

Hand-out describing implementation by States of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010)

1. Aiming to ensure the exclusively peaceful nature of Iran's nuclear programme and fulfillment of its international commitments, the Security Council has to date adopted four resolutions imposing binding measures : resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010). Article 25 of the UN Charter obligates Member States to accept and carry out the decisions of the Security Council, which includes the binding decisions contained in these resolutions.

A proliferation-sensitive nuclear and ballistic missile programmes-related embargo:¹

2. States are obligated to take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, Iran, and whether or not originating in their territories, of the following items as well as any additional items determined as necessary by the Security Council or its 1737 Committee which could contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems:

- those set out in sections B.2, B.3, B.4, B.5, B.6 and B.7 of document INFCIRC/254/Rev.11/Part 1;
- those set out in sections A.1 and B.1 of document INFCIRC/254/Rev.11/Part.1, except the supply, sale or transfer of:
 - equipment covered by B.1 when such equipment is for light water reactors;
 - low-enriched uranium covered by A.1.2 when it is incorporated in assembled nuclear fuel elements for such reactors;
- those set out in document S/2012/947;
- those set out in document INFCIRC/254/Rev.8/Part 2, except the supply, sale, or transfer of:
 - items set out in sections 1, 2, 3, 4, 5 and 6 of the Annex to that document, only when for exclusive use in light water reactors, and where such supply, sale or transfer is necessary for technical cooperation provided to Iran by the International Atomic Energy Agency (IAEA) or under its auspices as provided for in paragraph 16 of resolution 1737 (2006).

¹ See paragraphs 3, 4, 5, 6, 7 and 9 of resolution 1737 (2006), paragraph 8 of resolution 1803 (2008), and paragraphs 7, 9 and 13 of resolution 1929 (2010).

3. For the supply, sale or transfer of all items covered by documents INFCIRC/254/Rev.11/Part 1 and INFCIRC/254/Rev.8/Part 2 the export of which to Iran is not prohibited as noted above, States are obligated to ensure that:

- the requirements, as appropriate, of the Guidelines as set out in documents INFCIRC/254/Rev.11/Part 1 and INFCIRC/254/Rev.8/Part 2 have been met; and
- they have obtained and are in a position to exercise effectively a right to verify the end-use and end-use location of any supplied item; and
- they notify the 1737 Committee and the IAEA within ten days of the supply sale or transfer, except with respect to the items set out in sections 3, 4, 5 and 6 of the Annex to document INFCIRC/254/Rev.8/Part 2 which are to be notified to the Committee in advance.

4. In addition, a State is obligated to prevent the supply, sale or transfer to Iran of any other items not listed in documents INFCIRC/254/Rev.11/Part 1, INFCIRC/254/Rev.8/Part 2 and S/2012/947, if that State determines those items could contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems, or would contribute to the pursuit of activities related to other topics about which the IAEA has expressed concerns or identified as outstanding.

5. States are also obligated to prevent the provision to Iran of any technical assistance or training, financial assistance, investment, brokering or other services, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of the prohibited items, materials, equipment, goods and technology specified above or if the assistance would contribute to Iranian uranium enrichment-related, reprocessing, or heavy water-related activities or to Iran's development of a nuclear weapons delivery system.

6. The prohibitions reflected in paragraphs 2 to 5 above do not apply where the 1737 Committee determines in advance and on a case-by-case basis that such supply, sale, transfer or provision of such items or assistance would clearly not contribute to the development of Iran's technologies in support of its proliferation-sensitive nuclear activities and of development of nuclear weapon delivery systems, including where such items or assistance are for food, agricultural, medical or other humanitarian purposes, provided that:

- contracts for delivery of such items or assistance include appropriate end-user guarantees; and
- Iran has committed not to use such items in proliferation-sensitive nuclear activities or for development of nuclear weapon delivery systems.

7. States are further obligated to prohibit the procurement from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran, of any of the items listed in documents INFCIRC/254/Rev.11/Part 1, INFCIRC/254/Rev.8/Part 2 and S/2012/947.

8. Moreover, States are obligated to prohibit in territories under their jurisdiction the acquisition by Iran, its nationals, and entities incorporated in Iran or subject to its jurisdiction, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them, of an interest in any commercial activity involving uranium mining, production or use of nuclear materials and technology as listed in INFCIRC/254/Rev.11/Part 1, in particular uranium-enrichment and reprocessing activities, all heavy-water activities or technology related to ballistic missiles capable of delivering nuclear weapons.

9. States are also obligated to prevent the transfer of technology or technical assistance to Iran related to any activity concerning ballistic missiles capable of delivering nuclear weapons, including launches using ballistic missile technology.

