

## **Annex IV – Joint Commission**

### **1. Establishment, Composition, and Coordinator**

- 1.1. The Joint Commission is established to carry out the functions assigned to it in the JCPOA, including its Annexes.
- 1.2. The Joint Commission is comprised of representatives of Iran and the E3/EU+3 (China, France, Germany, the Russian Federation, the United Kingdom, and the United States, with the High Representative of the Union for Foreign Affairs and Security Policy), together, the JCPOA participants.
- 1.3. The Joint Commission may establish Working Groups in particular areas, as appropriate.
- 1.4. The High Representative of the Union for Foreign Affairs and Security Policy ('High Representative'), or his/her designated representative will serve as the Coordinator of the Joint Commission.

### **2. Functions**

- 2.1. The Joint Commission will perform the following functions:
  - 2.1.1. Review and approve the final design for the modernized heavy water research reactor and the design of the subsidiary laboratories prior to the commencement of construction, and review and approve the fuel design for the modernized heavy water research reactor as provided for in Section B of Annex I;
  - 2.1.2. Review and approve, upon request by Iran, development, acquisition, construction or operation of hot cells (containing a cell or interconnected cells), shielded cells or shielded glove boxes with dimensions beyond 6 cubic meters in volume and specifications set out in Annex I of the Additional Protocol, as provided for in paragraph 21 of Annex I;
  - 2.1.3. Review and approve plans submitted by Iran to initiate R&D on uranium metal based TRR fuel, as provided for in paragraph 26 of Annex I;
  - 2.1.4. Review and approve, upon request by Iran, projects on new types of centrifuges to proceed to a prototype stage for mechanical testing, as provided for in paragraph 43 of Annex I;
  - 2.1.5. Receive information in advance about the specific projects that will be undertaken at Fordow, as provided for in paragraph 44 of Annex I;
  - 2.1.6. Receive information about the conceptual framework of stable isotope production at Fordow, as provided for in paragraph 46.1 of Annex I;

- 2.1.7. Assess and then approve, upon request by Iran, that fuel assemblies manufactured in Iran and their intermediate products cannot be readily reconverted into UF<sub>6</sub>, based on the objective technical criteria, with the goal of enabling fuel to be fabricated in Iran, as provided in paragraph 59 of Annex I;
- 2.1.8. Support assistance to Iran, including through IAEA technical cooperation as appropriate, in meeting international qualification standards for nuclear fuel produced by Iran, as provided for in paragraph 59 of Annex I;
- 2.1.9. Review and approve in advance, upon request by Iran, engagement by Iran, including through export of any enrichment or enrichment related equipment and technology, with any other country, or with any foreign entity in enrichment and enrichment related activities, including related research and development, as provided for in paragraph 73 in Annex I;
- 2.1.10. Provide consultation, and advise on the necessary means in the context of access as specified in paragraph 78 of Annex I;
- 2.1.11. Review and approve in advance, upon request by Iran, the design, development, fabrication, acquisition, or use for non-nuclear purposes of multi-point explosive detonation systems suitable for a nuclear explosive device and explosive diagnostic systems (streak cameras, framing cameras and flash x-ray cameras) suitable for the development of a nuclear explosive device, as provided for in paragraphs 82.2 and 82.3 of Annex I;
- 2.1.12. Review and consult to address issues arising from the implementation of sanctions lifting as specified in this JCPOA and its Annex II;
- 2.1.13. Review and decide on proposals for nuclear-related transfers to or activities with, Iran, in accordance with Section 6 of this Annex and the United Nations Security Council resolution endorsing this JCPOA;
- 2.1.14. Review, with a view to resolving, any issue that a JCPOA participant believes constitutes nonperformance by another JCPOA participant of its commitments under the JCPOA, according to the process outlined in the JCPOA;
- 2.1.15. Adopt or modify, as necessary, procedures to govern its activities;
- 2.1.16. Consult and provide guidance on other implementation matters that may arise under the JCPOA.

### **3. Procedures**

- 3.1. The Joint Commission will meet on a quarterly basis and at any time upon request of a JCPOA participant to the Coordinator. The Coordinator will convene a meeting of the Joint Commission to be held no later than one week following receipt of such a request, except for consultations in accordance with Section Q of Annex I and any other matter that the Coordinator and/or a JCPOA participant deem urgent, in which case the meeting will be convened as soon as possible and not later than three calendar days from receipt of the request.

