

UNIVERSITÉ DU QUÉBEC À MONTRÉAL

EVOLUTION OF CHINA AND IRAN RELATIONS
(ÉVOLUTION DES RELATIONS SINO-IRANIENNES)

TRAVAIL DE RECHERCHE DIRIGÉ BIDISCIPLINAIRE (JUR 7570)
COMME EXIGENCE PARTIELLE
DE LA MAÎTRISE EN DROIT INTERNATIONAL ET POLITIQUE INTERNATIONALE

PAR
ELHAM YAZDANY

FACULTÉ DE SCIENCE POLITIQUE ET DE DROIT

JANVIER 2024

UNIVERSITÉ DU QUÉBEC À MONTRÉAL
Service des bibliothèques

Avertissement

La diffusion de ce document diplômant se fait dans le respect des droits de son auteur, qui a signé le formulaire *Autorisation de reproduire et de diffuser un travail de recherche de cycles supérieurs* (SDU-522 – Rév. 12-2023). Cette autorisation stipule que «conformément à l'article 11 du Règlement no 8 des études de cycles supérieurs, [l'auteur] concède à l'Université du Québec à Montréal une licence non exclusive d'utilisation et de publication de la totalité ou d'une partie importante de [son] travail de recherche pour des fins pédagogiques et non commerciales. Plus précisément, [l'auteur] autorise l'Université du Québec à Montréal à reproduire, diffuser, prêter, distribuer ou vendre des copies de [son] travail de recherche à des fins non commerciales sur quelque support que ce soit, y compris l'Internet. Cette licence et cette autorisation n'entraînent pas une renonciation de [la] part [de l'auteur] à [ses] droits moraux ni à [ses] droits de propriété intellectuelle. Sauf entente contraire, [l'auteur] conserve la liberté de diffuser et de commercialiser ou non ce travail dont [il] possède un exemplaire.»

TABLE OF CONTENTS

LIST OF ABBREVIATIONS, AND ACRONYMS.....	3
ABSTRACT.....	4
INTRODUCTION.....	5
CHAPTER I	
CONCEPTUAL, METHODOLOGICAL, AND THEORETICAL FRAMEWORK.....	11
CHAPTER II	
CHINA’S MOTIVATIONAL INTEREST IN IRAN BEFORE THE <i>JCPOA</i>	14
2.1 Oil and gas industry.....	16
2.2 China’s regional ambition.....	20
2.3 Hegemony Approach of China over the United States’ global dominance.....	23
CHAPTER III	
WITHDRAWAL OF THE UNITED STATES FROM <i>JCPOA</i>	28
3.1 Macro-economic dimensions.....	30
3.2 Withdrawal of the <i>JCPOA</i> in the light of international law and respective laws of the United Nations.....	33
3.3 Social and health impacts of sanctions especially according to the United Nations.....	36
3.4 Related impacts on China and its reaction.....	40
CONCLUSION.....	43
BIBLIOGRAPHY.....	44

LIST OF ABBREVIATIONS, AND ACRONYMS

BRICS	Brazil, Russia, India, China, and South Africa
CNOOC	China National Offshore Oil Cooperation
CNPC	China National Petroleum Corporation
CSP	Comprehensive Strategic Partnership
GDP	Gross Domestic Product
ICJ	International Court of Justice
<i>ICESCR</i>	<i>International Covenant on Economic, Social, and Cultural Rights</i>
<i>ICPCR</i>	<i>International Covenant on Political and Civil Rights</i>
IAEA	International Atomic Energy Agency
<i>JCPOA</i>	<i>Joint Comprehensive Plan of Action</i>
NOC	National Oil Companies
OPEC	Organization of Petroleum Exporting Countries
PRC	People's Republic of China
P5+1	The five permanent UN Security Council members plus Germany
SINOPEC	China National Petrochemical Corporation
SWIFT	Society for Worldwide International Financial Telecommunication
<i>UDHR</i>	<i>Universal Declaration of Human Rights</i>
UN	United Nations
UNSC	United Nations Security Council
US	United States
WTO	World Trade Organization

Abstract

This research focuses on the China and Iran relationship during the *JCPOA* and the period after the withdrawal of the United States and all its international impacts on both countries. My qualitative empirical analysis is based on the framework developed by Kenneth Waltz, a political neorealism theorist regarding China's motivational interests toward Iran, in addition to considering the social, political, and legal dimensions of the issue studied. I study whether the supportive act of China of Iran during the *JCPOA* could have been based on the motivational national interests of China and if so, what are these distinctive interests based on. Moreover, I survey to what extent the withdrawal of the US has nationally and internationally impacted Iran and China. According to my result, China outlined crucial national aims to pursue to enhance its position in the world. To achieve these objectives namely oil and gas, regional and worldwide hegemony, China adopted a supportive strategy toward Iran during the *JCPOA*. In that case, China could be able to use Iran's card and situation internationally to achieve this. Furthermore, the internationally unacceptable act of withdrawal of the US according to the international rules including the *Vienna Convention on the Law of Treaties of 1969* had negative macro-economic, social, and health impacts on Iran and further economic impacts on China as well.

Keywords: China, Iran, United States, *JCPOA*, withdrawal, gas and oil, regional and world hegemony, international, economic, social, and health impacts.

INTRODUCTION

People's Republic of China (hereafter PRC) and Iran rebuilt extensive political, economic, and military relationships in 1970,¹ which had been interrupted since China's 1949 Revolution. They are both developing countries with growing political and economic ties, and with regional and global implications. Geographically, they are also near to one another. Iran is just 700 Kilometers² from China's westernmost border across Afghanistan. Both politically and economically, the two are becoming closer, as seen by a 25-year, \$100 billion agreement for Iran to provide China with gas and oil, as well as the numerous Chinese businesses in Iran.³

On this side, Iran is known for having the most abundant natural resources.⁴

“According to the U.S. Energy Information Administration, in 2020, Iran ranked second in the world in terms of natural gas reserves, behind Russia and ahead of Qatar, and ranked fourth in terms of the world's oil[-]proven reserves. The control of the southern-deepest part of the Caspian Sea (largest inland and landlocked body of water on earth) which is especially rich in natural resources, fish, and hydrocarbons also contribute[s] to augmenting Iran's geopolitical importance.”⁵

Such a situation has a considerable impact on their international behavior in respect of the East-West political and economic dialogue. This makes Iran a major state power in a strategically important region of the world. So, as a regional power, Iran has great influence over the political and economic landscape of the Middle East.

On the other hand, with 20%⁶ of the world's population, China is considered a military and economic force in the world. In terms of energy, China's transition to being a major oil importer

¹ Mahmoud Ghafouri, “China's policy in the Persian Gulf” (2009) 16:2 Middle East Policy 80 at 84.

² Jun Liu & Wu Lei, “Key Issues in China-Iran Relations” (2010) 4:1 Journal of Middle Eastern and Islamic Studies (in Asia) 40 at 40.

³ *Ibid*; also, Sarvenaz Khanmohammadi & Degang Sun, “China-Iran strategic cooperation agreement in the changing international system” (2022) 16:1 Asian Journal of Middle Eastern and Islamic Studies 27 at 27.

⁴ Moosa Akefi Ghaziani & Mohammad Akefi Ghaziani, “A Reflection on the Human Rights Attitude and International Law Approaches of Iran and Saudi Arabia” (2022) 16:3 Asian Journal of Middle Eastern and Islamic Studies 310 at 310.

⁵ Francisco José B S Leandro, Carlos Branco & Flavius Caba-Maria, *The geopolitics of Iran*, (Singapore: Palgrave Macmillan, 2021) from 4 to 7.

⁶ *Supra* note 2 at 40.

in the early 1990s solidified an energy partnership that continues to this day.⁷ Since 1996, China has been a net importer of crude oil, and it is now the world's second-largest user after the United States (hereafter US), as well as the third-largest importer after the US and Japan.⁸ As a result, it is logical for China to go to the Persian Gulf area, which has the world's greatest proven crude oil and natural gas reserves to supply energy for the world's most dynamic economy.

In terms of nuclear issues, Iran's interest stretches back to the 1950s⁹ when the US supported Iran in establishing a civil nuclear reactor under its Atoms for Peace initiative. The 1979¹⁰ Islamic Revolution temporarily halted the building of the Iranian nuclear facility. However, the regional geopolitical environment and anarchic structure based on severe rivalry obliged Iran to become nuclear to survive. This is followed by incessant sanctions on Iran during post-revolution that crippled its economy by cutting short nearly half of its oil exports. Accordingly, the malfunction of nuclear material and stockpile security of Iran,¹¹ and deteriorating regional security dynamics compelled international actors to hold talks with Iran over the nuclear dispute.¹² When components of Iran's nuclear program in violation of rules were discovered in 2002¹³ the US, European countries, and China engaged in diplomatic efforts to resolve the emerging Iranian nuclear crisis. In this regard since 2003,¹⁴ China has insisted on three basic principles: Iran should not insist on developing nuclear weapons; the international community should not resolve the Iran nuclear issue through force; and the Iran nuclear issue should be resolved through peaceful talks. The Chinese stance,¹⁵ was that the Iranian nuclear problem should be resolved via diplomacy and that imposing sanctions on Iran would be damaging to regional peace and stability.¹⁶ “China’s Permanent

⁷ Nichola Larkins, *Politics and economics of Iran’s oil and gas policies post JCPOA* (Master of Arts Thesis, American University of Beirut, 2017) [unpublished] at 43 and 44.

⁸ Mahmoud Ghafouri, “China’s policy in the Persian Gulf” (2009) 16:2 Middle East Policy 80 at 80.

⁹ Summar Iqbal Babar, Muhammad Nadeem Mirza & Irfan Hasnain Qaisrani, “Joint Comprehensive Plan of Action (JCPOA): prospects and challenges for the global security” (2021) 9:1 Humanities & Social Sciences Reviews 126 at 126.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² *Ibid.*

¹³ Moritz Pieper, “Chinese, Russian, and Turkish Policies in the Iranian Nuclear Dossier: Between Resistance to Hegemony and Hegemonic Accommodation” (2014) 2 권 권:1 호 호 Asian Journal of Peacebuilding 1 at 2.

¹⁴ Zhongmin Liu, “Historical Evolution of Relationship between China and the Gulf Region” (2016) 10:1 Journal of Middle Eastern and Islamic studies in Asia 1 at 13.

¹⁵ John W Garver, “Is China Playing a Dual Game in Iran?” (2011) 34:1 The Washington Quarterly 75 at 81.

¹⁶ Srikanth Kondapalli, “China and the Iranian Nuclear Issue—Converting Challenges into Opportunities” (2016) 3:1 Contemporary Review of the Middle East 63 at 64.

Representative to the United Nations Zhang Yesui expounded, “China always advocates resolution of the Iran nuclear issue through diplomatic negotiations, and we believe sanctions are not the way to solve the root issues”.¹⁷

Afterward, since 2005,¹⁸ when Iran stated that it had begun the process of uranium enrichment, significant international negotiations have taken place, and by April 2006, Tehran hinted that it had increased this procedure. The five permanent members of the United Nations (hereafter UN)¹⁹ plus Germany (hereafter P5+1) brought the Iranian nuclear issue before the United Nations Security Council (hereafter UNSC) in July 2006. Afterwards, six UNSC resolutions²⁰ have been passed.²¹ Since then, China collaborated to ease pressure on Iran and soften potential punitive resolutions.²² “A “cost-benefit analysis” [成本-收益分析法] of the Iranian nuclear situation for China, shows that it needs to take a firm position on Tehran at the UNSC and the International Atomic Energy Agency (hereafter IAEA) proceedings at a later stage”.²³ Subsequently, they signed an interim agreement referred to as the *Joint Comprehension Plan of Action* (hereafter *JCPOA*)²⁴ on July 14, 2015. The *JCPOA* might be viewed as a collection of political pledges rather than a legally enforceable “treaty”. “It also represents a creative approach and method for constructive interactions with a view to peacefully resolving crises and challenges”.²⁵ As a result of this deal, Iran could have relief²⁶ and access to previously frozen assets in exchange for limiting uranium enrichment and permitting international inspectors to access sensitive sites.

¹⁷*Supra* note 2 at 49.

¹⁸*Supra* note 17 at 63.

¹⁹ “Current Members, Permanent and Non-Permanent members”, *United Nations Security Council*, online: «<https://www.un.org/securitycouncil/content/current-members>», check at 20 November 2023.

²⁰ Including Resolutions 1696 (July 2006), 1737 (December 2006), 1747 (March 2007), 1803 (March 2008), 1835 (September 2008), and 1929 (June 2010), *supra* note 17 at 64.

²¹ Jacopo Scita, “China-Iran Relations Through the Prism of Sanctions” (2022) 53:1 *Asian Affairs* 87 at 94.

²² *Supra* note 14 at 4.

²³ *Supra* note 17 at 69.

²⁴ *Joint Comprehensive Plan of Action*, 14 July 2015, (16 January 2016).

²⁵ Moritz Pieper, *Hegemony and Resistance Around the Iranian Nuclear Programme: Analysing Chinese, Russian and ... Turkish Foreign Policies*, vol 1 (Routledge, 2019) at 3.

²⁶ “President Trump Withdraws the United States from the Iran Deal and Announces the Reimposition of Sanctions” (2018) 112:3 *American Journal of International Law* 514 at 514.

Subsequently, the UN Security Council issued *Resolution 2231*²⁷ on July 20, 2015, to verify the *JCPOA*. The agreement allowed global powers, particularly China, to integrate with Iran geographically and geopolitically. On the contrary, during the presidency of Trump, the US had the permission of Congress to withdraw unilaterally from the agreement on May 8, 2018.²⁸ However, the administration failed to present any evidence that Iran had broken the agreement.²⁹ While the vacuum left by the US withdrawal was filled with China resulting in a great win for China and Iran, it had a diplomatic and geopolitical loss for the US in the long run.³⁰

During international negotiations, China played a crucial, positive, and supportive role in world affairs in favor of Iran. China, as a member of the UNSC, offered Iran a security blanket, especially given that Iran was under intense pressure from the US and its allies over its uranium enrichment program.³¹ Beijing postponed the adoption of each Security Council and the UN sanction decision, potentially giving Tehran additional years to accelerate its nuclear program and make them voluntary rather than mandatory.³² For instance, “When the Iranian nuclear file reached the UNSC in 2006, China prevented quick condemnation of Iran and braked efforts to impose sanctions in what has been characterized as a “delay-and-weaken” strategy”.³³ Additionally, the Chinese government did not consider new unilateral measures imposed by the European Union and the US to be legal.³⁴ The Chinese opposition to imposing sanctions or other severely punishing measures severely restricts³⁵ the Western powers' options in the Security Council as they deliberate what course of action against Iran, they might all support. Even after the withdrawal of the US, the Chinese Foreign Ministry, which has traditionally been more cautious in its public responses, said that it regretted the decision made by the US side and said that China is a contract partner of the

²⁷ *United Nations Security Council Resolution 2231*, SC Res 2231, UNSCOR, 7488th Sess, Supp No 15, UN Doc S/RES/2231 (2015) 1.

