

Iran's Misunderstood Nuclear Law

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Brief Analysis

Tehran may argue that its 2020 nuclear law constrains its room for maneuver in any future talks, but its compliance with that law has long been spotty, and officials seem more focused on ensuring that any concessions they make are reversible.

This summer, Supreme Leader Ali Khamenei delivered his most detailed remarks in years on Iran's nuclear trajectory. While his comments on a [potential agreement with the West \(https://www.washingtoninstitute.org/policy-analysis/khameneis-nuclear-balancing-act\)](#) drew the most attention, he also [called on \(https://farsi.khamenei.ir/speech-content?id=53111\)](#) Iranian officials to follow a controversial 2020 law that ordered rapid steps to escalate the nuclear program and reduce international monitoring. "Some people think that this law creates problems for the country," he stated. "They are wrong. This law is a good law...And it must be followed."

Indeed, the 2020 legislation has played a prominent role in Iranian debates about nuclear advances, and Khamenei's comments suggest this will remain the case. Yet the law is widely misunderstood; more important, it has not been the primary driver of Iran's actual nuclear activity over the past three years. The governments of Hassan Rouhani and Ebrahim Raisi each sidestepped key provisions of the legislation while also escalating the program in ways the law does not require. Despite Khamenei's sentiment, neither the existing law nor potential successor legislation is likely to compel escalation or constrain diplomacy.

Surprise Bill

On December 1, 2020, the Majlis passed the "Strategic Action Law to Lift Sanctions and Safeguard the National Interests of Iran," approving a revision the next day. The bill [passed](#)

<https://www.irna.ir/news/84130542/%DA%A9%D9%84%DB%8C%D8%A7%D8%AA-%D8%B7%D8%B1%D8%AD-%D8%A7%D9%82%D8%AF%D8%A7%D9%85-%D8%B1%D8%A7%D9%87%D8%A8%D8%B1%D8%AF%DB%8C-%D8%A8%D8%B1%D8%A7%DB%8C-%D9%84%D8%BA%D9%88-%D8%AA%D8%AD%D8%B1%DB%8C%D9%85-%D9%87%D8%A7-%D8%AA%D8%B5%D9%88%DB%8C%D8%A8-%D8%B4%D8%AF>

with 251 of the 260 parliamentarians in attendance voting in favor; a few legislators publicly opposed the measure, but in most cases because they felt it was not aggressive enough.

The bill was unusual in two respects. First, it was a surprising attempt by parliament to assert itself on the nuclear issue. As with other strategic issues, Iran's **nuclear decisions** (https://www.energypolicy.columbia.edu/wp-content/uploads/2020/08/IranNuclear_CGEP-Report_111522.pdf) are generally made by the Supreme National Security Council (SNSC), the top policymaking body that includes the president, senior ministers and military figures, the heads of the parliament and judiciary, and representatives of Khamenei, who has the final say. It usually operates **based on consensus** (<https://www.mei.edu/publications/more-continuity-change-tehran>), ensuring that major decisions have buy-in from the system's most important actors.

In 2020, however, the numerous hardliners elected to the Majlis earlier that year tried to push those limits. Rouhani strongly opposed the law, saying it was outside parliament's purview and would obstruct attempts to revive the 2015 Joint Comprehensive Plan of Action (JCPOA). "Let us do our job," he **told lawmakers** (<https://www.washingtoninstitute.org/policy-analysis/irans-new-nuclear-law-negotiating-tactic-domestic-political-tool-or-both>) after the bill passed. Although conflicts between Iran's executive and legislative branches are routine, they are usually limited to domestic political issues such as budgets, not national security policy. Ultimately, the system's unelected branches—including the Guardian Council, which vets legislation—sided with parliament. The last time the legislature featured so prominently in nuclear discussions was in the early 2000s, when Tehran vacillated on whether to ratify the Additional Protocol put forward by the International Atomic Energy Agency (IAEA).

Second, the terms of the law were a departure from Iran's nuclear approach in the preceding two years. After President Trump withdrew the United States from the JCPOA in May 2018, Iran continued abiding by its nuclear commitments for a full year. In May 2019, it began crossing these limits in a phased and reversible way, seeking to pressure the JCPOA's other parties into saving the agreement. Yet the 2020 law ordered a rapid escalation of these activities (including techniques relevant to nuclear weapons work) and sought to gut international monitoring (see chart below).

