

United States Senate

WASHINGTON, DC 20510

September 19, 2016

The Honorable John Kerry
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear Secretary Kerry:

We write to ask if Russia and Iran violated the international arms embargo when Russia used Iranian territory to launch airstrikes against the moderate opposition forces in Syria.

When you completed the Joint Comprehensive Plan of Action concerning Iran's nuclear program, the first endorsement you sought was that of the United Nations Security Council, rather than that of the U.S. Congress. In July 2015, the U.N. Security Council adopted Resolution 2231 endorsing the JCPOA. As part of that Resolution, the Council took a decision binding on all states that the "use" of "combat aircraft" in Iran required prior approval of the Security Council. This is part of the arms embargo you and President Obama said would remain in place for five years after JCPOA Adoption Day.

The Obama Administration promised vigorous enforcement of the JCPOA regime in general—of which U.N. Security Council Resolution 2231 is clearly a part—and the arms embargo specifically. For example, U.S. Ambassador to the United Nations Samantha Power said in July of this year, "when the resolution is violated, or actions are taken that are inconsistent with it, those actions must be documented and condemned."

It is being widely reported, and essentially acknowledged by your Department's spokesman, that Russia recently used Iran as a launching point to carry out airstrikes against moderate opposition forces in Syria. Thus, we write to ask for one of three things:

1. a submission of evidence that the Security Council approved this use of Iranian airspace;
2. an explanation as to how this action does not violate Security Council Resolution 2231;
or
3. an outline of policy steps that will be taken to enforce this Resolution.

Even if the current round of Russian airstrikes from an Iranian air base has come to a halt, we have no reason to believe they would not happen again, especially if there are no consequences for Russia's prior use of Iranian territory from which to launch attacks in Syria.

Russia has been engaging in military action in Syria for some time now, and its combat operations have successfully advanced Russia's interests in Syria to the detriment of ours. In June of this year, the CIA Director testified to the Senate Intelligence Committee that Syrian President Assad "is in a stronger position than he was" as compared to last year precisely "as a result of the Russian military intervention."

In that same testimony, the CIA Director said Russia is “directing a lot of their air strikes and artillery barrages against the Free Syrian Army that is trying to unseat Bashar al-Assad.” Your Department’s Spokesman explained that these latest Russian airstrikes “predominantly target moderate Syrian opposition forces.” If it were not already obvious, these events should make clear that it is misguided to negotiate with Russia on the basis that we share the same desired end state in Syria.

To this end, we should be using all available tools to dissuade Russia from continuing its airstrikes in Syria that are clearly not in our interest. If launching such airstrikes from Iran violates a legally binding Security Council Resolution, then that point should be made clear and enforced. We look forward to hearing from you whether Russia’s airstrikes against Syrian opposition forces launched from Iran were in compliance with or violated U.N. Security Council Resolution 2231.

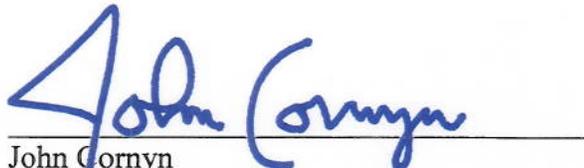
Sincerely,



Mitch McConnell
United States Senator



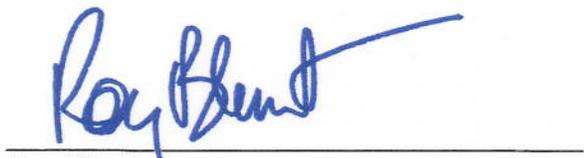
John Barrasso, M.D.
United States Senator



