

Europe Must Urgently Trigger the JCPoA Snapback Mechanism

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Executive Summary

The Joint Comprehensive Plan of Action (“JCPoA”) will expire on 18 October 2025: ten years and 90 days after the endorsement of the JCPoA by the UN Security Council in July 2015.

Unless the “snapback” procedure set out in UN Security Council Resolution 2231 (“UNSC 2231”) is triggered by one or more of the parties to the JCPoA by early September, in accordance with the JCPoA, the termination of previous UNSC sanctions on Iran effected by UNSC 2231 will become definitive.

The European JCPoA participants - France, Germany, the United Kingdom (together the “E3”) and the EU - have the legal foundation, strategic interest, and moral obligation to implement the snapback mechanism.

There is no doubt that Iran has significantly violated its obligations under the JCPoA—especially raising uranium enrichment to near military-grade levels, severing cooperation with the IAEA, continuing development of its Intercontinental Ballistic Missile (ICBM) program. Iran’s ongoing violations of its non-proliferation obligations under the JCPoA constitute clear grounds for triggering the snapback mechanism.

This is in addition to engaging in destabilizing activities worldwide, including on European soil, undermining stability across the Middle East, and committing horrific atrocities and human rights violations against its own citizens. Iran also continues to assist Russia’s war efforts in Ukraine, supplying advanced weapons technologies—including drones—that could eventually pose a threat to Europe. On a global scale, Iran is a vital part of the so-called “axis of resistance” alongside Russia, China, North Korea, Venezuela, and other non-democratic, anti-liberal regimes.

Avoiding activation of the snapback sanctions embedded in the JCPoA and UNSC 2231 would not only contradict the agreement itself—it would send a clear message of weakness to Iran and its allies. Above all, it is in the clear interest—and arguably the obligation—of the E3 and the broader international community to act.

With the United States no longer able to trigger the mechanism unilaterally, the responsibility now rests squarely on its European partners to reaffirm the credibility of the international non-proliferation framework and prevent further erosion of its authority.

An extension of the JCPoA and UNSC Resolution 2231 would be insufficient to preserve international peace and security. Diplomatic delay risks emboldening Tehran and undermining the credibility of the non-proliferation regime.

Time is of the essence. To meet the 18 October deadline, the snapback mechanism must be triggered by early September 2025 at the latest.

1. The Urgency of Action

The snapback mechanism under the JCPoA and UNSC Resolution 2231, adopted under Chapter VII of the UN Charter—set to expire on 18 October 2025—is a unique legal tool that allows each JCPoA signatory state to unilaterally trigger the reimposition of UN sanctions on Iran, bypassing the veto power of other permanent members of the Security Council.¹ The mechanism can be triggered by any JCPoA party if it believes that there is “significant non-performance of commitments

¹ Resolution 2231 was adopted pursuant to Article 41, which falls within the framework of Chapter VII of the UN Charter: ‘Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression.’

under the JCPOA”. Recent developments make its activation by the E3 both legally justified and strategically necessary:

- On 12 June 2025, the IAEA Board of Governors issued a resolution declaring Iran non-compliant with its nuclear obligations under the 1974 Safeguards Agreement, part of the broader framework of the JCPOA and the Nuclear Non-Proliferation Treaty (NPT).² This was the first formal non-compliance finding in two decades. The Board cited:
 - Unexplained uranium traces at undeclared sites (Varamin, Marivan, Turquzabad);
 - Lack of cooperation with IAEA inspectors;
 - Stockpiling of highly enriched uranium (over 400 kg reported);
 - Suspected sanitization of sites to obstruct verification; and
 - Continue development of ICBMs.
- In June 2025, Iran announced plans to open a new enrichment uranium plant and increase production of enriched fissile material.³
- In July 2025, Iranian President Masoud Pezeshkian signed a law suspending cooperation with the International Atomic Energy Agency (IAEA).⁴ On June 29, an Iranian pro-regime media outlet threatened the life of the Director of the IAEA, Rafael Grossi, accusing him of being an Israeli spy who should be “executed”.⁵ This alarming Iranian

² IAEA Resolution adopted on 12 June 2025. “Atomic Watchdog says Iran not complying with nuclear safeguards”. UN News. 12 June 2025, available at <https://news.un.org/en/story/2025/06/1164291>

³ Ibid.