At the time, some speculated that this shift was spurred by Israel's killing of top Iranian nuclear scientist Mohsen Fakhrizadeh a week before the bill's passage. Yet according to a **legislative history** (<https://rc.majlis.ir/fa/report/show/1636337>) published by the Majlis Research Center, the law had been in the works since June 2020—several months before the Israeli operation—and parliament approved a draft of the bill in **early November** (<https://www.mehrnews.com/news/5062123/%DB%8C%DA%A9-%D9%81%D9%88%D8%B1%DB%8C%D8%AA-%D8%B7%D8%B1%D8%AD-%D8%A7%D9%82%D8%AF%D8%A7%D9%85-%D8%B1%D8%A7%D9%87%D8%A8%D8%B1%D8%AF%DB%8C-%D8%A8%D8%B1%D8%A7%DB%8C-%D9%84%D8%BA%D9%88-%D8%AA%D8%AD%D8%B1%DB%8C%D9%85-%D9%87%D8%A7-%D8%AA%D8%B5%D9%88%DB%8C%D8%A8-%D8%B4%D8%AF>). More likely, the legislation was part of a **strategic effort** (<https://www.haaretz.com/middle-east-news/2020-12-06/ty-article-opinion/.premium/iran-biden-and-the-bomb-why-tehran-is-now-speeding-up-its-nuclear-program/0000017f-df1b-d856-a37f-ffdbdfa20000>) by some in the Iranian leadership to pressure whoever won that year's U.S. presidential election into quickly rejoining the JCPOA—though the Fakhrizadeh attack accelerated the approval process.

Mixed Implementation

Although Rouhani's government opposed the law (<https://www.washingtoninstitute.org/policy-analysis/2024-election-cycle-starts-iran>), it pledged to abide by it. At the time, Foreign Minister Mohammad Javad Zarif stated (<https://iranprimer.usip.org/blog/2020/dec/03/zarif-nuclear-deal-prisoner-exchanges>), "We did not like it. And we made it very clear. But...we will implement it. We have no other option." In practice, however, the Rouhani and Raisi governments—under the auspices of the SNSC—have had a spotty track record of actually implementing the law. The chart below illustrates this gap. (Note: For more on the technical meaning and practical consequences of the enrichment levels mentioned in the chart, see this Washington Institute infographic (<https://www.washingtoninstitute.org/policy-analysis/infographic-visual-guide-understanding-uranium-enrichment-process>) or the associated Iran Nuclear Glossary (<https://www.washingtoninstitute.org/policy-analysis/nuclear-iran-glossary>).

Iranian Government's Compliance with December 2020 Nuclear Law

Article	Requirement	Implementation
1	Immediately produce 20% enriched uranium	Government delayed implementation by about 9 months.
	Stockpile 120 kg/year of 20% enriched uranium	Implemented.
2	"Secure the nation's needs" for enriched uranium	Unclear. The government's production of 60% enriched uranium may qualify, though not specified.
	Produce 500 kg/month of enriched uranium	Mixed. Government likely did not comply at the time, but subsequently increased production well above the target.
3	Enrich using 1,000 IR-3m centrifuges within three months	Not implemented at the time; only 696 of these centrifuges were enriching at Natanz as of March 2021. By August 2023, the number had increased to approximately 1,000.
	Enrich using 164 IR-6 centrifuges within three months	Unclear. Iran either reached or narrowly missed the target at the time. As of August 2023, the number of IR-6 machines enriching uranium exceeded 800.
	Enrich using 1,000 IR-6 centrifuges within one year	Not implemented. Likely affected by sabotage.
4	Operate "uranium metal production factory" within five months	Unclear. Iran produced uranium metal in lab experiments but did not establish a fuel plate production line.
5	Commission 40-megawatt heavy water reactor at Arak	Not implemented. Iran has continued with the 20 MW design.
	Set timetable for additional 40 MW heavy water reactor within one month	Not implemented. A timetable was not submitted to parliament.
6	Halt inspections beyond IAEA Comprehensive Safeguards Agreement	Not implemented. Iran has continued accepting some inspections and monitoring beyond the agreement.

Source: IAEA, Iranian parliament.

Some of the law's requirements are difficult to assess given the intermittent nature of IAEA reports and the fact that Iran's nuclear capabilities were damaged by Israeli sabotage at the Natanz complex in April 2021. But other provisions can be evaluated more readily. Reports from the Majlis Research Center (<https://rc.majlis.ir/fa/report/show/1655470>), a parliamentary commission (https://media.farsnews.ir/Uploaded/Files/Documents/1401/03/25/14010325000313_Test.docx), and the IAEA (<https://www.iaea.org/newscenter/focus/iran/iaea-and-iran-iaea-board-reports>) make clear that officials have taken a selective approach to meeting the law's requirements, with a mid-2021 legislative report concluding that "the government considers this law as an obstacle in nuclear negotiations and refuses to precisely implement its contents."

The government's attitude toward Article 6 of the law has been the most controversial aspect domestically. This provision concerned the Comprehensive Safeguards Agreement (CSA), which embodies Iran's legal obligations under the Nuclear Nonproliferation Treaty. Specifically, the law ordered officials to stop allowing IAEA inspections beyond those mandated by the CSA unless sanctions on Iranian oil sales and banking ties were removed within two months of the bill's passage.