- 3.2. Meetings of the Joint Commission will be held in New York, Vienna, or Geneva as appropriate. The host country should facilitate entry formalities for those attending such meetings.
- 3.3. The Joint Commission may decide by consensus to invite observers to attend its meetings.
- 3.4. Except as provided in Section 6 of this Annex which will be subject to the confidentiality procedure of the UN, the work of the Joint Commission is confidential and may be shared only among JCPOA participants and observers as appropriate, unless the Joint Commission decides otherwise.

#### **4. Decisions**

- 4.1. Except as stated otherwise in this Annex, decisions by the Joint Commission are to be made by consensus.
- 4.2. Each JCPOA participant will have one vote. Decisions of the Joint Commission are to be taken by the Representative or the Deputy Representative or other such alternate as the JCPOA participant may designate.
- 4.3. The vote of each JCPOA participant will be made known to all other JCPOA participants if any JCPOA participant requests a recorded vote.
- 4.4. Matters before the Joint Commission pursuant to Section Q of Annex I are to be decided by consensus or by affirmative vote of five JCPOA participants. There is no quorum requirement.
- 4.5. The Coordinator will not take part in decision-making on nuclear-related transfers and activities as set out in Section 6 of this Annex.

#### **5. Other**

- 5.1. Each JCPOA participant will be responsible for its own costs of participating in the Joint Commission, unless the Joint Commission decides otherwise.
- 5.2. JCPOA participants may request that the Coordinator circulates a notification to the other JCPOA participants at any time. Upon such a request, the Coordinator will circulate such notification without delay to all JCPOA participants.

#### **6. Procurement Working Group**

- 6.1. With the purpose of establishing a procurement channel, the Joint Commission will, except as otherwise provided by the United Nations Security Council resolution endorsing this JCPOA, review and decide on proposals by states seeking to engage in:
  - 6.1.1. the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, Iran,

- and whether or not originating in their territories, of all items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.12/Part 1, and, if the end-use will be for Iran's nuclear programme set out in this JCPOA or other non-nuclear civilian end-use, all items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.9/Part 2 (or the most recent version of these documents as updated by the Security Council), as well as any further items if the relevant State determines that they could contribute to activities inconsistent with the JCPOA; and,
- 6.1.2. the provision to Iran of any technical assistance or training, financial assistance, investment, brokering or other services related to the supply, sale, transfer, manufacture, or use of the items, materials, equipment, goods and technology described in subparagraph (a) above;
  - 6.1.3. acquisition by Iran of an interest in a commercial activity in another State involving uranium mining, production or use of nuclear materials and technologies as listed in INFCIRC/254/Rev.12/Part 1, and such investments in territories under their jurisdiction by Iran, its nationals, and entities incorporated in Iran or subject to its jurisdiction, or by individuals or entities acting on their behalf or direction, or by entities owned or controlled by them.
- 6.2. The Joint Commission will discharge its responsibility for reviewing and making recommendations on proposals for nuclear-related transfers to or activities with Iran through a Procurement Working Group.
  - 6.3. Each E3+3 State and Iran will participate in the Procurement Working Group. The High Representative will serve as the Coordinator of the Procurement Working Group.
  - 6.4. Except as otherwise provided by the Joint Commission or the United Nations Security Council resolution endorsing this JCPOA, the Procurement Working Group will consider proposals according to the following process:
    - 6.4.1. Upon receipt of a proposal, including all necessary supporting information, by a State seeking to engage in transfers and activities referenced in Section 6.1, the Coordinator will forward the proposal, through appropriate means, without delay to the Procurement Working Group and, when the proposal relates to items, material, equipment, goods and technology intended to be used in nuclear activities authorized by the JCPOA, to the IAEA. The Procurement Working Group will have up to 30 working days to consider and decide on the proposal.
    - 6.4.2. "Necessary supporting information" for purposes of Section 6.4.1 means: (a) a description of the item; (b) the name, address, telephone number, and email address of the exporting entity; (c) the name, address, telephone number, and email address of the importing entity; (d) a statement of the proposed end-use and end use location, along with an end-use certification signed by the AEOI or the appropriate authority of Iran attesting the stated end-use; (e) export license number if available; (f) contract date, if available; and (g) details on transportation, if available; provided that if any of the export license number, contract date, or details on transportation are not available as of the time of submittal of the proposal, such information will be