²⁸ Dianne E Rennack, *Iran: US economic sanctions and the authority to lift restrictions*, (Washington, D.C.: Congressional Research Service, 2014) at summary.

²⁹ Mahmoud Monshipouri M & Javad Heiran-Nia J, “China’s Iran Strategy: What Is at Stake?” (2020) 27:4 Middle East Policy 157 at 159.

³⁰ *Supra* note 10 at 128.

³¹ Manochehr Dorraj & Carrie L. Currier, “Lubricated with oil: Iran-China relations in a changing world” (2008) 15:2 Middle East Policy 66. at 70.

³² *Supra* note 16 at 76.

³³ *Supra* note 14 at 5.

³⁴ *Ibid.*

³⁵ Flynt Leverett & Pierre Noël, “The New Axis of Oil” (2006) 84 The National Interest 62 at 68.

JCPOA.³⁶ China also, mentioned that all relevant parties should implement the *JCPOA* in good faith and ensure its integrity and sustainability.

In this matter, this is to say that “the realist notions of truth and reference come in not in explaining what goes on (‘)in the heads(‘) of speakers, but in explaining the success of language-using”.³⁷ In fact, China's speech and behavior regarding Iran is geared towards or away from specified objectives. Chinese leaders do not act at random but rather strive to achieve certain goals. They must exert control over the environment in which their country interacts with other actors and benefits the most. Their goal is to achieve a condition of safe and calm situation and avoid instability to reach their interests. The likelihood of China's reaction is determined not just by the worth of a goal, but also by its likelihood of achieving that objective.³⁸ Indeed, national interest “the main signpost that helps political realism to find its way through the landscape of international politics”³⁹ plays a crucial role in China’s approach toward Iran during the *JCPOA*. China's pursuit of national interests, as defined by the Realist paradigm,⁴⁰ has two main objectives: first, to ensure China's survival, and second, to do so within anarchic international relations. As a result, China's position through the *JCPOA* regarding Iran is adopted and fulfilled by this unique configuration of priorities, which encompasses China’s interests in Iran. China is fighting for its interests in international relations, but it used Iran’s card as an excuse to hang its ideas on. These interests and goals of China are extremely vital and long-lasting which put supporting Iran in international relations first for China. So, this is to identify what are these crucial national interests of China towards Iran that motivate it so far to fight against the world particularly the US in the realm of nuclear issues. Strictly speaking, for what specific reasons did China put itself in international jeopardy of the nuclear issues of Iran, and what are the ideal national outcomes of this for China?

On the other end of this spectrum, it is believed that human rights and international rules are universal, and obeying these rules guarantees peace and equality in the world, this is required for

³⁶ Fu-Lai Tony Yu & Diana S Kwan, *Contemporary issues in international political economy* (Singapore: Palgrave Macmillan, 2019) at 36.

³⁷ Hilary Putnam, “Realism and reason” (1977) 50:6 *American Philosophical Association* 483 at 488.

³⁸ Kang-Uk Jung, *China's Strategic Choices Towards North Korea and Iran* (PhD Dissertation, University of Denver, 2015) [unpublished] at 46.

³⁹ *Ibid* at 20.

⁴⁰ *Ibid* at 20.

countries to act accordingly. In this respect, the legality of the withdrawal of the US and the compatibility of this with the UN principles play an important role in international relations. When it comes to the economic (especially macro-economic) and health and social impacts of the withdrawal of the US, it becomes more significant. So, it is crucial to know how the US observes international law and the principal elements of the UN in the act of withdrawal of the *JCPOA*. In addition, to what extent the US breaches international rules and regulations? It is to realize how and to what scale, the withdrawal affects the economic, social, and health sections of Iran. Finally, defining the effects of the withdrawal on China and its reactions to this decision is crucial for both Iran and the world's side in terms of new international relations.

So, in this work, I try to answer the questions, what are the most critical motivational factors that triggered China's support toward Iran during the *JCPOA* process and what are the economic, international, social, and health impacts of the withdrawal on Iran and further action of China in this regard that was part of the evolution of the China-Iran relations?

Also, this study hypothesizes that "China's support toward Iran during the *JCPOA* process was primarily driven by a multifaceted combination of interests, including securing access to Iran's abundant oil and gas resources, advancing its regional ambitions, and challenging the US hegemony. The withdrawal of the *JCPOA* by the US had multifaceted impacts including economic, social and health on Iran. China's subsequent actions, characterized by intensified economic cooperation and diplomatic support for Iran, played a pivotal role in shaping the evolution of the China-Iran relationship".

With that being mentioned, this study is divided into three chapters. The first chapter considers the conceptual, methodological, and theoretical framework. The second chapter addresses China's motivational interest in Iran before the *JCPOA*. In this chapter, initially, I study the oil and gas industry as the first motives of China. Then I survey the regional objectives of China through its support, along with the crucial aim of hegemony over the US and global dominance. Subsequently, the last chapter is dedicated to the issues regarding the withdrawal of the US from the *JCPOA*. To achieve the aim of this chapter, I consider the macro-economic dimensions, international and UN

laws regarding the withdrawal, social and health impacts of sanctions on Iran, and further impacts on China, and its related reactions.

CHAPTER I CONCEPTUAL, METHODOLOGICAL, AND THEORETICAL FRAMEWORK

To understand the motivational factors that drove China to support Iran in the nuclear deal, and to study the significant impacts that the withdrawal had on Iran and China, interpretivism through the qualitative method will be employed. To do so, the deductive strategy would help the best to collect all the data and have scientific investigation and research about the subject, theories, and all the facts and phenomena to evaluate the hypothesis. To best describe the situation, facts, and behavior of the countries involved, and to figure out and understand the hidden factors to have the best result, a descriptive and thematic analysis research strategy is also used. In addition, since the scope of the title is only at the time of the *JCPOA* and the period after (withdrawal), the cross-sectional method is used to collect the data and information during that specific time. Furthermore, the participants in this research are China, Iran, and the US, the scope of the sampling strategy would be non-probability, and non-randomized. Hence, this research is based on surveys, articles, books (and eBooks), websites, documents, political speeches, texts, theses, dissertations, and regulations. So, it is required to first explain and describe the ideas and all the surveys, and then analyze them to understand the validity of the hypothesis and make a conclusion, content, and narrative analysis that are best fit for this research. However, potential limitations, such as data availability and reliability exist in some resources.

The concepts of “interest” and “impacts” are central to this research, along with their relationships to the probability of supporting Iran and specific results of withdrawal. Wen-Sheng Chen refers to the thirst for China as these interests such as oil, regional, and the US hegemony.⁴¹ Also, Lounnas Djallil defines this interest as the dependence of China on the US.⁴² In addition,

⁴¹ Wen Sheng Chen, “China’s Oil Strategy: ‘Going Out’ to Iran” (2010) 2:1 Asian Politics and Policy 39 at 40.

⁴² Lounnas Djallil, “China and the Iranian nuclear crisis: Between ambiguities and interests” (2011) 10:2 European Journal of East Asian Studies 227 at 227.

impacts are defined as economic,⁴³ social,⁴⁴ and health⁴⁵ in this respect. So, the theoretical framework of this research is based on these concepts regarding the motivations of China and the impacts of the withdrawal.

To verify the hypothesis, out of many possible concepts and interests of China to support Iran, according to Kevin Scully, oil and gas have the most possible potential to motivate China to support Iran in nuclear issues. While Scully follows the realist theory,⁴⁶ Jacopo Scita refers to the role theory of International Relations and the two-dimensional interactionist model⁴⁷ to describe why oil and gas are critical reasons for China doing so. Since the need for oil has direct relations with the essentials⁴⁸ of China, realist theory can best describe all aspects of this need and subsequent support, while international theory only focuses on international aspects. So, in this research, I use realist theory and follow the realist theorist's opinions such as Hans Morgenthau, Kenneth Waltz, Edward Hallett Carr, John Joseph Mearsheimer, Stefano Guzzini, Thucydides, and Raymond Aron. In fact, “[t]he realist explanation, in a nutshell, is not that language mirrors the world but that *speakers* mirror the world -- i.e., their environment -- in the sense of *constructing a symbolic representation of that environment*”.⁴⁹ Realism's fundamental goal is to explain the results of international politics of nations⁵⁰ as to this research “interest and impacts”. In political realism theory (international relations) Kenneth Waltz argues that the structure of the international system characterized by anarchy and the distribution of power, heavily influences States' behavior.⁵¹ This theory is used to describe the behavior of China pursuing oil and gas, regional power, and hegemony to gain power in the world. In addition, Gilpin's hegemonic stability theory,

⁴³Mari Nukii, “The Future of the Iran Nuclear Agreement after US Withdrawal: Responses by Various Parties to Increasingly Harsh ‘Secondary Sanctions’”, Case Comment, (2018) 1 The Japan Institute of International Affairs 1 at 1.

⁴⁴Erica S. Moret, “Humanitarian impacts of economic sanctions on Iran and Syria” (2015) 24:1 European Security 120 at 120.

⁴⁵Sogol Setayesh & Tim K Macke, “Addressing the impact of economic sanctions on Iranian drug shortages in the joint comprehensive plan of action: promoting access to medicines and health diplomacy” (2016) 12:1 Globalization and Health 1 at 1.

⁴⁶Kevin Scully, *The Iranian nuclear standoff those who can help, won't* (Master Thesis, Naval Postgraduate School Monterey CA, 2006) [unpublished] at 5, 6 and 31.

⁴⁷Jacopo Scita, *Role Theory and China's Relations with Iran: All-weather Friends on Beijing's Terms* (Doctor of Philosophy Dissertation, Durham University 2022) [unpublished] at iii.

⁴⁸Nichola Larkins, *Politics and economics of Iran's oil and gas policies post JCPOA* (Master of Arts Thesis, American University of Beirut, 2017) [unpublished] at 44.

⁴⁹*Supra* note 38 at 483.

⁵⁰Dimitrios Mavridis, “The Realist School of Thought: An Analysis” (2013) 7 E-International Relations 1 at 4.

⁵¹*Ibid* at 3.

Modelski's long cycle theory, and Mearsheimer's offensive realism theory were considered concerning the transition of power in China. Also, concerning the theory of classical realism, Thucydides, Machiavelli, Hans Morgenthau, and E.H.Carr, emphasize the role of human nature and the pursuit of power and security in shaping international relations.⁵² It suggests that States act based on self-interest, leading to a focus on power struggles, security concerns, and a lack of trust among nations. The international theory of Stefano Guzzini and Kang-Uk Jung is taken into consideration in the realm of realist theory. Kang-Uk Jung believes that neither structural realism nor constructivism adequately explains China's international behavior. Like Morgenthau, he believes that its balance of interest model⁵³ defines China's foreign policy and it attempted to strike a balance between its material interests and its international reputation by delaying inconsistently. Despite comprehensive explanations, this theory lacks the consideration of international elements in supporting the behavior of China of Iran for two decades.

China's regional and global hegemony is considered another vital approach to play with the card of Iran. Ted Chung-Cher Liu suggests neorealism and the relevance of the balance of power theory for motivational interventions of China in the region and globally.⁵⁴ In fact, the strategic hedge of China requires dominant actions to keep its balance and even hegemony. Instead of developing neoliberalism, he takes a power-oriented and structurally focused approach which turned it into a strong point. Although Nafisa Noor indicates that the hegemony of the US declined in 20 years according to the long cycle theory and the hegemonic stability theory, China through the Belt and Road Initiative and increasing power could overcome the hegemony of the US.⁵⁵ The execution of such a project becomes contingent upon the Middle East being stable. However, fewer studies have been done to date that utilizes the Iranian nuclear situation as an example to conceptualize the connection between "hegemonic structures" and those actors that oppose them. In addition, while some believe that the hegemony of China in the region increases at the expense

⁵² *Ibid* at 2.

⁵³ *Supra* note 39 at ii.

⁵⁴ Chung-Cher Liu Ted, *China's intervention policies in the Middle East and North Africa during the late-Obama era* (Doctor of Philosophy Dissertation, University of Melbourne, 2021) [unpublished] at 13.

⁵⁵ Nafisa Noor, *China's Rise as a Threat To the U.S Hegemony* (Master of Arts thesis, California State University Northridge, 2022) [unpublished] at v.

of the US, some of the most important theoretical understandings of hegemony explain the nature of hegemonic competition and transition as being more unpredictable and complicated.⁵⁶

Despite the supportive role of China in the nuclear deal due to before said reasons, the US, withdraw unilaterally from the *JCPOA* and this brought about various impacts. Due to many secondary sanctions, disconnecting Iran from the world, and recent withdrawal action, there is a shortage of comprehensive literature in this realm. Accordingly, not only the result of this research could be useful for the post-*JCPOA* era and China-Iran relations, but the current survey is also crucial due to academic, political, and economic reasons and could be used for further research. In this term, Olli Korpimäki mentions that withdrawal brought about economic and social impacts⁵⁷ and due to the enormous economic impacts, the US decided on the effective time of the reimposition of sanctions. This is obvious that uncertainty in words and talking about probabilities comes from insufficient and unreliable sources. Moreover, Francisco José BS Leandro's explanations⁵⁸ regarding economic impacts support this effect. In addition, Christopher Valerio Jovan considers the withdrawal an illegal international act according to the UN rules.⁵⁹ Overall, these theories need to be investigated to determine the real interests of China and the impacts of the withdrawal.