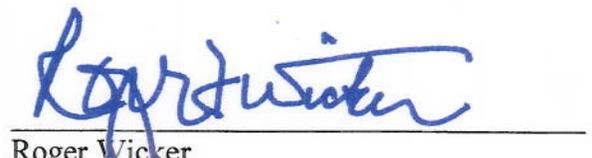
John Cornyn
United States Senator



John Thune
United States Senator



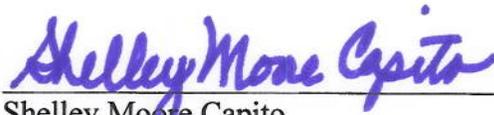
Roy Blunt
United States Senator



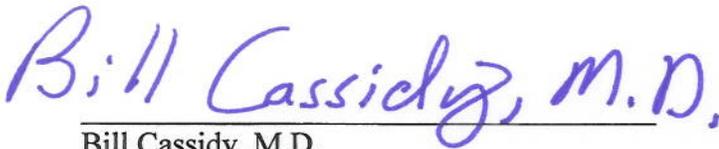
Roger Wicker
United States Senator



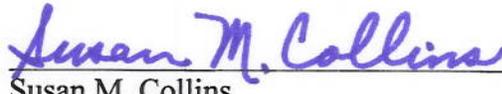
John Boozman
United States Senator



Shelley Moore Capito
United States Senator



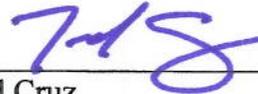
Bill Cassidy, M.D.
United States Senator



Susan M. Collins
United States Senator



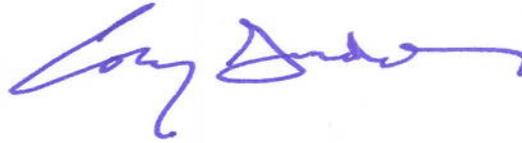
Tom Cotton
United States Senator



Ted Cruz
United States Senator



Michael B. Enzi
United States Senator



Cory Gardner
United States Senator



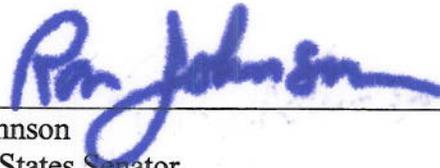
Dean Heller
United States Senator



James M. Inhofe
United States Senator



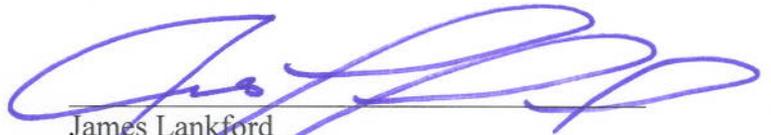
Johnny Isakson
United States Senator



Ron Johnson
United States Senator



Mark Kirk
United States Senator



James Lankford
United States Senator



Jerry Moran
United States Senator



Lisa Murkowski
United States Senator



David Perdue
United States Senator



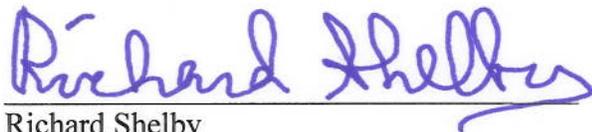
James Risch
United States Senator



Pat Roberts
United States Senator



Marco Rubio
United States Senator



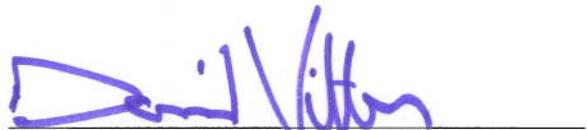
Richard Shelby
United States Senator



Dan Sullivan
United States Senator



Thom Tillis
United States Senator



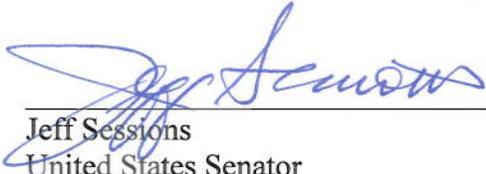
David Vitter
United States Senator



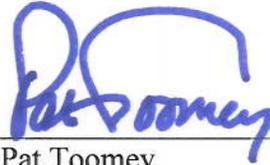
Kelly Ayotte
United States Senator



Orrin Hatch
United States Senator



Jeff Sessions
United States Senator



Pat Toomey
United States Senator