Rouhani's government did not secure the removal of these sanctions by the required deadline or terminate excess inspections as ordered. Instead, it negotiated (<https://www.iaea.org/topics/safeguards-agreements>) a "temporary bilateral technical understanding" with the IAEA in February 2021, which permitted the agency to "continue with its

necessary verification and monitoring activities” temporarily. These included video monitoring of centrifuge assembly sites. The Rouhani government defended

(<https://fararu.com/fa/news/478003/%D8%A8%DB%8C%D8%A7%D9%86%DB%8C%D9%87-%D9%85%D9%87%D9%85-%D8%AF%D9%88%D9%84%D8%AA-%D8%AF%D8%B1%D8%A8%D8%A7%D8%B1%D9%87-%D8%AA%D9%88%D8%A7%D9%81%D9%82-%D8%A8%D8%A7-%D8%A2%DA%98%D8%A7%D9%86%D8%B3>) this approach as consistent with the nuclear law because the camera footage would only be accessible to the agency if a new nuclear deal was reached. Many lawmakers criticized (<https://www.maherbasij.ir/node/631>) this interpretation of the law.

Raisi’s government has continued the pattern. This May, for example, it allowed the IAEA to reinstall cameras at centrifuge workshops in Isfahan under the same conditions. Several lawmakers complained (<https://www.didbaniran.ir/%D8%A8%D8%AE%D8%B4-%D8%B3%DB%8C%D8%A7%D8%B3%DB%8C-3/158619-%D8%B3%D8%AE%D9%86%DA%AF%D9%88%DB%8C-%DA%A9%D9%85%DB%8C%D8%B3%DB%8C%D9%88%D9%86-%D8%A7%D8%B5%D9%84-%D9%85%D8%AC%D9%84%D8%B3-%D8%AA%D9%88%D8%A7%D9%81%D9%82-%D8%A7%D8%B3%D9%81%D9%86%D8%AF-%D9%85%D8%A7%D9%87-%D8%A7%DB%8C%D8%B1%D8%A7%D9%86-%D8%A2%DA%98%D8%A7%D9%86%D8%B3-%D8%A7%D8%AA%D9%85%DB%8C-%D8%AE%D9%84%D8%A7%D9%81-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%82%D8%AF%D8%A7%D9%85-%D8%B1%D8%A7%D9%87%D8%A8%D8%B1%D8%AF%DB%8C-%D8%A7%D8%B3%D8%AA>) that this violated the nuclear law, but officials pressed forward anyway. They also permitted the IAEA to install enrichment monitoring devices at Fordow and the Natanz pilot fuel enrichment plant.

Meanwhile, the government escalated the nuclear program in ways that went beyond parliament’s requirements, reflecting the law’s limited influence on nuclear decisionmaking. Tehran sometimes justified these steps as fulfilments of the nuclear law even though the connections were tenuous. In April 2021, for example, it decided to begin producing 60% enriched uranium, which is a short technical step away from levels traditionally defined as weapons grade. This move was made in retaliation for an Israeli sabotage attack days prior, but the government also described it as being in line with the nuclear law’s vague provision that officials must “secure the nation’s needs for the peaceful uses of uranium with enrichment above 20%.” Other provocative steps outside the nuclear law included enriching some uranium to 83.7% purity; operating cascades of advanced IR-6 centrifuges at Fordow in a configuration that could enable rapid production of very high levels of enriched uranium; constructing a new underground facility near Natanz; and enriching with far more IR-2m and IR-6 centrifuges than the law required.

Implications

The nuclear law saga reflects the limits of Iranian domestic political influence on the regime’s nuclear decisionmaking. Although unelected elements allowed parliament to exert greater influence by passing the law, ultimately the SNSC and the executive branch were selective in following through on the legislature’s demands.

Western officials should bear these dynamics in mind in the coming months, especially if the ongoing U.S.-Iranian de-escalation efforts advance into further stages. As the past three years show, the 2020 law has not substantially shaped the government’s nuclear actions—whether in terms of advancing the program or making concessions. For example, the law did not stop Iran from allowing some improvements in IAEA access as recently as May, apparently in contravention of Article 6. It also failed to stop last month’s construction work on the Arak reactor using a JCPOA-approved design, in apparent contravention of Article 5. No potential follow-on legislation should be expected to constrain Tehran either.

Although they would not be tied down by the nuclear law in any future negotiations, Iranian officials would probably

be constrained by another factor: the regime's desire to ensure that any concessions it makes are easy to undo. Khamenei alluded to this issue of reversibility in his recent speech, stating, "The existing infrastructure of our nuclear industry should not be touched." Tehran likely aims to maximize its leverage in case Trump is reelected next year and implements a more aggressive U.S. policy.

To be sure, Khamenei has shown some flexibility on such red lines over time. But for now, at least, Iran is unlikely to agree to any steps that require dismantling capabilities (e.g., removing advanced centrifuge cascades). For the right price, however, it may be willing to keep taking easily reversible steps such as increasing international monitoring, slowing its accumulation of enriched material, and delaying the installation of more-advanced centrifuges, regardless of consistency with parliament's nuclear law.

Henry Rome is a senior fellow at The Washington Institute. He would like to thank Behzad Rezaei for research assistance and Kelsey Davenport, Sarah Burkhard, and Eric Brewer for providing helpful feedback on earlier drafts. ❖

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