An arms embargo²

10. States are obligated to prohibit the procurement of any arms or related materiel from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran.

11. States are further obligated to prevent the direct or indirect supply, sale or transfer to Iran, from or through their territories or by their nationals or individuals subject to their jurisdiction, or using their flag vessels or aircraft, and whether or not originating in their territories, of any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms, or related materiel, including spare parts, or items as determined by the Security Council or its 1737 Committee.

12. States are also obligated to prevent the provision to Iran by their nationals or from or through their territories of technical training, financial resources or services, advice, other services or assistance related to the supply, sale, transfer, provision, manufacture, maintenance or use of such arms and related materiel described in paragraph 11 above.

13. States are called upon to exercise vigilance and restraint over the supply, sale, transfer, provision, manufacture and use of all other arms and related materiel to Iran.

² See paragraph 5 of resolution 1747 (2007) and paragraph 8 of resolution 1929 (2010).

A travel ban³

14. States are obligated to prevent the entry into or transit through their territories of the individuals inscribed on the Consolidated List of the 1737 Committee (available at: <http://www.un.org/sc/committees/1737/consolist.shtml>) and of any additional individuals designated by the Security Council or the Committee.

15. The travel ban does not apply when such entry or transit is for activities directly related to the provision to Iran of: the equipment covered by section B.1 of document INFCIRC/254/Rev.11/Part.1 when such equipment is for light water reactors; the low-enriched uranium covered by section A.1.2 of the same document when it is incorporated in assembled nuclear fuel elements for such reactors.

16. The travel ban also does not apply when the 1737 Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of resolution 1929 (2010), including where Article XV of the IAEA Statute is engaged.

17. No aspect of the travel ban obliges a State to refuse its own nationals entry into its territory.

An assets freeze⁴

18. States are obligated to freeze the funds, other financial assets and economic resources which are on their territories that are owned or controlled by the individuals or entities inscribed on the Consolidated List of the 1737 Committee (available at: <http://www.un.org/sc/committees/1737/consolist.shtml>), as well as those of additional individuals or entities designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems, or determined by the Council or the Committee to have assisted designated individuals or entities in evading sanctions or, in violating the provisions of, resolutions 1737 (2006), 1747 (2007), 1803 (2008) or 1929 (2010).

19. The assets freeze also applies to individuals or entities acting on behalf of or at the direction of the designated individuals or entities, and to entities owned or controlled by them.

³ See paragraph 10 of resolution 1929 (2010).

⁴ See paragraphs 12, 13, 14 and 15 of resolution 1737 (2006), paragraph 4 of resolution 1747 (2007), paragraph 7 of resolution 1803 (2008), and paragraphs 11, 12 and 19 of resolution 1929 (2010).

20. Moreover, States are obligated to ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of the aforementioned individuals and entities.

21. The assets freeze does not apply to funds, other financial assets or economic resources that have been determined by relevant States:

- to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the 1737 Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;
- to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the 1737 Committee and has been approved by the Committee;
- to be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered into prior to the date of designation of the individual or entity, is not for the benefit of a designated individual or entity, and has been notified by the relevant States to the 1737 Committee;
- to be necessary for activities directly related to: the equipment covered by section B.1 of document INFCIRC/254/Rev.11/Part.1 when such equipment is for light water reactors; the low-enriched uranium covered by section A.1.2 of the same document when it is incorporated in assembled nuclear fuel elements for such reactors; and have been notified by the relevant States to the 1737 Committee.

22. States may permit the addition to the accounts frozen of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to freezing, provided that any such interest, other earnings and payments also continue to remain frozen.

23. The assets freeze does not prevent a designated individual or entity from making payment due under a contract entered into prior to the listing of such an individual or entity, provided that the relevant States have determined that:

- the contract is not related to any of the prohibited items, assistance, training, financial assistance, investment, brokering or services reflected in paragraphs 2 to 5 above;
- the payment is not directly or indirectly received by a designated individual or entity;
- and after notification by the relevant States to the 1737 Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, ten working days prior to such authorization.

Other business restrictions⁵

24. States are obligated to require their nationals, persons subject to their jurisdiction, and firms incorporated in their territory or subject to their jurisdiction to exercise vigilance when doing business with entities incorporated in Iran or subject to Iran's jurisdiction, including those of the Islamic Revolutionary Guard Corps (IRGC) and the Islamic Republic of Iran Shipping Lines (IRISL), and any individuals or entities acting on their behalf or at their direction, and entities owned or controlled by them, including through illicit means, if they have information that provides reasonable grounds to believe that such business could contribute to Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems or to violations of resolutions 1737 (2006), 1747 (2007), 1803 (2008) or 1929 (2010).