⁴ “Iran president signs law suspending cooperation with IAEA” Al Jazeera, 2 July 2025, available at <https://www.aljazeera.com/news/2025/7/2/iran-president-signs-law-suspending-cooperation-with-iaea>

⁵ “Iran says it poses no threat to IAEA chief after newspaper called for his execution”, The Times of Israel, 29 June 2025, available at <https://www.timesofisrael.com/iran-says-it-poses-no-threat-to-iaea-chief-after-newspaper-called-for-his-execution/>

hostility drew a sharp rebuke from the foreign ministers of Germany, Argentina (Grossi's home country), and France.⁶

- The regime has escalated threats to European and regional security, while publicly rejecting the E3's intention to trigger the snapback mechanism—dismissing it as “politically motivated and lacking legal and moral standing”.⁷
- Iran continues to assist Russia's war machine.
- Iran continues to conduct an international terror campaign.
- Iran continues to violate basic human rights on a national scale, using oppression, murder, torture, rape and summary executions as regular methods to ensure stability of the Ayatollahs regime.

2. Good Faith Efforts to Resolve Iranian Non-Performance under JCPoA

Under Article 37 JCPoA, the notification to the Security Council must include “a description of the good-faith efforts the participant made to exhaust the dispute resolution process specified in this JCPoA.” Articles 36-37 JCPoA provide a dispute resolution mechanism that parties can resort to to resolve issues of non-performance under the JCPoA, before submitting a notification to the Security Council, commencing with a notification to the JCPoA Joint Commission.

In our view, the E3 and EU can clearly demonstrate good-faith efforts to exhaust the JCPoA dispute resolution mechanism since 2019 to resolve the intransigent problem of Iranian non-performance. As the E3 Foreign

⁶ Ibid.

⁷“Iran Vows Fitting Response To E3 Threat Of Nuclear Sanctions Snapback” MENAFM Indo-Asian News Service, 14 July 2025, available at: <https://menafn.com/1109797967/Iran-Vows-Fitting-ResponseTo-E3-Threat-Of-Nuclear-Sanctions-Snapback>

Ministers stated in their letter of 8 August 2025 to the UN Secretary-General and UN Security Council –

“The Joint Commission was convened on multiple occasions, including at Ministerial level, and all possible efforts were made by E3 to resolve this dispute, far beyond the requisite period outlined in the JCPoA, and up until the relaunch of full formal negotiations on a deal to return Iran to full compliance with the JCPoA, and the US to the deal, in 2021. After many months of negotiations, the JCPoA Coordinator tabled viable deals in March and again in August 2022. Much to our regret, Iran refused both packages.”

RECENT E3 EFFORTS TO RESOLVE IRANIAN NON-PERFORMANCE

According to media reports dated 15 July 2025, the E3 countries announced their intention to reinstate UN sanctions on Iran unless Tehran makes “firm and tangible” progress in curbing its nuclear programme by a deadline they set for the end of August.⁸ The decision was coordinated during a conference call between the E3 foreign ministers and U.S. Secretary of State Marco Rubio.⁹

On 8 August 2025, the E3 countries sent a joint letter to both UN Secretary-General António Guterres and the rotating President of the UN Security Council. The letter expressed deep concern over Iran’s unwillingness to engage in a sincere and constructive nuclear dialogue and threatened to trigger the JCPoA’s snapback mechanism if a diplomatic solution is not reached by the end of August 2025.¹⁰

⁸ Amir Daftari, “Iran Makes Nuclear Threat”, Newsweek 16 July 2015, available at <https://www.newsweek.com/iran-threatens-increase-nuclear-enrichment-snapback-sanctions-2099538>

⁹ Ibid.

¹⁰ *Iran Nuclear Letter from E3 Foreign Ministers, 8 August 2025*, available at: <https://www.gov.uk/government/publications/iran-nuclear-letter-from-e3-foreign-ministers-august-2025/iran-nuclear-letter-from-e3-foreign-ministers-8-august-2025>.

"We have made clear that if Iran is not willing to reach a diplomatic solution before the end of August 2025, or does not seize the opportunity of an extension, E3 are prepared to trigger the snapback mechanism..."