CHAPTER II

CHINA'S MOTIVATIONAL INTEREST IN IRAN BEFORE THE *JCPOA*

China's foreign policy toward Iran is a manifestation of its geopolitical and commercial objectives, which are complicated by its partial opposition to US regional policies.⁶⁰ China requires new allies and preferential access to the Persian Gulf's oil reserves, and Iran looks to be the greatest target for such a strategy. Iran has the world's fourth-largest oil reserves, the second-largest natural

⁵⁶ Mark Beeson, "Hegemonic transition in East Asia? The dynamics of Chinese and American power" (2009) 35:1 *Review of International Studies* 95 at 95.

⁵⁷Olli Korpimäki, *Global constraints on the imposition of economic sanctions: United States withdrawal from the Joint Comprehensive Plan of Action* (Master of Advanced International Studies thesis, University of Vienna, 2019) [unpublished] at 1 and 6.

⁵⁸ *Supra* note 6 at 317.

⁵⁹Christopher Valerio Jovan, "The United States Unilateral Withdrawal from the Restrictions of Iran's Nuclear Program in JCPOA 2015 under International Law" (2020) 4:2 *Padjadjaran Journal of International Law* 247 at 247.

⁶⁰ Pieper Moritz Alexander, *Perspectives on the Iranian Nuclear Programme: Analysing Chinese, Russian, and Turkish Foreign Policies* (Doctor of Philosophy Dissertation, University of Kent, 2015) [unpublished] at 13.

gas reserves, the world's fifth-largest oil exporter, and after Saudi Arabia, the second-largest oil exporter to China.⁶¹ Beijing also hopes that through more relations with Iran, China might be able to influence the global allocation of oil and hence the global balance of power.⁶² Accordingly, China emerged as Iran's primary economic partner, investing extensively in the energy industry, and filling the gaps left by Western corporations forced to leave owing to sanctions.⁶³ Most importantly, China wants to ensure that they do not impede Iran's energy production and exports or Chinese investment in the Iranian energy sector. In fact, "(a) level of Chinese support for Tehran in the Security Council gives Beijing leverage to access Iran's oil riches and encapsulates the energy supply relation in layers of political cooperation, which Beijing hopes will insulate that energy flow in the event of various shocks".⁶⁴ One of the prominent interests is that China is highly reliant on oil imports from Iran's long-standing foe Saudi Arabia. Consequently, China has followed a strategy towards Iran and its nuclear aspirations that meets international needs and interests while avoiding destabilizing containment methods.⁶⁵

Moreover, the trajectory of Sino-Iranian relations suggests that Chinese thinkers and policymakers have long been aware that Iran's status as a regional power makes it an indispensable encounter and strategically important when projecting power and influence in the Persian Gulf. Coherently with China's broader diplomatic approach to the region, that encounter has been framed and nourished from a cooperative rather than competitive or adversarial standpoint. This is favored by the presence of relevant mutual material and strategic interests and a significant ideational convergence. Yet, the Persian Gulf – and more broadly the Middle East – remains an area of growing yet secondary importance for China, making Sino-Iranian relations a second-order relationship.⁶⁶ As a result, Iran looks to be caught in a paradox: it is a first-tier partner in an area of secondary importance to China. Consequently, China would use the best play of Iran's card through regional issues in favor of itself.

⁶¹ *Supra* note 17 at 69.

⁶² Zhao Hong, "China's Dilemma on Iran: between energy security and a responsible rising power" (2014) 23:87 *Journal of Contemporary China* 408 at 411 and 412.

⁶³ For example, "(i)n 2009, China imported \$3.12 billion worth of Iranian non-oil goods, thus, making it Iran's second-largest export market. In 2009, China became Iran's most significant trade partner with bilateral exchanges worth \$21.2 billion compared to \$14.4 billion three years earlier", *supra* note 39 at 316; also, *ibid* at 409.

⁶⁴ *Supra* note 16 at 77.

⁶⁵ Bernt Berger & Phillip Schell, "Toeing the line, drawing the line: China and Iran's nuclear ambitions" (2013) 49:1 *China Report* 89 at 89.

⁶⁶ *Supra* note 48 at 57.

However, Iran has significant importance in Beijing's battle with the US, either as a tool to oppose Washington's regional and global power or as a negotiating chip to lessen the degree of hostility. However, harsh sanctions of the US against Iran will destabilize the region. That is how China has formally conveyed its position on the nuclear standoffs between the US and Iran. The amount and degree of expectation of immediate advantages from collaborating with one side determines China's policy towards the other. Expectations of achieving valued goals regarding hegemony motivate China's behavior. Beijing plays the position of a friendly stakeholder⁶⁷ regarding Tehran. Such a job indicates an extension and expansion of what Holsti characterized as the role of an anti-imperialist agent. While China offers Iran both conceptual and practical assistance in its fight against the US, such support is inextricably related to the idea of Chinese hegemony over the US. Chinese backing for Iran implies that China believes a powerful, nuclear-armed, or nuclear-capable Iran would be a beneficial check on the US hegemony in the Persian Gulf and would advance the globe towards multipolarity.⁶⁸ So, in this chapter, I will study the three incentives of China towards Iran respectively.

2.1 Oil and gas industry

Up until 1992, China's domestic oil and gas reserves were adequate to meet its energy needs. “But, as Charles Ziegler puts it, from 1992 to 2005 China went from self-sufficiency in petroleum to dependence on imports for over one-third of total consumption. China is the world’s second-largest energy consumer, and in 2004 it surpassed Japan as the world’s number two oil importer”.⁶⁹ With Deng Xiaoping's ascension to power in 1976⁷⁰ and the implementation of open-door and economic-liberalization policies, China's economic growth began to accelerate. This rapid economic growth raised China's demand for more energy sources significantly. There are several reasons⁷¹ influencing China's increasing need for oil and gas including the need to minimize the usage of coal, and the thriving car sector. So, due to the increasing importance of oil to China's

⁶⁷ *Supra* note 22 at 89.

⁶⁸ *Supra* note 16 at 77.

⁶⁹ *Supra* note 32 at 70.

⁷⁰ *Ibid.*

⁷¹ *Ibid* at 71.

economic development and national security, energy policy has become an important component of Beijing's foreign policy. “For China, the main aim is to assert state control over sufficient strategic resources and ensure the safe passage of oil transited to China from abroad”.⁷² China employed the “going out” approach in the 1990s⁷³ to search for oil supplies to fulfill expanding domestic demand. The plan attempted to maximize the use of international oil resources while minimizing risk by diversifying the sources, kinds, and methods for acquiring foreign oil.

Iran became one of China’s key foreign suppliers of oil after Beijing embarked on its going out and leapfrog strategies. China began to increase its oil imports from Iran in the mid-1990s. In May 1995, Beijing negotiated with Tehran to increase oil imports from 20,000 barrels to 60,000 barrels per day. Between 2000 and 2008, Iran consistently ranked as one of the PRC’s top three oil suppliers. Figures suggest that Beijing’s imports from Iran averaged approximately 12.5% of China’s total oil imports during 2002–2008, if one excludes from consideration the low of nearly 10% in 2000 and the high of 18% in 2001 (Tian, 2008, p. 40; 2009, pp. 32–35; Tsuei, 2007, pp. 142–143; see Table 2). These figures demonstrate the importance of Iran’s oil to China and suggest that Beijing has viewed Iran as a stable source of foreign oil.⁷⁴

The “going out” plan intends to increase Beijing's access to oil reserves as well as to buy oil outside. This policy aims to establish effective ownership of energy resources and transportation infrastructure, which China considers necessary for enhancing the nation's energy security.⁷⁵ This, as well as its rising penetration into oil-producing nations, has the potential to pit it against the US and Japan.⁷⁶ China officially adopted a “going out” policy in 2002, encouraging its three major National Oil Companies (hereafter NOC)⁷⁷ to buy equity shares in overseas exploration and production objects around the world and to build pipelines specifically for Central Asia. China today imports more than 40%⁷⁸ of its overall oil requirements. Energy consumption is increasing at an alarming rate, posing a danger to China's energy security.

To secure foreign oil supplies, Beijing has established strong diplomatic connections with Iran.⁷⁹ In fact, the going out strategy, along with Iran's massive oil and gas deposits, makes the

⁷² *Supra* note 42 at 39.

⁷³ *Ibid* at 46.

⁷⁴ *Ibid*.

⁷⁵ *Supra* note 36 at 66.

⁷⁶ *Supra* note 32 at 74.

⁷⁷ Including the China National Petroleum Corporation (CNPC), the China National Petrochemical Corporation (SINOPEC), and the China National Offshore Oil Cooperation (CNOOC), *Supra* note 36 at 66.

⁷⁸ *Supra* note 1 at 82.

⁷⁹ Zha Daojiong, “China’s energy security: Domestic and international issues” (2006) 48:1 survival-London-international institution for strategic studies 179 at 182.

energy connection one of the relationship's most important cornerstones. China has purchased crude oil from Iran and invested considerably in its upstream and downstream production systems. Also, since 2005,⁸⁰ China and Iran have inked seven large upstream energy deals. Moreover, “Beijing has been obsessed with securing sufficient oil supplies from abroad to keep its economic growth on track. Imported oil constituted nearly 50% of China’s total oil consumption between 2000 and 2008, and Iranian oil accounted for 12.77% of those imports during the same period.”⁸¹ China's fast progress has captivated the world's attention, and it has been dubbed a “peaceful rise” in recent years.⁸² Iran’s oil and gas resources satisfy Beijing's unquenchable desire for adequate, reliable, and secure energy sources. Furthermore, Iran's placement on the “Energy Silk Road” to China has the potential to be very important for Beijing as it strives to escape the “Malacca predicament”.⁸³

Iran is strategically located between two oil-rich regions—the Persian Gulf and the Caspian Sea. The Chinese refer to this area as the Energy Silk Road to China. The Persian Gulf accounts for about 55% of world(s) proven oil reserves (Energy Information Administration, 2009). The Caspian region’s proven oil reserves are equal to 1.8–3.3% of total world proven reserves. It is estimated that an additional 293 billion barrels in proven crude oil reserves are ascertainable, which would increase the present (r)egional total by 9 to 16 times (Gelb, 2002, pp. 2–4). This additional quantity could come to 20% of total world-proven reserves.⁸⁴

Iran's huge oil reserves,⁸⁵ the ability to produce and export massive amounts of oil, and the guarantee of China’s oil supplies by pursuing a “westward oil strategy” make Tehran a perfect partner as China pursues its aim of becoming a worldwide force. The availability of Iranian oil, as well as Iran's geopolitical position, are critical for China's policy of sustaining rapid economic expansion and energy security. In this regard, Energy became the backbone of China-Iran ties, since it is one of the primary drivers of China's push to the Persian Gulf. Iran is one of China's top three foreign oil suppliers and might offer Beijing access to energy from the West and is the second largest producer and exporter of oil among the Organization of Petroleum Exporting Countries (hereafter OPEC).⁸⁶

⁸⁰ Peter Mackenzie & CNA Corporation, *A closer look at China-Iran relations* (Alexandria, Va: CNA Analysis & Solutions, 2009) at 5.

⁸¹ *Supra* note 42 at 43.

⁸² *Ibid* at 39.

⁸³ *Ibid*.

⁸⁴ *Ibid* at 48.

⁸⁵ “Iran’s crude oil reserves comprise about 11.3% of world reserves, and its annual oil production and exports both account for more than 5.5% of the world total”, *Ibid* at 42.

⁸⁶ *Ibid* at 39,40 and 42.

Iran possesses some of the largest fossil fuel reserves in the world. Combining oil and natural gas, Iran's total proven reserves amount to 301.7 billion boe (barrels of oil equivalent – a measure that allows unifying oil and gas), second only to Saudi Arabia by a small margin (302.5 boe) and behind Russia (198.3 boe). As recalled by Dorraj and Currier, what makes Iran unique among most of the other oil-producing countries is the comparatively low extraction rate, which opens up to the possibility of a substantial increase in the production of both oil and gas subject to investment, infrastructure moderni(z)ation, and an improvement of Iran's political relations with the world.⁸⁷

Iran can assist China in acquiring a nonmaritime oil supply channel from the Persian Gulf across the Asian continent, which would boost China's energy links with Central Asian countries.

Iran occupies a strategic geographical position that straddles the world's two richest oil and gas zones: the Persian Gulf and the Caspian Sea. Moreover, it has a long coastline on the Persian Gulf, and its territory extends into the Strait of Hormuz, through which more than 13 million barrels of oil pass per day. The country has the capacity to be an energy hub in the region and could help China secure its energy needs while providing Beijing with a westward source of oil.⁸⁸

China's oil security plan aims to secure the safety of crude oil shipments to Chinese ports while also ensuring a steady supply of fair-priced energy supplies. Iran may play a dual role in being China's primary oil supplier and doing this from the West. Iran is China's third largest source of oil imports, accounting for more than 10%⁸⁹ of total imports with around 15%⁹⁰ of total yearly oil usage in China. These developments raise the prospect that China's ambition to secure energy sources and investments in Iran put it into confrontation with the US through the *JCPOA*.

With all these being mentioned, as well as the international situation surrounding the *JCPOA*, Iran's oil and gas sectors play a significant role in China's support during the nuclear deal. The reliance of China on imported energy is the most crucial incentive for China to support Iran through the *JCPOA*. As Western nations reduced oil trade and investment in Iran due to sanctions before *JCPOA*, China came in to fill the hole, becoming a key player⁹¹ in Iran's oil industry.⁹² China accounted for 16% of worldwide traded oil import, in 2014, exactly the period before the *JCPOA*.⁹³

⁸⁷ *Supra* note 48 at 59 and 60.

⁸⁸ *Supra* note 42 at 42.

⁸⁹ *Supra* note 68 at 409.

⁹⁰ *Supra* note 2 at 46.

⁹¹ For instance In 2004, Iran negotiated a \$20 billion balancing agreement with China to sell 2.5 million metric tonnes of Liquefied Natural Gas (LNG) yearly beginning in 2008, making it the world's largest natural gas purchase to date, *supra* note 32 at 73.

⁹² *Supra* note 68 at 414.

⁹³ *Supra* note 59 at 13.

