



NUFDI Policy Brief: Reported Sanctions Relief

July 14, 2021

On June 12, 2021 the Islamic Republic's Foreign Minister Javad Zarif delivered a [264-page document](#) titled "The 22nd Report on the Implementation of the JCPOA Including the Latest Status of Ongoing Negotiations" to the Parliament. Included in the document was a 4-page section entitled "Vienna Negotiations In Line with the System [Islamic Republic]'s Policy" and the sanctions it claims the parties have agreed are to be lifted by the United States.

NUFDI has translated this section, below. Please note that this is not an official translation. A summary of the relevant footnotes have also been added.

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According to the framework reached so far in the Vienna talks¹, if an agreement is reached and the United States returns to the JCPOA, all sanctions lifted under the JCPOA will be lifted again. In addition, all of Trump's sanctions that [were imposed when the US exited the deal but] could not have been imposed had the US continued to be a member of the JCPOA (albeit under other pretexts) will be lifted². Accordingly, the other side states that as a result of returning to the JCPOA, all sanctions mentioned in the JCPOA (including sectional, conduct-based, or individual), as well as all subsequent sanctions that prevent Iran from benefiting from the effects of the lifting of the JCPOA sanctions, will be lifted.

As a result, the effects of the lifting of sanctions would be such that all non-US individuals will not face US sanction hurdles for operating or activities in the following areas:

A. Lifting sanctions related to finance and banking: *As a result of the lifting of these sanctions, conducting financial and banking transactions with the Government of Iran, the Central Bank of Iran, Iranian financial institutions, and other Iranian persons - including lending, transfer, bank account (including account opening and establishing brokerage and payment relationships through interbank accounts in non-US financial*

¹ Since the negotiations have not reached their conclusion, it should be noted that none of the points mentioned here are finalized, in fact until there is no final agreement none of these points have been fully agreed to...

² Since the United States refused to provide a list of all sanctions, the Foreign Ministry of Iran compiled a list of sanctions that need to be lifted...



institutions), investing, buying and selling securities, guarantees, buying and selling foreign currencies (including transfers related to Rials), issuing letters of credit, and trading futures markets of commodities and options, providing specialized financial messaging services (Swift) and facilitating access directly or indirectly to them, the purchase or acquisition of American banknotes by the Government of Iran and the purchase, underwriting, or provision of services related to the issuance of bonds of the Government of Iran - will become possible.

B- Lifting sanctions related to oil, gas and petrochemicals: *As a result of the lifting of these sanctions, the purchase, acquisition, sale, transportation, or marketing of oil and oil products including refined petroleum products, petrochemical products, or natural gas - including Liquefied natural gas - to or from Iran, providing assistance, investment (including through partnerships), goods, services (including financial services), and the technology that can be used in connection with Iran's energy sector or the development of its oil resources or the domestic production of refined petroleum products and petrochemical products or activities in Iran's energy sector, including the National Iranian Oil Company, Naftiran Trading Company (Niko), the National Iranian Oil Company and Naftiran Company will become possible.*

C- Lifting of insurance-related sanctions: *As a result of the lifting of these sanctions, the provision of services related to the issuance of insurance, insurance or reinsurance in connection with activities compliant with the JCPOA - including services related to the issuance of insurance, insurance or reinsurance in connection with activities in Iran's energy, shipping, and shipbuilding sectors- are available to the National Iranian Oil Company, the National Iranian Tanker Company, or ships carrying crude oil, natural gas, liquefied natural gas, oil, and petrochemical products to or from Iran will become possible.*

D- Lifting sanctions related to shipping, shipbuilding and ports: *As a result of the lifting of these sanctions, the acquisition, management, control, or insurance of ships used to transport crude oil, petroleum products (including refined petroleum products), petrochemical products, or natural gas (including liquefied natural gas) from or to Iran, Iran's Ports and Maritime Organization, cooperation with the Iranian Shipping and Shipbuilding Sectors under the authority Iranian Ports organization, or providing financial services and other goods and services used in connection with the Iranian Shipping and Shipbuilding sectors and under the authority Iranian Ports organization, including port services such as refueling and inspection, classification, and financing, and sale, rental and delivery of ships to Iran, including the shipping lines of The Islamic Republic of Iran Shipping Line Group, the National Iranian Oil Tanker Company and the South Shipping Lines or their subsidiaries will become possible.*

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E- Lifting sanctions related to gold and precious metals: *As a result of lifting these sanctions, the sale, supply, export or transfer of gold and other precious metals to or from Iran- directly or indirectly- conducting or facilitating financial transfer transactions or providing services for the aforementioned activities including ensuring safety, insurance and transportation will become possible.*

F- Lifting sanctions related to the automotive sector: *As a result of lifting these sanctions, the implementation or facilitation of financial transfer transactions or other transactions related to the sale, supply, or transfer of goods and services used in connection with the Iranian automotive sector will become possible.*

G- Lifting sanctions related to software and metals (JCPOA related sanctions): *As a result of the lifting of these sanctions, the sale, supply, or transfer of graphite, raw or semi-finished metals such as aluminum, steel, coal, and software for the integration of industrial processes to or from Iran, directly or indirectly, in connection with activities consistent with the JCPOA, and the sale, supply, or transfer of such materials to the energy, petrochemical, shipping and shipbuilding sectors of Iran and Iranian ports, or the performance or facilitation of financial transfer transactions or the provision of services for such measures, including insurance and transportation, will become possible.*