TEHRAN'S RESPONSE

Over recent weeks, the Iranian regime has escalated threats to European and regional security, while publicly rejecting the E3's intention to trigger the snapback mechanism—dismissing it as “politically motivated and lacking legal and moral standing”.¹¹

Tehran claimed that its reduced compliance stems from “flagrant violations” by the United States and other signatories.¹² On 21 July, Iran announced plans for a trilateral meeting with Russia and China to discuss the E3's claim, which was supposed to take place on 22 July.¹³

ISTANBUL TALKS

On July 25, representatives of Iran and the E3 met at the Iranian consulate in Istanbul with the intention of keeping diplomatic channels open following the 12-day war with Israel and the bombing of three nuclear sites in the Islamic Republic by the United States on 22 June 2025.¹⁴

The snapback mechanism was among the topics discussed. To demonstrate “good faith,” the European representatives asked Tehran to commit to several key points. These included the resumption of direct

¹¹“Iran Vows Fitting Response To E3 Threat Of Nuclear Sanctions Snapback” MENAFM Indo-Asian News Service, 14 July 2025, available at: <https://menafn.com/1109797967/Iran-Vows-Fitting-ResponseTo-E3-Threat-Of-Nuclear-Sanctions-Snapback>

¹² Ibid.

¹³ Emma De Ruiter “Iran to consult with Russia and China ahead of Friday nuclear talks with European nations” EURONEWS, 21 July 2025, available at: <https://www.euronews.com/2025/07/21/iran-toconsult-with-russia-and-china-ahead-of-friday-nuclear-talks-with-european-nations>

¹⁴ “Iran holds ‘frank’ nuclear talks with European powers amid sanctions threat” , Aljazeera, 25 July 2025, available at <https://www.aljazeera.com/news/2025/7/25/iran-is-meeting-european-powers-amid-threats-of-renewed-nuclear-sanctions>

talks with the White House, full and continued cooperation with the International Atomic Energy Agency (IAEA), and the disclosure of approximately 400 kilograms of highly enriched uranium—close to the 90 percent threshold required to develop a nuclear device—whose whereabouts remain unknown following the U.S. B-2 Spirit attacks.¹⁵

The Europeans gave Tehran a deadline of the end of August to demonstrate serious commitment to its non-proliferation obligations under the JCPoA. Iran, however, offered only verbal assurances and indicated its intention not to extend Resolution 2231. Bottom line: the parties did not agree on anything except their intention to resume the talks, with no certain date or place for that. The Ayatollahs have frequently been described as adept practitioners of strategic deception in diplomacy.

The European representatives stated that if progress was not made within the deadline set, they would submit the matter to the UN Security Council in the first half of September, taking into account the JCPoA's expiration date of 18 October 2025.

3. The U.S. Position

Although the U.S. is no longer a party to the JCPOA, as close transatlantic allies, and as the U.S. is a permanent member of the UN Security Council, European decision-makers must weigh the evolving U.S. posture carefully. The need for a coordinated policy response to Iran's proliferation activities intensifies as the JCPoA expiration date looms—decisions made now will shape the future of non-proliferation, regional and global stability.

¹⁵ Ibid.

We explained that the E3 foreign ministers coordinated their decision to trigger the snapback mechanism with Secretary of State Marco Rubio. In fact, it appears that Rubio entrusted his European counterparts with this task, given that the United States lacks formal standing to initiate the process following its unilateral withdrawal from the JCPoA in 2018 during President Trump's first term.

For the United States, implementing the snapback of international sanctions and restrictions on Iran remains a top foreign policy priority. A recent Presidential Memorandum addressing Iran's multifaceted and persistent threats explicitly states:

The United States Permanent Representative to the United Nations shall:

(i) work with key allies to complete the snapback of international sanctions and restrictions on Iran;

(ii) hold Iran accountable for its breach of the Nuclear Non-Proliferation Treaty; and

(iii) regularly convene the United Nations Security Council to highlight the myriad threats posed by Iran to international peace and security.¹⁶

One of the reasons for the United States to invoke the snapback was to prevent the 2020 automatic expiration of restrictions on Iran's drone exports—particularly those destined for Russia.¹⁷ Nevertheless, the E3 declined to support the effort, adhering to the formalistic view that the United States had lost standing after its JCPoA's withdrawal. U.S. intelligence had already flagged Iranian drone proliferation as a concern in 2020.¹⁸