In this matter, more sanctions and the unstable situation of Iran in the world lead to fewer oil exports from Iran and consequently the higher price of Oil globally. Accordingly, high oil prices not only have a direct impact on the Chinese economy but also exacerbate international tensions. So, China has chosen to play an important role in supporting Iran in the nuclear deal to dominate Iran's oil and gas resources and prices. This is done through the ease of the sanctions, keeping the price of oil low, and helping to reach a desirable result through the *JCPOA*.

2.2 China's regional ambition

China has always recognized the Middle East's strategic importance. Also, China's Gulf diplomacy has focused on properly dealing with the effects of the Middle East upheaval on the relationship between China and the Gulf Arab countries. China does so by actively participating in Iran nuclear talks and mediating between the West and Iran. From China's perspective, the Middle East is an area of critical geostrategic importance to the global political balance. The international system and regional trends, as well as China's diplomatic policies, have a significant influence on China's relationship with the Gulf area.⁹⁴ In fact, China has a variety of ties with its neighbors rather than one overarching and all-encompassing regional goal.⁹⁵ Therefore, China will play a greater role on the world stage; thus, it must strengthen its presence in critical regions to the overall fate of the global political balance.⁹⁶ China might play a key role on this chessboard in terms of economic, geopolitical, and ideological impact. As a result, Beijing is attempting to build connections with regional powers that provide a chance to join the regional political balance.⁹⁷ In fact "Chinese policy in the Middle East depends on two key elements: (1) establishing multidimensional and friendly relationships with all the states of the region, whether they are pro or anti-American; and (2) access to the resources of the region, namely the goods and capital export markets and, above all, the oil supply".⁹⁸ For these reasons, China prioritizes regional stability and preservation, which is one of the primary reasons for supporting Iran through the *JCPOA*. Beijing's principal concern in the Middle East is energy security. If China only needs two to three million

⁹⁴ *Supra* note 15 at 2.

⁹⁵ Shaun Breslin, "China and the global order: signalling threat or friendship?" (2013) 89:3 *International Affairs* 615 at 628.

⁹⁶ *Supra* note 2 at 52.

⁹⁷ *Ibid.*

⁹⁸ *Supra* note 43 at 238.

barrels per day of oil,⁹⁹ it could be able to obtain it from neighbors such as Russia, Kazakhstan, and Asian nations such as Indonesia and Malaysia. With massive oil and gas imports expected over the next decade and beyond, China is forced to resort to the Persian Gulf. The area is a major foreign source of capital investment in China, notably in the oil and allied industries, as well as a large market for Chinese goods, services, and weaponry sales. China is working hard to build commercial ties with the area to ensure the security of its oil supply.

The major goal of such a plan is Iran. Iran is strategically located at the Persian Gulf's narrowest point, linking the Arabian Sea and the Indian Ocean. Iran is also a Caspian Sea littoral state, which is in the heart of another energy-rich area, and is a critical node on overland road, rail, and pipeline lines. Iran wields power in regional affairs due to its geostrategic location, and its nuclear program which has the potential to shift the regional balance of power.¹⁰⁰ Iran is developing as a new regional power, and it is leading the diplomatic balance in the Middle East. Furthermore, when global energy markets emphasize industrial nations' increasing reliance on petroleum prices, Tehran has a key geopolitical tool in the form of its standing as a major oil producer and control of the Strait of Hormuz. Moreover, China wants to strengthen its relations with Iran and its presence in Central Asia to access the Caspian Sea region's energy resources. This is because tapping Caspian energy would help China reduce its reliance on maritime oil imports from Arab countries in the Persian Gulf, thus better ensuring an uninterrupted flow of oil.¹⁰¹ The Chinese economy is fast expanding to become one of the world's largest. China's appetite for energy is astonishing, ranking just behind the US in exports,¹⁰² largely in machinery and equipment. China's spectacular climb to economic domination on the global market has put it in a position to challenge the US as the world's largest economy, which might position China as a regional hegemon in Asia. Support for Iran will both damage the US position in the Middle East and establish China as the dependable energy partner it sorely needs to fuel its hungry industrial base. China and the US are being close pitted against one another in a struggle for influence in the Middle East and Central Asia because of a statist approach to managing external energy

⁹⁹ *Supra* note 22 at 82 and 83.

¹⁰⁰ Hafez Javed & Muhammad Ismail, "Iran's Nuclear Deal (JCPOA): Threats and Opportunities for the Regional Peace and Security" (2021) 7:4 Chinese Political Science Review 467 at 468.

¹⁰¹ *Supra* note 2 at 52.

¹⁰² *Supra* note 47 at 14.

connections.¹⁰³ This is one of the crucial reasons for China to support Iran during the *JCPOA* to gain this influence. More critically, for the political implications of Sino-Iranian commerce for the P5+1 process, China's oil imports from Iran have become an essential variable in Beijing's policy considerations towards Iran and the proliferation issue.

So far, the Middle East has been the main center of Beijing's efforts to create stronger energy partnerships, and China's energy strategy intends to promote more regional diversification. Beijing appears to be expanding its connections with Middle Eastern nations and pursuing a more balanced strategy with them. Regarding Iran, in two ways, Middle Eastern circumstances restrict China's approach toward it. First, the diplomatic costs of China's energy dealings with Iran are influenced by relations between Iran and its neighbors. Second, because of export rivalry among Middle Eastern oil-producing countries, China is attempting to balance its energy relations with Iran and other regional oil-exporting governments.¹⁰⁴ This is why China tried to lead the *JCPOA* negotiations to a positive outcome to improve the relationship of Iran with its neighbors and thus reach the oil resources of Iran broadly.

China's oil imports from Iran remained relatively stable, accounting for between 7.6 percent and 11 percent of what China imported from Iran between 2010 and 2016. However, the value of Iranian oil exported to China declined during the same period, it increased dramatically as a percentage of Iran's oil exports.¹⁰⁵ This implies that sanctions had isolated Iran from the international oil market while also making what China imported from Iran a more significant part of Iran's oil revenue. In other words, sanctions limited Iranian oil exports and drastically decreased Iranian revenue while increasing China's political significance to Iran and its participation in the P5+1 framework.¹⁰⁶ As a result, China's involvement in the P5+1 negotiations increased Beijing's power with both Iran and its P5+1 allies and boosted China's standing in the Middle East.

The *JCPOA's* process and approval to which China actively contributed facilitated the beginning of a new chapter in Sino-Iranian ties. Such a shift reflected a larger move to China's

¹⁰³ *Supra* note 36 at 62.

¹⁰⁴ *Supra* note 42 at 51.

¹⁰⁵ *Supra* note 56 at 226 and 227.

¹⁰⁶ *Ibid* at 227.

foreign policy brought about by Xi Jinping: The Belt and Road Initiative (BRI) was launched in 2013, coinciding with a gradual expansion in Beijing's involvement in the Middle East.¹⁰⁷ In 2014, China signed its first two comprehensive strategic partnerships (CSP) in the region with Egypt and Algeria, while Xi visited Iran and Saudi Arabia in January 2016, immediately following the *JCPOA*'s implementation day, to strengthen China's bilateral relations with the two Persian Gulf countries.¹⁰⁸ Following the completion of the Iran Deal in 2015, Chinese investments in Iran increased dramatically over the next two years.¹⁰⁹ Reasonably, through *JCPOA* not only China could provide a sanctions-free window, but it also could have the potential to create a more financially and economically vibrant climate. Through these Chinese businesses fought so hard with their European and Asian counterparts for market share in Iran. As a result, between 2016 and the end of 2017, the good environment created by the successful nuclear negotiations collided with China's vigorous foreign strategy under China's power. Iran is not just a potentially profitable market but a vital component of China's energy security policy. Its stability is also critical to Beijing's domestic and regional strategic objectives.¹¹⁰

2.3 Hegemony Approach of China over the United States' global dominance

In fact, "A hegemon is a country that influences the global order, and they do so by using both coercive and non-coercive methods".¹¹¹ Hegemony is a concept used in international relations studies to define an actor's ability to affect the global order, such as the US in the twentieth and twenty-first centuries or Britain in the nineteenth.¹¹² Realist researchers believe that national goals

¹⁰⁷ *Supra* note 22 at 98.

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid* at 96.

¹¹¹ *Supra* note 57 at 1.

¹¹² *Ibid.*

should encompass both maximizing gains and minimizing losses.¹¹³ As a result, not all foreign policies seek profits; they might also strive to avert losses.¹¹⁴

“Hegemony” in the Chinese language does not overlap with the Western definition. The Chinese definition contains “immoral” nuances. This is the reason Chinese leadership, including Mao, has particularly stressed the point that they are not going to be a hegemon and they will always stand against hegemonic rules and aims. The modern scholarly definition of hegemony is widely accepted to be associated with “leadership” and “consent” and it is presented in the Chinese language with the two characters 霸权 (bà quán) which mean “domination and influence”. Chinese authorities claim that they do not have the intention to be “immoral tyrants”, but that does not mean they will not be seeking “hegemony” in the Western meaning, which is in the form of “leadership” depending on “consent”. The objection of Chinese authorities is to its moral implications, not to itself.¹¹⁵

Hegemonic stability, according to the hegemonic stability hypothesis¹¹⁶, is dependent on nation-States maintaining a firm connection with the hegemon. Solving international challenges necessitates collaborative effort that includes both home and international goals. A powerful hegemon is ready and able to give solutions that suit the common interests of the states concerned to maintain the international order and achieve peaceful results. “In the 21st century, China and Russia have created new international institutions and regional forums that generally exclude the United States and the West. The BRICS grouping comprises Brazil, Russia, India, China, and

¹¹³The foundation of power transition theory has two key findings. The first is that a nation's power originates from its internal growth. The idea that the dominant country, or hegemon, has a decisive influence on the international system is the second fundamental of power transition theory. The nature of system stability is a key concept in power transition theory. Like hegemonic stability theory, power transition theory asserts that hegemonic dominance through power preponderance is necessary for the stability and upkeep of the global system. Instability results from challenges to the order according to both power transition theory and hegemonic stability theory. This is why China supports Iran through the Nuclear Deal to keep the balance and stability of the world for their inner hegemony intention. Woosang Kim & Scott Gates, “Power transition theory and the rise of China” (2015) 18:3 *International Area Studies Review* 219 at 220.

¹¹⁴Jianren Zhou, “Power transition and paradigm shift in diplomacy: Why China and the US march towards strategic competition?” (2019) 12:1 *The Chinese Journal of International Politics* 1 at 7.

¹¹⁵Asım Doğan, *Hegemony with Chinese characteristics: from the tributary system to the Belt and Road Initiative*, Routledge contemporary China series (Abingdon, Oxfordshire ; Routledge, 2021) at 4.

¹¹⁶*Supra* note 57 at 41 and 42.

South Africa”.¹¹⁷ In contrast, former US President Donald Trump withdrew from the Iran nuclear deal. Trump’s “America First” policies and withdrawal from global leadership have separated the US from the international community in unprecedented ways, jeopardizing its hegemony.

The US had considerably greater strength than other countries, owing mostly to economics, science and technology, and military activities, which have fueled its imperial ambitions.¹¹⁸ But based on an examination of the long cycle theory and the hegemonic stability theory, the US hegemonic dominance appears to be declining over the next 20 years, and international relations scholars debate the potential of China to assume hegemony at this time.¹¹⁹ China’s booming economy will be accountable for China’s threat to the US as a result of the Belt and Road Initiative and the Made in China 2025 Initiative.¹²⁰ The rise of China is unquestionably one of the most significant elements of and impacts on the international system in the twenty-first century. The possible impacts of China’s ascent on the global order have been the subject of much discussion. To engage with other emerging powers, and to maximize its growing interests to shape the existing order to further its interests, China often combines its interest in maintaining the liberal international order shaped by the US with a desire to redress or change some of its features.¹²¹

The Iranian nuclear dilemma is about hegemonic politics and a confrontation whose resolution will have far-reaching consequences for the dialectic between the modernizing and modernized worlds. It will also have an impact on views of global order at a time when the US position as a shaper of global hegemony is waning. In Sino-Iranian relations, the US is the most important intervening variable. The rationale is straightforward. China and Iran are both inextricably linked to the US, whether as a point of reference and rival for the former or as the principal source of negative identification and animosity for the latter. As a result, it is nearly difficult to conceive about China-Iran cooperation without addressing how it interacts with the US.¹²² An evaluation of China’s Iran policy must be situated within the framework of Sino-US ties.

¹¹⁷ *Ibid* at 42.

¹¹⁸ Samantha Blum, “Chinese Views of US Hegemony” (2003) 12:35 *Journal of Contemporary China* 239 at 251.

¹¹⁹ *Supra* note 57 at v.

¹²⁰ *Ibid*.

¹²¹ Chien-Huei Wu, *Multilateralism in Peril: The Uneasy Triangle of the US, China and the EU* (Abingdon, Oxon; New York, NY: Routledge, 2023) at introduction.

¹²² *Supra* note 48 at 81.

Indeed, China's ascent not only denotes the advent of a new regional power in Asia but also Beijing's expanding worldwide influence. As a result, when examining China's approach towards Iran, one should not limit one's focus to bilateral relations between Beijing and Tehran. The competition and collaboration between China and the US have a significant influence on the China-Iran relationship. For its part, Iran plays a significant role for China as well, given that it is not only one of the major oil-producing nations in the globe but also the only one in the Middle East that is not the US ally but rather the US enemy.¹²³

In contrast to the US-led West, China has always taken advantage of chances in nations where big powers are weak. Tehran is a perfect partner for Beijing as part of this plan, both in terms of natural resources and geopolitical power. The US sanctions compelled Iran to seek other investment partners in the emerging Eastern countries of China, India, and Russia, which in turn discovered a key energy partner in Tehran and one who shares American hegemonic worries. China seeks to impact the global balance of power by using its influence in Tehran and Iranian control over the Persian Gulf energy. The US was China's principal source of worry, which did not attempt to hide its concern.¹²⁴ In fact, Iran appears to be a tool China uses to further its own, more international goals at the expense of the US.¹²⁵

Accepting the fact of the US dominance, China's present approach is to limit the US's use of its political, military, and economic power.¹²⁶ To that end, Beijing has maintained a two-decade program of aggressive diplomacy aimed at increasing China's regional political and economic dominance. “a wealthy China would not be a status quo power, but an aggressive state determined to achieve regional hegemony”.¹²⁷ Expanding China's influence is viewed as the most efficient approach to oppose the US while avoiding direct conflict. Iran is the best choice for China in this regard. During the *JCPOA*, China tried to achieve this aim by using Iran's Card, and by leading Iran to reach the deal, economically (especially in the oil and gas) and politically dominate Iran

¹²³ *Supra* note 43 at 229.