H- Lifting of sanctions related to the iron, steel, aluminum and copper sectors (Trump sanctions): *As a result of the lifting of these sanctions, the activities of non-US persons involved in Iran's iron, steel, aluminum, and copper sectors; ownership, control and activity of any institution that is part of Iran's iron, steel, aluminum, and copper industries; participation in the sale, supply, or transfer of goods or services used in connection with the iron, steel, aluminum, and copper sectors to Iran; purchase, acquisition, sale, transfer or marketing of iron components, iron products, steel, steel products, aluminum, aluminum products, copper and copper products from Iran; or providing indirect services in the above areas; also, the activities of foreign financial institutions that perform or facilitate financial transactions for the sale, supply, or transfer of goods and services related to the iron, steel, aluminum, and copper sectors to Iran; or the purchase, acquisition, sale, transfer or marketing of iron components, iron products, steel, steel products, aluminum, aluminum products, copper and copper products from Iran will become possible.*

I- Lifting sanctions on the construction, mining, production, textiles and financial sectors: *As a result of the lifting of these sanctions, the activities of non-Americans involved in the construction, mining, production, textiles and finance sectors in the Iranian economy; participation in the sale, supply, or transfer of goods or services used in connection with the sectors of the Iranian economy mentioned above, to or from Iran; or providing indirect services in the above areas; and the activities of foreign financial institutions that carry out*

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or facilitate financial transactions for the sale, supply, or transfer of goods and services used in connection with the aforementioned sectors of the Iranian economy to or from Iran will become possible.

J. Aviation: *When the United States returns to the JCPOA, the sale, rent or transfer of commercial passenger aircrafts, ancillary services and spare parts, its related softwares, and also maintenance, safety inspections and related warranties, even for American individuals, will become possible.*

K- Export of carpets and food items: *exports of carpets and food items from Iran to the United States will become possible³.*

Therefore and based on these outcomes, all of conduct-based sanctions against the Iranian economy, including pre-JCPOA sanctions (financial and banking, insurance, energy and petrochemical, shipping, shipbuilding and port sector, gold and precious metals, software, automotive industry, aircraft sales and related services, and import of carpets and food from Iran); and sanctions imposed after the JCPOA, Trump era sanctions (Iranian metals industry, mining industry, construction, textile industry, manufacturing will be lifted.

If an agreement is reached in Vienna, the United States will suspend the implementation of the following congressional laws, and therefore these sanctions will have no implementational effect:

- *National Defense Authorization Act (NDAA)*
- *Iran Threat Reduction and Syria Human Rights Act (TRA)*
- *Iran Freedom and Counter-Proliferation Act, (IFCA)*
- *Iran Sanctions Act (ISA)*

Concerning the VISA Waiver Program and Countering America's Adversaries Through Sanctions Act (CAATSA), the United States undertakes that none of their provisions would prejudice the full implementation of the United States' obligations under the JCPOA. This means that the full implementation of the United States' JCPOA obligations will not be affected based on these two laws.

The United States will also revoke the following executive orders if an agreement is reached:

Pre-JCPOA:

³ This case and the prior one in relation to non-military aircraft, are among the cases in which primary US sanctions will be lifted.



- *Executive Order 13754*
- *Executive Order 13590*
- *Executive Order 13622*
- *Executive Order 13645*
- *Executive Order 13628*

Trump era:

- *Parts of Executive Order 13846*
- *Executive Order 13781 (Sanctions on Iran's metal industries),*
- *Executive Order 13902 (Sanctions of mining, construction, textile and production industries),*
- *Executive Order 13876 (Sanctions against the Office of the Supreme Leader and affiliated groups)*

Also, the identification of the Islamic Revolutionary Guard Corps as the so-called "Foreign Terrorist Organization (FTO) will be canceled.

In addition, more than a thousand individuals and entities (individuals, entities, ships and aircraft) will be removed from the US sanctions list. This list includes:

- *All banks and financial institutions (except one)*
- *All insurance companies,*
- *All Iranian oil, petrochemical and refinery companies,*
- *Most transport, shipping and shipbuilding companies,*
- *Most large companies in the field of metals,*
- *Atomic Energy Organization and its affiliated research companies and institutes,*
- *Large organizations and companies in the fields of energy, power plants, industrial, trade and economy,*

The United States will also review, amend or repeal the following complementary measures to sanctions in a way that reflects the lifting of sanctions:

- *Advisory on Financial Crimes Enforcement Network (FinCEN) on Iran (May and October 2018);*
- *Advisory on Global Maritime (May 2020);*
- *Advisory of the Office of Foreign Assets Control (OFAC) on Iran's aviation industry (July 2019);*
- *Advisory of the Office of Foreign Assets Control (OFAC) on Iran's maritime transport of petroleum products (September 2019)*

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As for the Swiss financial channel (October 2019), the United States is ready to repeal it because its revision will require fundamental changes due to the change in the sanctions regime, but if Iran wishes, the United States is ready to revise it;

- *The State Department's advisory on the export of metal products to Iran (December 2019)*
- *Licenses related to the aviation industry, and the import of carpets and food items from Iran to the United States*
- *Adding guidance and Frequently Asked Questions (FAQ) in the OFAC website*

At the same time, the United States is unwilling to lift some of its sanctions, including "primary sanctions" —which have been established since the early years of the Islamic Revolution and have been gradually accumulated—that bar American individuals and institutions from doing business with Iran, as well as a list of Iranian individuals and entities that have been added to the sanction list based on non-nuclear excuses (such as so-called terrorism, missiles, human rights, etc.), of which the Islamic Republic of Iran has practically never and will never negotiate on these issues.

It should be noted that the Vienna talks were held with the P4 + 1 countries, and through them with the United States. Indirect negotiation has its difficulties and limitations: it is time-consuming, and some things could easily be misunderstood. However, due to the principled policy of Iran not to negotiate directly with the United States, Iran utilized the regular exchange of written texts, and continuous and lengthy negotiations with the rest of the JCPOA members, to minimize as much misunderstanding or misuse as possible.

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