adopted a multiannual indicative programme for Iran for 2021-2027 under the Neighbourhood, Development and International Cooperation Instrument – Global Europe. The programme seeks to address development challenges in Iran, including environmental degradation, water management, integration into the global economy and high rates of drug addiction. The total budget of €87 million is to be disbursed for sustainable growth and jobs (€33 million/38% of the total), climate change, environment and the green transition (€26.1 million/30% of the total), and cross-border challenges – migration, forced displacement and drugs (€23.55 million/27% of the total). A further €4.5 million (5% of the total) has been budgeted for support measures. No joint programming is currently envisaged due to political constraints.

Iran has been hosting refugees from Afghanistan for years. They are currently believed to number up to 4 million, including up to 1 million who fled after the Taliban took control in August 2021. Most Afghans live in Iranian host communities, with only 3% residing in refugee settlements. Pending registration and documentation, Afghans in Iran receive protection and access to basic services; education is free, but education facilities are overstretched. Since 2016, the EU has provided Iran with humanitarian assistance totalling €111 million, including €11 million in 2022. This aid supports Afghan refugees and host communities through protection programmes, including cash assistance; it is channelled through international aid organisations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, and UN agencies.

Outlook

The Iranian authorities' brutal crackdown on protesters, culminating in several hastily arranged executions, has outraged Europeans and their allies and led to widespread condemnation. The EU has reacted by imposing wide-ranging sanctions on individuals and entities associated with the regime, and by generally adopting a harsher tone vis-à-vis the Iranian regime. The EU has invested very heavily in saving the JCPOA, especially after the Trump administration withdrew the US from the agreement in 2018. In official rhetoric, the EU continues to call for a revival of the JCPOA, but individual Member States – especially France and Germany, as signatories of the deal – have been
very critical of Iranian actions undermining the JCPOA. Iran’s support for Russia in its war on Ukraine means that Iranian weapons are now directly threatening European security. In November 2022, Commission President Ursula von der Leyen cautioned that ‘while we work to prevent Iran from developing nuclear weapons, we must also focus on other forms of weapons proliferation, from drones to ballistic missiles. It is a security risk [...] for us all.’ Moreover, Iran and its proxies in Yemen, Iraq, Lebanon and Syria have the power to seriously destabilise western Asia; it is likely that the entire region would be drawn into any military confrontation between Iran and the US, or Israel. One of the top priorities of the new Netanyahu government in Israel is curbing Iran’s nuclear ambitions, and there are fears that this could involve a strike on Iran’s nuclear installations. Iranian involvement in attacks on major oil facilities and other targets in Saudi Arabia and the UAE have demonstrated that Iran has the military capacity to wreak havoc in the region and beyond. Any retaliatory strikes could have led to a major escalation in the region, which is already witnessing multiple conflicts. Any escalation could potentially trigger a new refugee crisis, with huge implications for Europe.

The European Parliament

Parliament has adopted several resolutions on the latest developments in Iran and the Iranian regime’s support for Russia in its war on Ukraine. On 6 October 2022, it adopted a resolution on the death of Mahsa Amini and the repression of women’s rights protesters in Iran, voicing support for the protesters’ aspirations to a ‘free, stable, inclusive and democratic country’, condemning the use of force by Iran’s security forces, and demanding the release of protesters and of EU and bi-nationals imprisoned in Iran. On 18 January 2023, Parliament adopted a resolution calling for the IRGC, including the paramilitary Basij militia and the Quds force, to be added to the EU’s terrorist list ‘in the light of its terrorist activity, the repression of protesters and its supplying of drones to Russia’. In a resolution on the EU response to the protests and executions in Iran, adopted on 19 January 2023, Parliament reiterated this request, also calling for Iran’s Supreme Leader, Ali Khamenei, President, Ebrahim Raisi, public prosecutor, Mohammad Jafar Montazeri, and foundations with links to the IRGC to be sanctioned for human rights violations. Parliament condemned in the strongest terms the death sentences against and executions of peaceful protesters in Iran and called on Iranian authorities to end the crackdown on their own citizens. Parliament also reiterated support for the JCPOA, and ongoing efforts to save the agreement, while acknowledging that these had become more difficult given Iran’s ‘other harmful policies, projects and military programmes’. Since October 2022, the Iranian authorities have imposed sanctions on individuals and entities in the EU, including several Members of the European Parliament. In response to this, Parliament decided that delegations and committees would no longer engage with the Iranian authorities.

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