¹²⁴ Paul HB Godwin, “China as Regional Hegemon?” (2004) *The Asia-Pacific: A Region in Transition*, Honolulu: Asia-Pacific Center for Security Studies 81 at 86.

¹²⁵ *Supra* note 43 at 228.

¹²⁶ *Supra* note 129 at 92.

¹²⁷ *Supra* note 58 at 95.

for more support. In addition, the so-called “oil axis”¹²⁸ is formed by Russia (a significant producer), China (a rising consumer), and nationalist oil-producing States (most notably, Iran, a large producer). Their interests overlap, and they are now opposing the US hegemony on a variety of global issues. China's rising economy is boosting its worldwide reach, and large-scale oil purchases are inevitably strengthening Beijing's presence and influence in the oil-rich Middle East area.¹²⁹ China has expressed fear that the US may one day jeopardize China's energy security by meddling with or even stopping Chinese oil supplies from the Persian Gulf, destabilizing the Chinese economy. As a result, Beijing has attempted to restrict US control over China's oil supply and has sought supply options that would safeguard its energy imports. China is attempting to solve its alleged energy vulnerability by implementing state-sponsored plans to “secure” access to hydrocarbon resources. So, China has reached an agreement with Tehran to oppose the US hegemony in the Persian Gulf. Beijing has started to see Iran as a viable ally in the region to counteract Washington's dominance.

China now has less influence¹³⁰ in the Middle East than the US, Russia, and Western European nations, and changing this scenario will be difficult for Beijing in the medium term. Nonetheless, China has come to perceive itself as a responsible, big power, and has attempted to expand its regional influence. Because it relies on oil,¹³¹ China is cautious of the US approach towards resource-rich developing nations. Iran's substantial oil resources and Middle Eastern political prominence are crucial to China. In the case of the nuclear case, China has avoided escalating the crisis or subjecting Iran to harsh penalties to gain this. So, China wants the international community to use peaceful ways to force Iran to cease its claimed nuclear weapons program.

¹²⁸ *Supra* note 32 at 73.

¹²⁹ *Supra* note 42 at 49.

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

CHAPTER III

WITHDRAWAL OF THE UNITED STATES FROM *JCPOA*

Economic sanctions are traditionally an alternative to military interventions and an important part of the theory of “the curve of increasing the use of force”.¹³² They are considered to prepare war conditions. Economic sanctions against a nation nearly always result in significant disincentives for foreign banks, foreign investors, and other international financial organizations like the World Bank Group. This hurts the country's economy, which also has an impact on everyone's human rights, especially the most vulnerable and underprivileged groups in society. In this regard, the withdrawal of the US, and the removal and reimposition of sanctions on Iran had a significant impact on the Iranian economy, oil and gas industry, bank and financial institutions, society, and health which is regarded as a danger to Iran's social life and economy.¹³³ On the other hand, according to international rules, the UN Security Council is designated as the primary body of the UN in charge of maintaining global peace and security in chapter V of the *UN Charter*.¹³⁴ Additionally, under certain circumstances of jeopardies regarding international peace and security, chapter VII¹³⁵ grants the only authority to the Security Council to impose economic sanctions. This leads to the widely held belief¹³⁶ within the international community that unilateral economic sanctions implemented outside of this framework are unilateral and illegal. A case in point is the rejection of the US embargo on Cuba,¹³⁷ one of the most well-known and pervasive examples of unilateral sanctions of the US. It has gained such widespread support from the international community that, in the General Assembly in 2018, achieved a state of overwhelming consensus. On November 1, 2018, 189 States voted in support of the newest *Resolution (73/8)*¹³⁸ denouncing the embargo, while only two voted against it. “The [*Resolution*] [calls] on [‘all States’]

¹³² Seyed Mohamad Hassan Razavi & Fateme Zeynodini, “The Impact of Reinstatement of US Secondary Sanctions on Iran’s Oil and Gas Sector: Opportunities and Challenges” (2018) 4:1 Journal Of Researches Energy Law Studies 37 at 54.

¹³³ *Supra* note 137 at 53.

¹³⁴ *Charter of the United Nations*, 26 June 1945, Can TS 1945 No 7, chap V.

¹³⁵ *Ibid* at chap VII.

¹³⁶ Idriss Jazairy, “Unilateral economic sanctions, international law, and human rights” (2019) 33:3 Ethics & International Affairs 291 at 293.

¹³⁷ *Ibid*.

¹³⁸ *Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba*, GA Res 73/8, UNGAOR, 73rd Sess, Supp No 43, UN Doc A/73/L.3 (2018) 1.

to [‘refrain’] from using unilateral coercive measures”.¹³⁹ Such *Resolutions* also make it obvious that States would be acting under their responsibilities based on the *Charter of the UN* and international law.¹⁴⁰ Accordingly, as far as the US sanctions against Iran are out of this framework and in contrast to the UN principles based on the below reasons, this is to say the US sanctions against Iran are against the UN principles.

Sanctions have already been proven¹⁴¹ to have negative consequences on human rights, democracy, public health, life expectancy, income disparity, and poverty, negatively impacting banks, capital flows, foreign direct investments, international trade, economic growth, and currency rate volatility.¹⁴² These disappointing results indicate¹⁴³ that sanctions have enormous indirect social and human costs in addition to direct economic and political consequences. In this regard, the reimposition of the US sanctions may be impeding the flow of humanitarian items to the Iranian people and adding to medical shortages. This could happen for conditions such as multiple sclerosis and cancer, while food traders have stopped supplying Iran due to a lack of trade funding.¹⁴⁴

On the other hand, the reimposition had extra effects on other nations such as China as well. Due to massive economic, and oil and gas relations between Iran and China, new sanctions automatically go beyond the US-Iran relations and get China involved. In this regard, China tried to overcome the new situation and stay on the safe side of both countries.

So, this Chapter first studies the macro-economic dimensions of the reimposition of sanctions, Withdrawal of the *JCPOA* in the light of international law and respective laws of the United Nations (hereafter UN), Social and health impacts of sanctions especially according to the United Nations, and Related impacts on China and its reaction.

¹³⁹ *Supra* note 141 at 293.

¹⁴⁰ *Ibid.*

¹⁴¹ Firat Demir & Saleh S Tabrizy, “Gendered effects of sanctions on manufacturing employment: Evidence from Iran” (2022) 26:4 *Review of Development Economics* 2040 at 2041.

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

¹⁴⁴ Samiul Islam, *US Imposed Sanction on Iran: Analysing the Aftermaths* (BSS (Hons) Thesis, Bangladesh University of Professionals, 2019) [unpublished] at 37.

3.1 Macro-economic dimensions

When the US withdrew from the Iran nuclear deal in May 2018, the Trump administration launched a new and more aggressive “maximum pressure” campaign against Iran. Accordingly, persons, or institutions residing in a third country who trade with persons, or institutions headquartered in Iran will be accused of breaking the US sanctions.¹⁴⁵

The first round of sanctions (August 7) included sanctions on Iran's automotive industry, a prohibition on access to US dollars by the Iranian government, and bans on exports of aircraft and spare parts as well as on gold transactions. The second round of sanctions (November 5) targeted Iran's key industries, and was designed to place maximum pressure on Iran to wrest maximum concessions from the country. Exports of crude oil and petroleum products, which account for 60% of Iranian government revenues, as well as its port operation, maritime transport and shipbuilding sectors were subjected to sanctions, Iran's central bank and other major banks were excluded from the SWIFT [Society for Worldwide International Financial Telecommunication] system and prohibited from using it for transactions, and sanctions were placed on insurance coverage for trade with Iran.¹⁴⁶

The extra-territorial aspect of unilateral sanctions against Iran and the dependence of the economy of Iran on oil exports accounted for up to 43% of total exports, and banking sanctions resulted in many economic problems. This includes inflation, more unemployment, reduction in oil revenue, export, banking and currency malfunctions, and reduction in Gross Domestic Product (hereafter GDP).¹⁴⁷ In fact, with the US reinstatement of economic sanctions, the economy is once again on the verge of imploding, with millions of people losing their jobs and inflation surging.¹⁴⁸ More importantly, secondary sanctions of the US after withdrawal that target Iran's oil exports have had a direct and observable impact¹⁴⁹ on Iran's crude oil production as well as on crude oil and condensate export volumes.¹⁵⁰

During the JPA [*Joint Plan of Action*] effective period (January 2014 to January 2016), Iran's crude oil production and export volumes stabilized, as countries were no longer required to continue reducing imports to receive SREs [Site Reliability Engineers]. With the implementation of the

¹⁴⁵Aslan Murat, *The Economic Consequences of the US Withdrawal from the Nuclear Deal* (2022), eBook, online:<https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4207652> at 5.

¹⁴⁶*Supra* note 44.

¹⁴⁷Dr Seyed Ghasem Zamani & Zeinab Farahmandzad, “USA Unilateral coercive measures against Iran from the perspective of International Law by emphasizing of UN Human Rights Council Practice” (2022) 20:48 *Journal of Legal Research* 8 at 21.

¹⁴⁸*Supra* note 10 at 128.

¹⁴⁹Phillip Brown, *Oil market effects from US economic sanctions: Iran, Russia, Venezuela* (Congressional Research Service, 2020) at 9.

¹⁵⁰*Ibid.*

[*JCPOA*], sanctions affecting oil exports were waived and Iran's production and exports returned to pre-FY2012 NDAA [National Defense Authorization Act for Fiscal Year 2012] levels. Following the United States exiting the [*JCPOA*] in May 2018, production and exports declined and then stabilized once SREs were granted to eight countries in November 2018. As of May 2, 2019, it is the Trump Administration's intent to no longer grant SREs. According to Bloomberg L.P.'s oil tanker tracking service, observable exports from Iran have declined significantly based on October 2019 volumes.¹⁵¹

Economic restrictions that affect Iran's oil trade explicitly imply the effects on the oil supply and the potential for high oil prices.¹⁵² It clearly shows that oil production after *JCPOA* in 2016 significantly improved followed by a sharp reduction after the withdrawal in 2018.

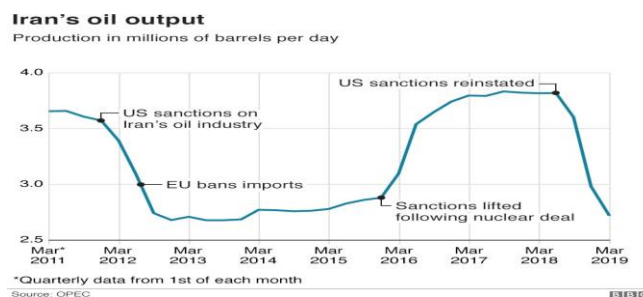


Figure I. Iran Oil Production and Exports from March 2011 to March 2019¹⁵³

In fact, the blow of US sanctions in 2018-2019 reached the Iranian economy considerably faster than it did in 2012-2015.

Within six months after the announcement of the sanctions, the export of Iranian oil, despite the fact that eight countries—the largest oil importers from Iran—received temporary permits for its purchases in certain volumes, decreased by half. In April 2019, the United States embarked on a course to bring Iranian oil exports to zero. India and Turkey suspended imports of Iranian oil in May. Iran will undoubtedly find opportunities to continue exporting oil, albeit not in the same volumes, through indirect and bypass channels, but it will have to provide its importers with additional price discounts as payment for the risk of working with a toxic asset.¹⁵⁴

However, the essential issue is that European companies and Pan-European economic organizations have stopped doing business with Iran in the oil and gas industry. For example, despite receiving interim authorization from the US Treasury Department, refineries in Italy and Greece refused to acquire Iranian oil.¹⁵⁵ In this regard, other *JCPOA* members opposed the US

¹⁵¹ *Ibid* at 10.

¹⁵² *Ibid* at 30.

¹⁵³ *Supra* note 149 at 32.

¹⁵⁴ Zhukov S V & Reznikova O B, "Iran in the Global Oil Market" (2020) 90:6 *Herald of the Russian Academy of Sciences* 708 at 714.

¹⁵⁵ *Ibid*.

position. They could not, however, give Iran adequate economic channels that would allow them to import Iranian oil and participate in the Iranian oil and gas industry.¹⁵⁶

Regardless of how events unfold in the future, it is certain that the Iranian oil industry, like the economy, will operate in an emergency mode of survival in the near and medium term. This implies that Iran's share of global oil output will decrease. This is an example of a hydrocarbon-rich country where political shocks exogenous to the oil industry limit its potential. Iran's impact on the operation of the global oil market is rapidly dwindling.¹⁵⁷

Moreover, the impact of the US sanctions has significantly increased the difficulty of exporting to and importing into Iran.¹⁵⁸ This is principally because potential trading partners are unable to send money to Iran in foreign currencies and vice versa. This forces the Iranian administration and domestic businesses to either accept the national money of the trading partner or engage in bartering for other items.¹⁵⁹ As a result, several businesses have completely stopped doing business with Iran out of fear of repercussions for breaking sanctions. In addition, the reintroduction of the US sanctions has caused Iran's economy to contract as large corporations leave the country rather than risk being sanctioned by the US.¹⁶⁰

On the other hand, the possibility of a decline in petrodollar inflows into the economy aggravated the situation in the foreign currency market. The Iranian rial began to fall fast after the US declared its intention to withdraw from the *JCPOA*. Between May and September 2018,¹⁶¹ Iran's national currency declined by 2.3 times versus the US dollar, however, the authorities were able to temporarily halt the depreciation. At the end of July 2018, the value of the Iranian rial had fallen by about 60% since the beginning of the year, resulting in an inflation rate of more than

¹⁵⁶ *Ibid.*

¹⁵⁷ *Ibid.*

¹⁵⁸ *Supra* note 46 at 3.

¹⁵⁹ “For example, several leading international financial institutions, including Swiss financial firm Credit Suisse and London-based Standard Chartered Bank, incurred hundreds of millions of dollars in fines for sanctions violations for trading with Iran”, *Supra* note 46 at 3 and 4.