Seizure and disposal of proscribed items, following inspections of cargo⁶

25. States are authorized and obligated to seize and dispose of (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items the supply, sale, transfer, or export of which to or from Iran is prohibited and that are identified in the inspections of cargo pursuant to resolution 1929 (2010). Such seizure and disposal is to be undertaken in a manner that is not inconsistent with States' obligations under applicable Security Council resolutions, including resolution 1540 (2004), as well as any obligations of parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

26. States are further obligated to cooperate in such efforts on seizure and disposal.

⁵ See paragraph 22 of resolution 1929 (2010).

⁶ See paragraphs 14, 15, 16 and 17 of resolution 1929 (2010).

27. As noted above, States are called upon to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to or from Iran, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which to or from Iran is prohibited.

28. States, consistent with international law, in particular the law of the sea, may request inspections of vessels on the high seas with the consent of the flag State. They are called upon to cooperate in such inspections if there is information that provides reasonable grounds to believe the vessel is carrying items the supply, sale, transfer, or export of which to or from Iran is prohibited.

29. A State is required, when it undertakes an inspection of cargo, to submit to the 1737 Committee within five working days an initial written report containing, in particular, explanation of the grounds for the inspections, the results of such inspections and whether or not cooperation was provided, and, if items prohibited for transfer are found. Such States are further required to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report.

A ban on the provision of bunkering services⁷

30. States are obligated to prohibit the provision by their nationals or from their territory of bunkering services, such as provision of fuel or supplies, or other servicing of vessels, to Iranian-owned or -contracted vessels, including chartered vessels, if they have information that provides reasonable grounds to believe the vessels are carrying items the supply, sale, transfer, or export of which to or from Iran is prohibited, unless provision of such services is necessary for humanitarian purposes or until such time as the cargo has been inspected, and seized and disposed of if necessary.

31. The aforementioned paragraph is not intended to affect legal economic activities.

⁷ See paragraph 18 of resolution 1929 (2010).

Financial-Related⁸

32. States are called upon to prevent the provision of financial services, including insurance or re-insurance, or the transfer of any financial or other assets or resources if they have information that provides reasonable grounds to believe that such services, assets or resources could contribute to Iran's proliferation-sensitive nuclear activities, or the development of nuclear weapon delivery systems, including by freezing any financial or other assets or resources related to such programmes or activities and applying enhanced monitoring to prevent all such transactions.

33. States are called upon to prohibit in their territories the opening of new branches, subsidiaries, or representative offices of Iranian banks, and also prohibit Iranian banks from establishing new joint ventures, taking an ownership interest in or establishing or maintaining correspondent relationships with banks in their jurisdiction to prevent the provision of financial services if they have information that provides reasonable grounds to believe that these activities could contribute to Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems.

34. States are called upon to take appropriate measures that prohibit financial institutions within their territories or under their jurisdictions from opening representative offices or subsidiaries or banking accounts in Iran if they have information that provides reasonable grounds to believe that such financial services could contribute to Iran's proliferation-sensitive nuclear activities or the development of nuclear weapons delivery systems.

35. States are called upon to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with Bank Melli, Bank Saderat, and the Central Bank of Iran, so as to prevent such activities (including transactions) from contributing to proliferation-sensitive nuclear activities, or the development of nuclear weapon delivery systems.

36. States are called upon to exercise vigilance in entering into new commitments for public provided financial support for trade with Iran, including the granting of export credits, guarantees or insurance, to avoid such financial support contributing to proliferation-sensitive nuclear activities, or the development of nuclear weapon delivery systems.

⁸ See paragraph 7 of resolution 1747 (2007), paragraphs 9 and 10 of resolution 1803 (2008), and paragraphs 21, 23 and 24 of resolution 1929 (2010), as well as preambular paragraph 16 of resolution 1929 (2010).

37. States and international financial institutions are called upon not to enter into new commitments for grants, financial assistance, and concessional loans, to Iran, except for humanitarian and developmental purposes.

Other requests and calls to States⁹

38. Member States are requested to communicate to the 1737 Committee any information available on transfers or activity by Iran Air's cargo division or vessels owned or operated by IRISL to other companies that may have been undertaken in order to evade the sanctions of, or in violation of the provisions of, resolutions 1737 (2006), 1747 (2007), 1803 (2008) or 1929 (2010), including renaming or re-registering of aircraft, vessels or ships.

39. States are called upon to exercise vigilance and prevent specialized teaching or training of Iranian nationals of disciplines which would contribute to Iran's proliferation sensitive nuclear activities and development of nuclear weapon delivery systems.

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⁹ See paragraph 17 of resolution 1737 (2006) and paragraph 20 of resolution 1929 (2010).