- provided as soon as possible and in any event as condition of approval prior to shipment of the item.
- 6.4.3. Each participant in the Procurement Working Group will have to communicate to the Coordinator, within 20 working days, whether it approves or rejects the proposal. The timeline for consideration may be extended for an additional period of 10 working days at the request of a participant of the Procurement Working Group.
  - 6.4.4. The proposal will be recommended for approval as soon as the Coordinator receives formal approvals from all the Procurement Working Group Participants or if, at the end of the 30 working day period, the Coordinator has received no disapprovals from any of the Procurement Working Group Participants. If at the end of the 30 working day period, the proposal has not been recommended for approval, the proposal may, at the request of at least two Working Group Participants within 5 working days, be referred to the Joint Commission, which would decide on approval of the proposal by consensus within 10 working days. Otherwise the proposal will be recommended for disapproval. The disapproving JCPOA participant(s) should provide relevant information regarding the disapproval to the Joint Commission as appropriate, taking into account the need to protect confidential information.
  - 6.4.5. The Coordinator will communicate the recommendation of the Joint Commission to the United Nations Security Council no later than 35 working days, or in case of referral to the Joint Commission no later than 45 working days from the date the Coordinator transmitted the proposal and all necessary supporting information to the Procurement Working Group.
  - 6.4.6. Except as decided otherwise by consensus, the Procurement Working Group will meet every three weeks for reviewing the proposals. When some of the proposals to be reviewed relate to items, material, equipment, goods and technology intended to be used in nuclear activities authorized by the JCPOA, the IAEA may be invited to attend the meeting as an observer.
  - 6.5. All JCPOA participants will act in accordance with the procurement channel and will only engage in transfers and activities referenced in Section 6.1 following approval by the Joint Commission and the United Nations Security Council. Iran will not use, acquire, or seek to procure the items, materials, equipment, goods, and technology referred to in Section 6.1 of this Annex for nuclear activities which are inconsistent with this JCPOA.
  - 6.6. Any JCPOA participant may refer a procurement-related activity to the Joint Commission under the dispute settlement mechanism if it is concerned that such activity is inconsistent with this JCPOA.
  - 6.7. Iran will provide to the IAEA access to the locations of intended use of all items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.12/Part 1 (or the most recent version of these documents as updated by the Security Council) imported following the procedure under Section 6 of this Annex.
  - 6.8. Iran will permit the exporting state to verify the end-use of all items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.9/Part 2 (or the most

recent version of these documents as updated by the Security Council) imported following the procedure under Section 6 of this Annex. Upon request of the exporting state, or if the Joint Commission deems necessary when approving a proposal for transfer, the Joint Commission will provide expertise to the exporting state, including experts, as needed, to participate in the end-use verification.

- 6.9. The Procurement Working Group will respond to requests for guidance on procurement activities from third parties, as communicated by the Coordinator. The Procurement Working Group will endeavor to respond to such requests for guidance within 9 working days from the date the Coordinator submits it to the Procurement Working Group.
- 6.10. The Joint Commission will report to the United Nations Security Council at least every 6 months on the status of the Procurement Working Group's decisions and on any implementation issues.

## **7. Working Group on Implementation of Sanctions Lifting**

- 7.1. The Joint Commission will discharge its responsibilities for reviewing and consulting on issues related to the implementation of sanctions lifting as specified in this JCPOA assisted by a working group on the implementation of sanctions lifting.
- 7.2. The Joint Commission participants will participate in this working group. The High Representative will serve as coordinator of this working group.
- 7.3. If at any time following the implementation day Iran believes that any other nuclear-related sanction or restrictive measure including related designations of the E3/EU+3 is preventing the full implementation of the sanctions lifting as specified in this JCPOA, the JCPOA participant in question will consult with Iran with a view to resolving the issue. If they are not able to resolve the issue, Iran or any member of the E3/EU+3 may refer the issue to the working group.
- 7.4. The participants of the working group will review and consult, with a view to resolving the issue within 30 working days.
- 7.5. If after involvement of the working group, the issue remains unresolved, any participant of the JCPOA may refer it to the Joint Commission.