¹⁶⁰ *Supra* note 149 at 28.

¹⁶¹ *Supra* note 159.

20%. The rial's value peaked at US\$1=190,000 rial at the end of September, when the inflation rate began to fall, and Iran's economic chaos began to ease.¹⁶²

The reimposition of U.S. sanctions in 2018 caused the rial's value to plummet to 150,000 to the dollar by the November 5, 2018. It is only slightly stronger than that as of mid-2019 (about 135,000 to the dollar). The downturn has made it difficult for Iranian merchants to import goods or properly price merchandise, and the government has banned the importation of 1,400 to accelerate during 2011-2013 to a rate of about 60%—a higher figure than that acknowledged by Iran's Central Bank. As sanctions were eased, inflation slowed to the single digits by June(,) 2016, meeting the Central Bank's stated goal. Turmoil surrounding the U.S. exit from the [JCPOA] caused inflation to increase to about 15% by late June 2018, and further to nearly 40%, by the end of 2018.¹⁶³

Moreover, the Society for Worldwide International Financial Telecommunication (hereafter SWIFT) leadership was compelled to apply restrictions against Iranian banks because of pressure of the US.¹⁶⁴

With the reintroduction of the US sanctions in mid-2018, the World Bank predicts that Iran's GDP would contract by around 5% between March 2019 and March 2020, a greater decrease than was predicted in late 2018.¹⁶⁵ Afterwards, due to the withdrawal of the US and the reimposition of sanctions, Iran's GDP dropped dramatically until 2022.¹⁶⁶

3.2 Withdrawal of the JCPOA in the light of international law and respective laws of the United Nations

The US has reinstated and intensified its sanctions¹⁶⁷ against Iran after its unilateral withdrawal from the JCPOA. On August 6, 2018, President Trump individually issued *Executive Order* (hereafter *EO*) 13846,¹⁶⁸ “with five main sections explaining the decision to withdraw from the [JCPOA] and providing directions to administration officials for reimposing sanctions”.¹⁶⁹ This

¹⁶² *Supra* note 44 at 1.

¹⁶³ *Supra* note 149 at 36.

¹⁶⁴ *Supra* note 159 at 713 and 714.

¹⁶⁵ *Supra* note 149 at 36.

¹⁶⁶ “GDP per capita (current US\$)- Iran, Islamic Rep.”, online: The World Bank <<https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=IR>>.

¹⁶⁷ Patrick CR Terry, “Enforcing US foreign policy by imposing unilateral secondary sanctions: Is might right in public international law?” (2020) 30;1 Wash Int'l LJ 1 at 5.

¹⁶⁸ *Executive Order 13846 Reimposing Certain Sanctions with Respect to Iran*, 83 Fed Reg 152 (2018) (to be codified at section 301 of title 3).

¹⁶⁹ *Supra* note 27 at 517.

order includes two parts. First, it reimposed relevant blocking and menu-based sanctions applicable to non-US persons. And second, it broadened the scope of the sanctions that were in effect before January 16, 2016. However, the US is attempting to pressure the other State parties¹⁷⁰ to adhere to its stance on Iran. The US does that by threatening the corporations and business executives in those States with financial or even criminal sanctions to pressure them to sever specific relations with Iran. On the other hand, the US is trying to persuade other countries¹⁷¹ to follow its sanctions and foreign policy. *Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States*¹⁷² (*Friendly Relations Resolution*) is one of the apparent examples of confronting this behavior.

Iran opened a lawsuit on July 16, 2018,¹⁷³ in the International Court of Justice (hereafter ICJ) in response to the withdrawal of the US from the *JCPOA* and in respect of the *Treaty of 1955*¹⁷⁴ on June 22, 2018. After legal procedures, the ICJ finally ordered on May 8, 2018,¹⁷⁵ the US to eliminate all prohibitions on the shipment to Iran of medicines, medical equipment, food, and agricultural products. The order also contains the components and services required to preserve the safety of civil aviation. This order legally refers to¹⁷⁶ violations of the principles of the non-intervention, *Treaty of 1955*, and the principles of the World Trade Organization (hereafter WTO).¹⁷⁷ Even if the US's "security interests" were considered, the sanctions imposed might irreparably harm Iran's rights under the *Treaty of 1955* by putting the health and lives of its citizens in jeopardy.

¹⁷⁰ *Supra* note 172 at 1.

¹⁷¹ *Ibid* at 4 and 5; also, For example, the United States has threatened European, Chinese, and other states' companies to force them to cut their commercial ties with Iran. President Donald Trump has also threatened France, Germany, and the United Kingdom with the imposition of onerous tariffs on certain exports to the United States, should they not toe the United States' line on Iran, *ibid* at 5.

¹⁷² *Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations*, GA Res 2625(XXV), UNGAOR, 25th Sess, Suppl No 28, UN Doc A/2625 (1971)1.

¹⁷³ *Supra* note 152 at 17.

¹⁷⁴ *Treaty of Amity, Economic Relations, and Consular Rights*, United States of America and Iran, 15 August 1955, 4132 UNTS 93 (entered into force 16 June 1957) 93.

¹⁷⁵ *Supra* note 152 at 17.

¹⁷⁶ Julia Schmidt, "The Legality of Unilateral Extra-territorial Sanctions under International Law" (2022) 27:1 Journal of Conflict and Security Law 53 at 27.

¹⁷⁷ *Ibid*.

After the trial on October 3, 2018, the US exit¹⁷⁸ the *Treaty of 1955* to remove the source of the rights and duties based on the *Treaty of 1955*. However, that action does not have an international effect due to non-retroactive rule¹⁷⁹ in this regard. Because the essence of obeying this order solely comes from the order and the status of the ICJ not the *Treaty of 1955*.¹⁸⁰ According to paragraph 3 of article XXIII¹⁸¹ of this *Treaty*: “[E]ither High Contracting Party may, by giving one year's written notice to the other High Contracting Party, terminate the [*present Treaty*] at the end of the initial ten-year period or at any time thereafter”. Consequently, based on this article, the US did not follow the rules for exiting the deal. Despite this, the effective day of the exit would be May 8, 2018, due to the non-retroactive rules. The main question is that, if the US does not believe in the effectiveness of the *Treaty* in respect of the relations with Iran, why did they exit it exactly the day after the order and without mutually previously accepted rules of exit? The US confirmed its effectiveness by exiting the *Treaty* and international announcement.

Also, the action of the withdrawal of the US from the *JCPOA* violates article 18 of the *Vienna Convention on the Law of Treaties of 1969*,¹⁸² *Resolution 2231*¹⁸³ (2015) on article 25 of the *Charter of the United Nations* and article 32 of *Resolution 3281*¹⁸⁴ containing *Charter of Economic Rights and Duties of States*.

According to article 18 of the *Vienna Convention on the Law of Treaties of 1969*,¹⁸⁵ “a country or an organization which signs a treaty, up to the time it approves of the treaty or declares its intention not to be a party to the treaty, shall not commit acts prejudicial to the purpose and subject of the treaty”. Based on the *Vienna Convention*, the US does not have a legal basis to withdraw from its commitments to end internal and international sanctions against Iran. According to article 36 of the *JCPOA*, if one of the parties (Iran) has not complied with its obligations under the agreement, the US may bring the matter to the joint commission. However, the US chose not

¹⁷⁸ *Ibid* at 56.

¹⁷⁹ *Supra* note 152 at 17.

¹⁸⁰ *Ibid*.

¹⁸¹ *Supra* note 179 at art XXIII, para 3.

¹⁸² *Supra* note 62 at art 18.

¹⁸³ *Supra* note 28 at art 25.

¹⁸⁴ *Charter of Economic Rights and Duties of States*, GA Res 3281 (XXIX), UNGAOR, 29 th Sess, Supp No 31, UN Doc A/9631(1974) at art 32.

¹⁸⁵ *Supra* note 62 at art 18.

to follow¹⁸⁶ this rule.

Based on article 32¹⁸⁷ of the *Resolution 3281* of the UN General Assembly as the *Charter of Economic Rights and Duties of States* “[n]o State may use or encourage the use of economic, political or any other [types] of measures to coerce another State in order to obtain the subordination of the exercise of its sovereign rights”.

Moreover, as regards to article 2 of the *UN Charter*,¹⁸⁸ member States should respect and apply the Security Council’s decisions. However, this is to say that by the decision of the president Trump, the US violates *Resolution 2231* by unilateral withdrawal of it on May 8, 2018.¹⁸⁹ In accordance with President's decision, secondary sanctions targeting foreign trade coming from nations that do business and invest in Iran have been reinstated. This will also have an impact on US companies.¹⁹⁰ Suitably, this act of the US, violates the international rules in this respect and the necessity of obeying the UN Security Council’s decision.

3.3 Social and health impacts of sanctions especially according to the United Nations

Unilateral sanctions have enormous economic effects and harm human development over time.¹⁹¹ Sanctions are used to change a certain set of policies or behaviors of a target country, usually targeted at the ruling government, but they can also have effects that go beyond their explicitly stated objectives. These impacts could be either on health or gender. In respect of Iran for example:

Moaveni and Tahmasebi (2021) describe how recent sanctions and their aftermath have affected the middle[-]class women in Iran they describe how sanctions have altered the life of a female language teacher and imposed limitations on business opportunities that were previously available to a female publisher and an independent filmmaker.¹⁹²

¹⁸⁶Mehdi Khazaie, Mousa Mousavi Zanouz & Hassan Soleimani, “The Joint Comprehensive Plan of Action (*JCPOA*): results and achievements” (2021) 18:4, *PalArch Journal of archeology of Egypt- Egyptology*, online: <<https://www.archives.palarch.nl/index.php/jae/article/view/6667/6458>>, check at 22 November 2023 at 2351.

¹⁸⁷ *Supra* note 62 art 32.

¹⁸⁸ *Supra* note 139 at art 2.

¹⁸⁹ *Supra* note 29 at 1.

¹⁹⁰ *Ibid.*

¹⁹¹ *Supra* note 146 at 2040.

¹⁹² *Ibid* at 2041.

Given the severity of economic, social, and institutional impediments to women's economic involvement in Iran compared to other sanctioned nations, it is anticipated¹⁹³ that the gendered effects to be worsened. Nearly all international documents on human rights,¹⁹⁴ such as the *Universal Declaration of Human Rights of 1948* (hereafter *UDHR*), the *International Covenant on Political and Civil Rights of 1966* (hereafter *ICPCR*) article 25, and the *International Covenant on Economic, Social, and Cultural Rights of 1966* (hereafter *ICESCR*), support access to healthcare and the right to health. However, the US ratified *ICESCR* 1992,¹⁹⁵ regardless of its responsibility to respect the rules of the convention still did not comply with the conditions of this treaty. Also, the US signed the *ICESCR* in 1977,¹⁹⁶ but has not yet ratified it and is not a party to the agreement.

Due to its widespread ratification internationally (171 states), [*ICESCR*] is arguably customary international law and might become binding on the United States, irrespective of its ratification. As a consequence, the United States is arguably committed to complying with the right to health enshrined in Article 12 of [*ICESCR*].¹⁹⁷

Although unilateral sanctions of the US are not specifically listed as being unlawful in international texts like the *UN Charter*¹⁹⁸ they are examples of unilateral coercive actions, and they have been widely discussed due to their detrimental effects on human rights.

Mr. Idriss Jazairy and Ms. Alena Dohan, Special Rapporteurs of the Human Rights Council, have mentioned repeatedly in their reports to the Human Rights Council and the UN General Assembly the negative effects of unilateral coercive measures on human rights, including the violation of the right to life, the right to health, the right to development, etc., and have strongly urged governments to Stop taking these restrictive measures.¹⁹⁹

The US violates human rights and customary obligations in this respect. “The US government is in some cases internationally responsible for human rights abuses and violations of treaty and customary obligations due to unilateral and extraterritorial sanctions against the Iranian government and individuals”.²⁰⁰ In Iran, for example, recent U.S. economic sanctions have

¹⁹³ *Ibid.*

¹⁹⁴ Abbas Karimi & Hojjat Salimi Turkamani, “U.S.-Imposed Economic Sanctions on Iran in the COVID-19 Crisis from the Human Rights Perspective” (2021) *International Journal of Health Services* 570 at 571.

¹⁹⁵ *Ibid.*

¹⁹⁶ *Ibid.*

¹⁹⁷ *Supra* note 199 at 571.

¹⁹⁸ *Supra* note 152 at 7.

¹⁹⁹ *Ibid* at 9.

²⁰⁰ *Ibid* at 7.

affected tens of millions of ordinary Iranians, disrupting their access to jobs, food, and often medicine. When the US reimposed these economic sanctions in 2018, Secretary of State Mike Pompeo boasted that after a new wave of sanctions, Iran would “be battling to keep its economy alive.”²⁰¹ Almost all human rights,²⁰² including the rights to life,²⁰³ education,²⁰⁴ health,²⁰⁵ as well as the right to a minimal standard of living, which includes access to food, clothes, shelter and medical care in Iran, are under risk of unilaterally imposed sanctions regimes.²⁰⁶ The lives and health of numerous patients and citizens are in danger. This is because Iran's financial and banking system (as explained above) is being boycotted because of unilateral primary and secondary sanctions imposed by the US government through withdrawal. As a result, Iran has limited access to essential medicines.²⁰⁷

The US leaving the Iran nuclear deal in May 2018 necessitates immediate attention to the impact of sanctions on the health of more than 80 million Iranians. In this sense, the public healthcare system of Iran is critical to delivering healthcare and treatment services. Prior to 2015,²⁰⁸ sanctions indirectly harmed Iran's public health system. The new restrictions will have a terrible impact on the health of many Iranians, particularly cancer sufferers. Cancer is the third leading cause of mortality in Iran.

Iranian officials have also accused U.S. sanctions of hampering international relief efforts for victims of vast areas of flooding in southwestern Iran in the spring of 2019. Other reports say that pollution in Tehran and other big cities is made worse by sanctions because Iran produces gasoline itself with methods that cause more impurities than imported gasoline... Iran's efforts to deal with environmental hazards and problems might be hindered by denial of World Bank lending for that purpose. In the aviation sector, some Iranian pilots complained publicly that U.S. sanctions caused Iran's passenger airline fleet to deteriorate to the point of jeopardizing safety. Since the U.S. trade ban was imposed in 1995, 1,700 passengers and crew of Iranian aircraft have been killed in air accidents, although it is not clear how many of the crashes, if any, were due to difficulty in acquiring U.S. spare parts.²⁰⁹

²⁰¹ *Supra* note 141 at 295 and 296.