¹⁶ National Security Presidential Memorandum, 4 February 2015, available at <https://www.whitehouse.gov/presidential-actions/2025/02/national-security-presidential-memorandum-nspm-2/>

¹⁷ "US should snap back UN sanctions to counter Iran's drone and missile exports", Anthony Ruggiero and Andrea Stricker. The Hill, 26 August 2013, available at <https://thehill.com/opinion/national-security/4167422-us-should-snap-back-un-sanctions-to-counter-irans-drone-and-missile-exports/>

¹⁸ Ibid.

Trump and Rubio are pursuing a maximum pressure policy on Iran as evidenced by their recent authorization of expensive and high-profile military operations to degrade Iran's nuclear weapons infrastructure. The above-mentioned Memorandum placed significant responsibility for implementing this policy with the U.S. Representative to the UN, a role currently held by Ambassador. Dorothy C. Shea.

Both the United States and the European Union must recognize that the JCPoA's timeline is critically tight. Any hesitation now to trigger the snapback could have serious consequences for global peace and security.

4. Legal and Strategic Justifications of Snapback

There are many legal and strategic reasons why the E3 must trigger the snapback:

SIGNIFICANT NON-PERFORMANCE

Iran's past actions and current posture meet the threshold for "significant non-performance" under paragraph 11 UNSC 2231 (see also Article 37 of the JCPoA). The IAEA's resolution discussed above alone provides sufficient basis for any party to the JCPoA to issue a notification of significant non-performance.

REVERSE VETO PRINCIPLE

Snapback was designed precisely for this kind of moment—it allows the reimposition of sanctions unless the UNSC explicitly votes to maintain sanctions relief, which can be vetoed by any P5 member. Therefore, activation of the snapback is both necessary and sufficient to ensure automatic reactivation of sanctions.

UNSC RESOLUTION 2231 ENDORSEMENT

The JCPOA was endorsed by UNSC Resolution 2231. As this resolution was adopted under Chapter VII of the UN Charter, it is binding on all UN member states.

INTERNATIONAL SECURITY RISK

Iran's expanding missile arsenal, its material support for Russia's war in Ukraine, and its entrenched network of regional proxies underscore its role as a global destabilizing actor. Reimposing sanctions under UNSC Resolution 2231 would render Iran's ongoing drone exports to Russia a clear violation of international law—strengthening the legal basis for enforcement and isolating Tehran diplomatically.

On 31 July 2025, the United States of America, the United Kingdom, Albania, Austria, Belgium, Canada, Czechia, Denmark, Finland, France, Germany, the Netherlands, Spain and Sweden released a joint *Statement on Iranian State Threat Activity in Europe and North America* condemning the growing number of state threats from Iranian intelligence services in their respective territories. This demonstrates in clear terms that Iran is a security risk for the E3, US and other EU Member States. Reimposing sanctions shows a clear commitment to the security of all citizens of Europe and the US.¹⁹

EXTENSION OF JCPOA AND UNSC 2231 WOULD BE INSUFFICIENT

A negotiated extension of the JCPOA and UNSC Resolution 2231 would be insufficient to preserve international peace and security. Iran is

¹⁹ *Joint Statement on Iranian State Threat Activity in Europe and North America*, available at: <https://www.state.gov/releases/office-of-the-spokesperson/2025/07/joint-statement-on-iranian-state-threat-activity-in-europe-and-north-america>

continuing its attempts to acquire nuclear weapons and the delivery systems to deploy them—exacerbating an imminent threat to global stability. Diplomatic delay risks emboldening Tehran and undermining the credibility of the non-proliferation regime.

This remains a pivotal issue under Chapter VII of the UN Charter, which authorizes the Security Council to take measures to safeguard international peace and security. In this context, uncertainty and political indecisiveness are not merely academic—they carry serious consequences. Without decisive political will to trigger the snapback mechanism, the issue risks becoming a major fault line in international diplomacy.