²⁰² *Research-Based Progress Report of the Human Rights Council Advisory Committee Containing Recommendations on Mechanisms to Assess the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights and to Promote Accountability*, GA Res 28/74, 28 th Sess, Supp No 15, UN Doc A/28 (2015).

²⁰³ *Human rights and unilateral coercive measures*, GA Res 70/345, 70th Sess, Supp No 15, UN Doc A/70 (2015).

²⁰⁴ *Ibid* paras from 45 to 46.

²⁰⁵ *Ibid* paras from 38 to 44.

²⁰⁶ *Supra* note 141 at 294 and 295.

²⁰⁷ Mehdi Aloosh, Afshin Salavati & Arash Aloosh, “Economic sanctions threaten population health: the case of Iran” (2019) 169 *Public Health* 10 at 9.

²⁰⁸ *Supra* note 149 at 29.

²⁰⁹ *Ibid* at 37 and 38.

The withdrawal of the US and its unilateral sanctions against Iran affected²¹⁰ the decreasing ability of Iran to perform its obligation based on the *International Covenant on Economic, Social, and Cultural Rights in 1966*. In addition to the various problems hailing from the sanctions,²¹¹ there are more obstacles too. For example, shortages of food and medicine, hygienic and agricultural items, the COVID-19 pandemic, and the crisis of the health of nations and the medicine and vaccines threaten the health of the world. In this respect shortage of masks and medicine and losing jobs²¹² became one of the main problems in Iran. This along with the inflation resulting from unilateral sanctions of the US put the human rights in Iran to reach hygiene, health, medicine, etc. in jeopardy.²¹³ Also, “a decline in health care services under sanctions subsequently leads to limited access to life-saving medicines”.²¹⁴ For example, Alena Douhan, special rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights issued a report²¹⁵ about the negative impacts of unilateral sanctions in the pandemic situation in respect of accessing the medicine and hygiene items. She called for lifting or at least suspending unilateral sanctions for sending foods, medicine, and primarily medical equipment to sanctioned countries.

In Iran, the first confirmed cases were reported on February 19, 2020, in Qom (Qom Province, Iran) and then spread across the country. According to Iran’s Ministry of Health, as of April 1, 2021, at least 1,885,564 confirmed COVID-19 cases and 62,665 deaths had been reported. Epidemic estimation studies for Iran claim that the exact number of daily deaths or cases of COVID-19 is much greater than those in Iran’s official reports.²¹⁶

With that being said, the withdrawal of the US had negative impacts on the social and health of the Iranian people which continues.

²¹⁰ *Supra* note 152 at 18.

²¹¹ *Ibid.*

²¹² *Ibid.*

²¹³ *Ibid.*

²¹⁴ *Supra* note 199 at 570.

²¹⁵ *Human rights and unilateral coercive measures*, GA Res 27/21, UNGAOR, 27th Sess, Supp No 14, UN Doc A/27/21(2014) 1; also, *Negative impact of unilateral coercive measures on the enjoyment of human rights*, GA Res 75/209, UNGAOR, 75th Sess, Supp No 20, UN Doc A/75 (2020).

²¹⁶ *Supra* note 199 at 570.

3.4 Related impacts on China and its reaction

The trajectory of the relationship between China and the US altered from that of the previous twenty years over the four-year period between 2017 and 2020 (during the withdrawal).²¹⁷ Beijing was eager to rebuild its ties with Washington, while the UN Security Council discussion on Iran put China's international obligations in front of it. Conversely, the Trade War and the development of great power competition brought the Sino-US relationship to an all-time low. The Biden administration is concerned about a growth in Chinese and Russian influence in the area in the absence of the US, which would be detrimental to the superpower's long-term strategic and political interests.²¹⁸ Nonetheless, the influence of China's downward trend on how it manages the conflict of roles between its favorable relationship with Iran and competition with Washington was negligible. In this regard, the US unilateral withdrawal from the *JCPOA* provided China with an opportunity to resume its position as a responsible partner in the international community. In truth, China has always emphasized the importance of multilateralism and the respect and sanctity of treaties. Also, the rejection of unilateral measures considered unconstitutional, and the acknowledgment of the *JCPOA* as an effective non-proliferation tool were being highlighted by China. Beijing's attitude not only responded to Iranian demands, but it was also significantly aligned with the other Security Council members' positions.²¹⁹

While the US exit from the agreement has delivered a significant blow to the *JCPOA*, it cannot be denied that it has served other global powers such as China well.

In terms of oil, the Chinese may simply substitute Iranian crude for part of the American oil.²²⁰ China has supported²²¹ of the multilateral diplomacy and international laws by saying that they will preserve the *JCPOA* even with the US withdrawal. China established the first renminbi-denominated crude oil futures market at the Shanghai International Energy Exchange in the

²¹⁷ *Supra* note 22 at 101.

²¹⁸ *Supra* note 10 at 129.

²¹⁹ *Supra* note 22 at 101.

²²⁰ *Supra* note 137 at 52 and 53.

²²¹ *Supra* note 159 at 714.

Shanghai Free Trade Zone. This was with the dual goals of maintaining petroleum trade with Iran and internationalizing the Chinese yuan.²²²

In August, Zhuhai Zhenrong Corporation, a Chinese state-run petroleum trader, and China Petroleum & Chemical Corporation (Sinopec) concluded an agreement with the state-run Iranian Petroleum Corporation on purchasing crude oil at a discounted price using tankers owned by Iran's state-operated tanker company. On December 12, Reuters reported that the China National Petroleum Corporation (CNPC) intended to suspend its investment in the South Pars gas field while at the same time investing in projects to develop the Masjed Soleyman and Azadegan oil fields and continuing to import crude oil from Iran.²²³

Also, “after the (JCPOA), China’s Iranian crude oil imports rose to a record of more than 600,000 bpd [barrels per day]. In the first quarter of 2018, China’s imports from Iran (have) reached about 650,000 bpd”.²²⁴ In addition, “[t]he International Energy Agency has predicted that China’s oil demand will rise to 10 million barrels per day by 2030”.²²⁵ China is notable for continuing to buy Iranian oil. Indeed, Iran has continued to export a large amount of oil to China via other countries such as Malaysia.²²⁶ China Petrochemical Corporation or Sinopec, China's second-largest State-owned oil corporation, indicated in January 2019 its willingness to invest \$3 billion under such terms in the development of the massive Yadavaran oil field.²²⁷ In addition, Chinese State oil corporations have proposed a new model for oil and gas investment collaboration with the Iranian side. First, they are interested in obtaining so-called shared oil, for which they expect to obtain US permits, implying participation in the share capital. Second, they insist on complete independence in purchasing oil and gas equipment. And third, compensation for investment costs is believed to be made immediately after the equipment is installed.²²⁸

The overall reaction of Beijing to Maximum Pressure regarding commerce and trade was divided. Although Beijing continued to provide Iran with significant diplomatic assistance and a financial lifeline through oil imports, the significant loss of bilateral commerce indicates plainly that China was unwilling or unable to fully safeguard Iran from the impact of US sanctions.²²⁹

²²² *Supra* note 44 at 4.

²²³ *Ibid.*

²²⁴ *Supra* note 150 at 14.

²²⁵ *Supra* note 42 at 47.

²²⁶ *Supra* note 22 at 100.

²²⁷ *Supra* note 159.

²²⁸ *Ibid.*

²²⁹ “In 2016, trade turnover between Iran and China stood at \$31 billion. China’s exports to Iran amounted to \$16.4 billion and the imports (primarily oil) from Iran \$14.8 billion. In the same year, trade turnover between the US and

This is because:

Despite this ideological affinity, China is unlikely to work with Iran to undermine U.S. foreign policy in the region. One reason is that, China simply has more at stake in its relations with the United States than it does with Iran. It is unlikely that Beijing would jeopardize its significant economic and political partnership with Washington for the sake of pursuing an anti-U.S. partnership with Iran. Moreover, China has no qualms with much of the U.S. diplomatic agenda in the Middle East and in fact shares similar goals on many issues, such as bringing peace to Syria, opposing al Qaeda and the Islamic State of Iraq and the Levant, safeguarding vital sea lanes, countering nuclear proliferation, and, above all, ensuring regional stability. Consequently, Beijing would probably find that it has little to gain, and much to lose, by coordinating with Tehran to undercut U.S. policy in the region.²³⁰

Also, China's yearly outbound foreign direct investments in Iran fell dramatically two years after 2017.²³¹ While the reversal may represent a shift in official instructions given by China's authorities regarding Chinese enterprises' foreign operations, it is plausible to say that the US departure from the *JCPOA* had an initial influence on the attractiveness of the Iranian market. China-Iran commerce declined dramatically in the months following the reimposition of US secondary sanctions.

Indeed “Chinese exports to Iran [...] collapsed from about USD 1.2 billion in October 2018 to just USD 400 million in December 2018—a fall of nearly 70 percent”. In the following two-year period (Dec. 2018–Dec. 2020), the average value of China's monthly exports to Iran consistently remained under the symbolic threshold of USD 1 billion. Similarly, Iran's exports to China, which are normally sustained by oil imports, reached two distinct peaks at over USD 2 billion in the Summer of 2018—before Maximum Pressure reached the oil sector—and then in April 2019. Since then, the value of declared Chinese monthly imports from the IRI declined and stayed under USD 1 billion.²³²

Afterward, the relations changed to be a better position for both countries. Under the cover of their Comprehensive Strategic Partnership (CSP), the two countries announced a 25-year strategy for collaboration in March 2021.²³³ Finally, based on a cursory examination of the trajectory of Sino-Iranian relations following Trump's departure, it appears that China is willing to maintain and even strengthen its economic and political ties with Iran. Despite the maximum

China stood at \$520 billion. China's imports from the US were \$135 billion; its exports to the US were \$385 billion. China's goods trade surplus with the US was \$250 billion in 2016”, *Supra* note 150 at 15 and 16.

²³⁰Joel Wuthnow, *Posing problems without an alliance: China-Iran relations after the nuclear deal* (Washington, DC: National Defense University, Institute for National Strategic Studies, 2016), eBook, online: <<https://permanent.fdlp.gov/gpo92521/SF-290.pdf>> at 6.

²³¹ *Supra* note 22 at 99.

²³² *Ibid.*

²³³ *Ibid* at 87.

pressure of the US, Beijing has maintained a level of political and economic collaboration with Tehran that appears to be compatible with retaining its role as a favorable stakeholder.

CONCLUSION

Iran is known as a plentiful resource country with geostrategic positing in the Middle East. This made this country attractive to China due to its recent economic development and increase of using the oil and gas. In this regard, not only before the nuclear negotiations with Iran but also during and even after that, China played a gargantuan supportive role for Iran. This incentive was huge enough for China to oppose other countries involved especially the US in the negotiations. Keeping the price of oil low has a direct relation with the easing of sanctions on Iran and a stable international situation. Otherwise, this blows China's economy and halts the progress and regional and global hegemony.

In addition, due to the situation of Iran in the Middle East and region, in terms of oil and gas and opposing the US, China looks at Iran as a win-win card. So, by interfering in the negotiations, China tried its best to earn as much oil and gas as possible, control the region in this respect, and pave the way for the bigger aim. The hegemony of the US is one of the crucial aims of China, and to do so, Iran is intended as the best tool. Although China to some extent needs to cooperate with the US and ignore Iran, as a general strategy Iran could be used as a pressure card by China in case of resources and political relations. The question remains for how long China would continue this support and after empowering Iran in the realm of nuclear issues, is China will stay in Iran's yard?

Despite all the support and help of China to gain the *JCPOA*, Trump on May 8, 2018, withdrew unilaterally. In this matter the Security Council of the UN based on Article VII is considered the only body to act for sanctions, some debates considered the US sanctions out of this framework and illegal. The main reason relies on the non-intervention reason and prohibition of the use of force according to Article 2 (4) of the UN. The US sanctions are also against *Resolution 2231* of the UN. Furthermore, the General Assembly of the UN and Human Rights Council considers the economic coercive unilateral sanctions against international law. Even after the withdrawal of the US and opening the lawsuit by Iran in ICJ, the court referred to the *Treaty of 1955* and the principles of

the WTO and ordered the US to remove all the prohibitions. Even leaving the US from the *Treaty of 1955*, did not affect the decision. Also, the action of the withdrawal of the US from the *JCPOA* violates Article 18 of the *Vienna Convention on the Law of Treaties of 1969*, *Resolution 2231 (2015)* on Article 25 of the *Charter of the United Nations*, and Article 32 of *Resolution 3281* containing *Charter of Economic Rights and Duties of States*.

The extra-territorial aspect of unilateral sanctions against Iran and the dependence of the economy of Iran on oil and banking resulted in many economic problems in Iran, especially in the oil and banking section. Economic sanctions placed on Iran's expanding economy significantly impact income, employment, and coping mechanisms. In addition to economic impact, unilateral sanctions of the US had various social and health effects in Iran. In this regard, almost all human rights, including the rights to life, education, and health, as well as the right to a minimal standard of living, which includes access to food, clothes, shelter, and medical care in Iran are at risk of unilaterally imposed sanctions regimes. Blocking the banking system of Iran due to sanctions was one of the main reasons for the shortage of medicine and many diseases in Iran. Iran's capacity to fulfill its obligations under the *International Covenant of Economic, Social, and Cultural Rights of 1966* was reduced by the US withdrawal and its unilateral sanctions against Iran. The impact of sanctions also affected the China- Iran relationship in terms of Oil and gas and commerce. But China preferred to keep its relations with Iran, especially in the realm of oil and gas, and continue to do business with Iran on a large scale. This is an apparent answer to the question of reasons for China to support Iran through difficult international situations.

BIBLIOGRAPHY

Dissertations and theses

Islam Samiul, *US Imposed Sanction on Iran: Analysing the Aftermaths* (BSS (Hons) Thesis, Bangladesh University of Professionals, 2019) [unpublished].

Jung Kang-Uk, *China's Strategic Choices Towards North Korea and Iran* (Ph.D. Dissertation, University of Denver, 2015) [unpublished].

- Korpimäki Olli, *Global constraints on the imposition of economic sanctions: United States withdrawal from the Joint Comprehensive Plan of Action* (Master of Advanced International Studies thesis, University of Vienna, 2019) [unpublished].
- Larkins Nichola, *Politics and economics of Iran's oil and gas policies post JCPOA* (Master of Arts Thesis, American University of Beirut, 2017) [unpublished].
- Noor Nafisa, *China's Rise as a Threat To the U.S Hegemony* (Master of Arts thesis, California State University Northridge, 2022) [unpublished].
- Pieper Moritz Alexander, *Perspectives on the Iranian Nuclear Programme: Analysing Chinese, Russian, and Turkish Foreign Policies* (Doctor of Philosophy Dissertation, University of Kent, 2015) [unpublished].
- Scita Jacopo, *Role Theory and China's Relations with Iran: All-weather Friends on Beijing's Terms* (Doctor of Philosophy Dissertation, Durham University 2022) [unpublished].
- Scully Kevin, *The Iranian nuclear standoff those who can help, won't* (Master Thesis, Naval Postgraduate School Monterey CA, 2006) [unpublished].
- Ted Chung-Cher Liu, *China's intervention policies in the Middle East and North Africa during the late-Obama era* (Doctor of Philosophy Dissertation, University of Melbourne, 2021) [unpublished].

Government and international publications

- Charter of Economic Rights and Duties of States*, GA Re 3281 (XXIX), UNGAOR, 29 th Sess, Supp No 31, UN Doc A/9631(1974) at art 32.
- Charter of the United Nations*, 26 June 1945, Can TS 1945 No 7, art 41.
- Executive Order 12613, Prohibiting imports from Iran*, 52 Fed Reg 41940 (1987) (to be codified at 3 CFR)
- Executive Order 13846 Reimposing Certain Sanctions with Respect to Iran*, 83 Fed Reg 152 (2018) (to be codified at section 301 of title 3).
- Human rights and unilateral coercive measures*, GA Res 27/21, UNGAOR, 27th Sess, Supp No 14, UN Doc A/27/21(2014) 1; also, Negative impact of unilateral coercive measures on the enjoyment of human rights, GA Res 75/209, UNGAOR, 75th Sess, Supp No 20, UN Doc A/75 (2020).
- Human rights and unilateral coercive measures*, GA Re 70/345, 70th Sess, Supp No 15, UN Doc A/70 (2015).
- International Covenant on Civil and Political Rights*, 19 December 1966, 999, UNTC 171 arts 9-14 (entered into force 23 March 1976, accession by Canada 19 May 1976) [ICCPR].

International Covenant on Economic, Social and Cultural Rights on 1966, General Comment No 8, 16 December 1966, 993 UNTS 171, (entry into force 3 January 1976, accession by Canada January 2005) [ICESCR].

Joint Comprehensive Plan of Action, 14 July 2015, (16 January 2016).

Montevideo Convention on the Rights and Duties of States, 26 December 1933, TS 37, (entered into force 26 December 1934) art 8.

Research-Based Progress Report of the Human Rights Council Advisory Committee Containing Recommendations on Mechanisms to Assess the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights and to Promote Accountability, GA Re 28/74, 28 th Sess, Supp No 15, UN Doc A/28 (2015).

United Nations Security Council Resolution 2231, SC Res 2231, UNSCOR, 7488th Sess, Supp No 15, UN Doc S/RES/2231 (2015) 1.

Legal documents

Declaration on Principles of International Law Concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations (1970), GA Res 2625(XXV), UNGAOR, 25 th Sess, Supp No 28, UN Doc A/2625 (1970).

Vienna Convention on the Law of Treaties, 23 May 1969, 331 UNTC 1155 (entered into force 27 January 1980).

Monographs

Aslan Murat, *The Economic Consequences of the US Withdrawal from the Nuclear Deal* (2022), eBook, online:< https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4207652>

Bogdanova Iryna, *Unilateral Sanctions in International Law and the Enforcement of Human Rights. The Impact of the Principle of Common Concern of Humankind* (Leiden: Koninklijke Brill NV, 2022).

Brown Phillip, *Oil market effects from US economic sanctions: Iran, Russia, Venezuela* (Washington: District of Columbia: Congressional Research Service, 2020), eBook, online: <<https://sgp.fas.org/crs/row/R46213.pdf>>.

Doğan Asim, *Hegemony with Chinese characteristics: from the tributary system to the Belt and Road Initiative* (Abingdon, Oxfordshire; New York: Routledge, 2021).

- Leandro Francisco José B S, Branco Carlos & Caba-Maria Flavius, *The geopolitics of Iran*, (Singapore: Palgrave Macmillan, 2021).
- Mackenzie Peter & CNA Corporation, *A closer look at China-Iran relations* (Alexandria, Va: CNA Analysis & Solutions, 2009).
- Pieper Moritz, *Hegemony and Resistance Around the Iranian Nuclear Programme: Analysing Chinese, Russian and ... Turkish Foreign Policies*, vol 1 (Routledge, 2019).
- Rennack Dianne E, *Iran: U.S. economic sanctions and the authority to lift restrictions* (Washington, D.C.: Congressional Research Service, 2014).
- Wu Chien-Huei, *Multilateralism in Peril: The Uneasy Triangle of the US, China and the EU* (Abingdon, Oxon; New York, NY: Routledge, 2023).
- Wuthnow Joel, *Posing problems without an alliance: China-Iran relations after the nuclear deal* (Washington, DC: National Defense University, Institute for National Strategic Studies, 2016), eBook, online: <<https://permanent.fdlp.gov/gpo92521/SF-290.pdf>>.
- Yu Fu-Lai Tony & Kwan Diana S, *Contemporary issues in international political economy* (Singapore: Palgrave Macmillan, 2019).

Periodical articles

- Akande Dapo, Akhavan Payam & Bjorge Eirik, “Economic sanctions, international law, and crimes against humanity: Venezuela's ICC referral” (2021) 115:3 *Am. J. Int. Law* 493.
- Akefi Ghaziani Moosa & Akefi Ghaziani Mohammad, “A Reflection on the Human Rights Attitude and International Law Approaches of Iran and Saudi Arabia” (2022) 16:3 *Asian Journal of Middle Eastern and Islamic Studies* 310.
- Aloosh Mehdi, Salavati Afshin & Aloosh Arash, “Economic sanctions threaten population health: the case of Iran” (2019) 169 *Public Health* 10.
- Babar Summar Iqbal, Mirza Muhammad Nadeem & Qaisrani Irfan Hasnain, “Joint Comprehensive Plan of Action (JCPOA): prospects and challenges for the global security” (2021) 9:1 *Humanities & Social Sciences Reviews* 126.
- Beeson Mark, “Hegemonic transition in East Asia? The dynamics of Chinese and American power” (2009) 35:1 *Review of International Studies* 95.
- Berger Bernt & Schell Phillip, “Toeing the line, drawing the line: China and Iran’s nuclear ambitions” (2013) 49:1 *China Report* 89.
- Blum Samantha, “Chinese Views of US Hegemony” (2003) 12:35 *Journal of Contemporary China* 239.

- Breslin Shaun, "China and the global order: signalling threat or friendship?" (2013) 89:3 *International Affairs* 615.
- Chen Wen Sheng, "China's Oil Strategy: 'Going Out' to Iran" (2010) 2:1 *Asian Politics and Policy* 39.
- Clark Ian, "China and the United States: a succession of hegemonies?" (2011) 87:1 *International Affairs* 13.
- Daojiong Zha, "China's Energy Security: Domestic and International Issues" (2006) 48:1 *survival-London- international institution for strategic studies* 179.
- Demir Firat & Tabrizy Saleh S, "Gendered effects of sanctions on manufacturing employment: Evidence from Iran" (2022) 26:4 *Review of Development Economics* 2040.
- Djallil Lounnas, "China and the Iranian nuclear crisis: Between ambiguities and interests" (2011) 10:2 *European Journal of East Asian Studies* 227.
- Dorraj Manochehr & Currier Carrie L, "Lubricated with oil: Iran-China relations in a changing world" (2008) 15:2 *Middle East Policy* 66.
- Garver John W, "Is China Playing a Dual Game in Iran?" (2011) 34:1 *The Washington Quarterly* 75.
- Ghafouri Mahmoud, "China's policy in the Persian Gulf" (2009) 16:2 *Middle East Policy* 80.
- Godwin Paul HB, "China as Regional Hegemon?" (2004) *The Asia-Pacific: A Region in Transition*, Honolulu: Asia-Pacific Center for Security Studies 81.
- Hong Zhao, "China's Dilemma on Iran: between energy security and a responsible rising power" (2014) 23:87 *Journal of Contemporary China* 408.
- Javed Hafez & Ismail Muhammad, "Iran's Nuclear Deal (JCPOA): Threats and Opportunities for the Regional Peace and Security" (2021) 7:4 *Chinese Political Science Review* 467.
- Jazairy Idriss, "Unilateral economic sanctions, international law, and human rights" (2019) 33:3 *Ethics & International Affairs* 291.
- Jovan Christopher Valerio, "The United States Unilateral Withdrawal from the Restrictions of Iran's Nuclear Program in JCPOA 2015 under International Law" (2020) 4:2 *Padjadjaran Journal of International Law* 247.
- Karimi Abbas & Salimi Turkamani Hojjat, "U.S.-Imposed Economic Sanctions on Iran in the COVID-19 Crisis from the Human Rights Perspective" (2021) 51:4 *International Journal of Health Services* 570.
- Khanmohammadi Sarvenaz & Sun Degang, "China-Iran strategic cooperation agreement in the changing international system" (2022) 16:1 *Asian Journal of Middle Eastern and Islamic Studies* 27.
- Kim Woosang & Gates Scott, "Power transition theory and the rise of China" (2015) 18:3 *International Area Studies Review* 219.

- Kondapalli Srikanth, “China and the Iranian Nuclear Issue—Converting Challenges into Opportunities” (2016) 3:1 *Contemporary Review of the Middle East* 63.
- Kruse Anders, “Financial and economic sanctions - from a perspective of international law and human rights” (2005) 12:3 *Journal of Financial Crime* 217.
- Leverett Flynt & Noël Pierre, “The New Axis of Oil” (2006) 84 *The National Interest* 62.
- Liu Jun & Wu Lei, “Key issues in China-Iran relations” (2010) 4:1 *Journal of Middle Eastern and Islamic Studies (in Asia)* 40.
- Liu Zhongmin, “Historical Evolution of Relationship between China and the Gulf Region” (2016) 10:1 *Journal of Middle Eastern and Islamic Studies in Asia* 1.
- Mavridis Dimitrios, “The Realist School of Thought: An Analysis” (2013) 7 *E-International Relations* 1.
- Monshipouri Mahmood & Heiran-Nia Javad, “China’s Iran Strategy: What Is at Stake?” (2020) 27:4 *Middle East Policy* 157.
- Moret Erica S., “Humanitarian impacts of economic sanctions on Iran and Syria” (2015) 24:1 *European Security* 120.
- Nukii Mari, “The Future of the Iran Nuclear Agreement after US Withdrawal: Responses by Various Parties to Increasingly Harsh ‘Secondary Sanctions’”, Case Comment, (2018) 1 *The Japan Institute of International Affairs* 1.
- Pieper Moritz, “Chinese, Russian, and Turkish Policies in the Iranian Nuclear Dossier: Between Resistance to Hegemony and Hegemonic Accommodation” (2014) 2:1 *Asian Journal of Peacebuilding* 18.
- “President Trump Withdraws the United States from the Iran Deal and Announces the Reimposition of Sanctions” (2018) 112:3 *Am. J. Int. Law* 514.
- Putnam Hilary, “Realism and reason” (1977) 50:6 *American Philosophical Association* 483.
- Razavi Seyed Mohamad Hassan & Zeynodini Fateme, “The Impact of Reinstatement of US Secondary Sanctions on Iran's Oil and Gas Sector: Opportunities and Challenges” (2018) 4:1 *Journal Of Researches Energy Law Studies* 37.
- Scita Jacopo, “China-Iran Relations Through the Prism of Sanctions” (2022) 53:1 *Asian Affairs* 87.
- Schmidt Julia, “The Legality of Unilateral Extra-territorial Sanctions under International Law” (2022) 27:1 *Journal of Conflict and Security Law* 53.
- Setayesh Sogol & Macke Tim K, “Addressing the impact of economic sanctions on Iranian drug shortages in the joint comprehensive plan of action: promoting access to medicines and health diplomacy” (2016) 12:1 *Globalization and Health* 1.

Terry Patrick CR, “Enforcing US foreign policy by imposing unilateral secondary sanctions: Is might right in public international law?” (2020) 30:1 Washington International Law Journal 1.

“Trump Administration Announces Withdrawal from Four International Agreements” (2019) 113:1 Am.J.Int.Law 131.

Zamani Dr. Seyed Ghasem & Farahmandzad Zeinab, “USA Unilateral coercive measures against Iran from the perspective of International Law by emphasizing of UN Human Rights Council Practice” (2021) 20:48 Journal of Legal Research 8.

Zhou Jianren, “Power transition and paradigm shift in diplomacy: Why China and the US march towards strategic competition?” (2019) 12:1 The Chinese Journal of International Politics 1.

Zhukov S V & Reznikova O B, “Iran in the Global Oil Market” (2020) 90:6 Herald of the Russian Academy of Sciences 708.

Web pages

“Current Members, Permanent and Non-Permanent members”, online: *United Nations Security Council* <<https://www.un.org/securitycouncil/content/current-members>>.

“GDP per capita (current US\$)- Iran, Islamic Rep.”, online: The World Bank <<https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=IR>>.

Khazaie Mehdi, Mousavi Zanouz Mousa & Soleimani Hassan, “The Joint Comprehensive Plan of Action (*JCPOA*): results and achievements” (2021) 18:4, PalArch Journal of archeology of Egypt-Egyptology, online: <<https://www.archives.palarch.nl/index.php/jae/article/view/6667/6458>>, check at 22 November 2023.