5. Consequences of Inaction

Failing to timely activate the snapback mechanism would have irreversible consequences:

- Collapse of the JCPoA enforcement framework with no legal basis to reimpose sanctions in the future.
- Acceleration of Iran's nuclear breakout timeline, unchecked by inspections or diplomatic constraints.
- Proliferation domino effect: If Iran moves closer to nuclear capability, regional actors such as Saudi Arabia, Egypt, and the UAE are likely to follow suit.
- Erosion of EU deterrence credibility, weakening the legal and moral authority of its foreign policy.
- A negotiated extension of the JCPoA and UNSC Resolution 2231 would be insufficient to preserve international peace and security.

6. Recommended Action

To defend international peace and the global non-proliferation regime, we recommend that the E3, both together and individually:

- **Immediately initiate the snapback mechanism under UNSC Resolution 2231** by notifying the Security Council in writing of an issue that it believes constitutes significant non-performance by Iran of its commitments under the JCPOA, pursuant to Article 11 of UNSC Resolution 2231.²⁰ The notification should specify the items of non-performance, and all “good faith efforts” taken by the E3 since 2019 to resolve each of these issues. In order to avoid any controversy, and to ensure the deadline of 18 October is met, the UNSC must be notified by *early September 2025* at the latest.
- **Coordinate with the United States to reimpose secondary sanctions, maximizing economic and financial pressure on Iran.** U.S. secondary financial sanctions are among Washington’s most effective foreign policy instruments. By targeting not only Iranian entities but also foreign banks, companies, and investors that engage with Iran, they create a powerful deterrent effect that extends far beyond U.S. borders. Global businesses and financial institutions, fearing exclusion from the U.S. financial system—the world’s largest and most indispensable—are compelled to comply, often even when their home governments do not adopt parallel measures. This extraterritorial reach magnifies the pressure on Iran, restricting its access to capital, trade, and technology. When coordinated with European action, secondary sanctions can close loopholes, unify transatlantic policy, and ensure that Iran faces sustained and

²⁰ Under Article 37 of the JCPOA, the notification to the Security Council must include “a description of the good-faith efforts the participant made to exhaust the dispute resolution process specified in this JCPOA.”

comprehensive isolation until it complies with its non-proliferation obligations.

- **Publicly communicate the legal justification and strategic rationale** behind the decision to avoid diplomatic confusion or hesitancy among international partners.
- **Engage other UNSC members**, including China and Russia, by highlighting shared risks of regional instability and proliferation.

7. Conclusions

France, Germany, the UK and the EU possesses the legal standing, strategic interest, and moral responsibility to act.

Triggering the snapback mechanism is not an act of escalation—it is the execution of a legal and diplomatic safeguard designed precisely for moments of grave non-compliance. The failure to act now would not only undermine the JCPoA framework but also signal a dangerous retreat from the principles of collective security and non-proliferation.

October 18 is not merely a procedural deadline—it is a test of Europe’s leadership, credibility, and resolve. The E3 must rise to this challenge, not only on their own but also as stewards of a mandate entrusted to them by the United States, which lacks formal standing under the JCPoA. This responsibility requires decisive and timely action.

The consequences of hesitation are clear: unchecked nuclear advancement, regional destabilization, and the erosion of the international legal order.

The snapback mechanism remains the last viable instrument to constrain Iran’s nuclear ambitions within a multilateral framework. It must be triggered before the window closes.

The time for ambiguity has passed. The time for action is now.

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About Sallux

Sallux (www.sallux.eu) is a registered European Political Foundation that has over the years built a network and expertise regarding the Iranian situation. Sallux built a network with relevant organizations representing ethnic minorities in Iran. Sallux published 'Making Sense of Iran' (<https://sallux.eu/free/making-sense-of-iran.html> (free download)). With that publication we aim to provide politicians in EU Member States, MEP's as well as officials in the Ministries of Foreign Affairs of EU Member States, a clear and comprehensive overview of the most relevant factors in dealing with Iran.

The Iranian aggression in the region has already caused a massive wave of refugees from Syria to Europe (Iran held Assad in power). Iran supports Russia's war against Ukraine. It shows how Iran's trampling of human dignity has real consequences for the EU.

We thank Andrew Tucker and Alessandro Spinillo for their great efforts on this briefing paper on the JCPoA snapback mechanism. This topical paper regarding the need to trigger the snapback sanctions is written from the perspective that the EU has to stand up for its own values and security.