

## **SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 1737 (2006)**

### **GUIDELINES OF THE COMMITTEE FOR THE CONDUCT OF ITS WORK**

This document contains the guidelines of the Committee for the conduct of its work, as adopted by the Committee on 30 May 2007 and revised on 19 August 2011. Copies of these Guidelines are to be transmitted to all Member States and relevant international and regional organizations and agencies. These Guidelines will also be posted on the Committee's webpage: <http://www.un.org/sc/committees/1737/index.shtml>.

#### **The 1737 Committee**

1. The Committee was established by paragraph 18 of Security Council resolution 1737 (2006), of 23 December 2006, to undertake tasks related to the measures contained in that resolution.
2. The Committee is a subsidiary organ of the Security Council and consists of all the members of the Council.
3. The Chairperson of the Committee will be appointed by the Security Council to serve in his/her personal capacity. The Chairperson will be assisted by the Vice-Chair(s) who will also be appointed by the Council.
4. The Committee is assisted by a Panel of Experts ("the Panel"), originally established by paragraph 29 of resolution 1929 (2010) and extended by paragraph 1 of resolution 1984 (2011).
5. The Secretariat of the United Nations will provide the Committee with secretariat support.

#### **Mandate of the Committee**

6. The Committee has been established to undertake the tasks assigned to it by Security Council resolution 1737 (2006), as specified in particular in paragraph 18 of that resolution and as expanded by paragraph 14 of resolution 1803 (2008) and paragraph 28 of resolution 1929 (2010), to apply also to the measures imposed in resolutions 1747 (2007), 1803 (2008), and 1929 (2010).
7. In accordance with paragraph 2 of resolution 1984 (2011), the Committee will discuss the Panel's midterm and final reports, before their submission to the Security Council. The Committee will also engage in regular discussions with the Panel of Experts about its programme of work, in accordance with paragraph 3 of resolution 1984 (2011).

## **Meetings of the Committee**

8. Meetings of the Committee, both formal and informal, will be convened at any time the Chairperson deems necessary, or at the request of a member of the Committee. Members will be given notice of two working days for any Committee meeting, although shorter notice may be given in urgent situations.

9. The Chairperson will chair formal meetings and informal consultations of the Committee. When he/she is unable to chair a meeting, he/she will nominate one of the Vice-Chairpersons or another representative of his/her Permanent Mission to act on his/her behalf.

10. The meetings and informal consultations of the Committee will be closed, unless the Committee decides otherwise. The Committee may decide to invite other UN Member States, members of the Secretariat, members of the Panel of Experts established pursuant to resolution 1929 (2010), relevant regional and international organizations or agencies, NGOs, and individual experts to participate in its meetings and informal consultations for the purpose of providing information or explanations relating to any violations or alleged violations of the measures imposed by Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008), and 1929 (2010), or to address the Committee, on an *ad hoc* basis, if deemed necessary for the progress of its work. The Committee will consider requests from Member States to send representatives to meet with the Committee for more in-depth discussion of relevant issues.

11. Committee meeting agendas are approved by consensus at the beginning of a meeting. Without prejudice to the decision-making procedure outlined in paragraph 14 below, members of the Committee will be given notice of the agenda up to five days before the Committee embarks on the discussion of an agenda item.

12. Meetings of the Committee, both formal and informal, will be facilitated by interpretation in the six official languages of the United Nations, except in urgent circumstances when all members consent to meet without such support.

13. Documents circulated in the Committee for eventual formal decision will be translated into all official languages of the United Nations, subject to the following conditions: (a) documents concerning technical matters as described in paragraphs 3, 4, 5, 6, 7 and 8 of Security Council resolution 1737 (2006) will be translated before the Committee commences its discussion on such documents; (b) documents of a non-deliberative, procedural nature will not be translated; and (c) all other documents necessary for the implementation of resolutions 1737 (2006), 1747 (2007), 1803 (2008), and 1929 (2010) will be translated to all official languages if and when one delegation so requests without prejudice to the decision-making procedure outlined in paragraph 14 below.

## **Decision-making**

14. The Committee shall make decisions by consensus of its members.

15. Decisions are made by consensus under a “no-objection procedure.” In such cases the Chairperson will circulate to all members of the Committee the proposed decision of the Committee and will request them to indicate, in written form, any objection they may have to the proposed decision within ten working days or, in emergency situations, such shorter period as the Chairperson shall determine but no less than two working day. If no objection is received within the stated period, the decision will be deemed adopted. Otherwise, the Committee may convene a meeting to revisit the issue at the request of the Chairperson or any member of the Committee. Objections received after the defined period will not be considered.

**Implementation reports, information requested pursuant to subparagraphs 18 (a) and (b) of resolution 1737 (2006), inspection reports submitted pursuant to paragraph 17 of resolution 1929 (2010), and additions to and deletions from the list of items, materials, equipment, goods, and technology**

16. The Committee shall receive implementation reports, information requested pursuant to subparagraph 18 (a) of Security Council resolution 1737 (2006) regarding alleged violations of measures, inspection reports submitted pursuant to paragraph 17 of resolution 1929 (2010), and proposals for additions to and deletions from the list of items materials, equipment, goods, and technology in writing from the Member States. The Committee shall receive the information requested pursuant to subparagraph 18 (b) of Security Council resolution 1737 (2006) in writing from the IAEA.

17. Inspection reports submitted pursuant to paragraph 17 of resolution 1929 (2010) should include, as specified in the aforementioned paragraph, the explanation of the grounds for the inspection, the results of the inspection, and whether or not cooperation was provided.

18. The information concerning items, materials, equipment, goods and technology transmitted to the Committee should, to the extent possible, include: a technical description allowing to determine how they could or could not contribute to Iran’s enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems, or whether they are or are not intended for exclusive use in light water reactors or how they are or are not necessary for technical cooperation provided to Iran by the IAEA or under its auspices.

19. The Committee, through the Secretariat, will inform the submitting State or IAEA of receipt of the information and will also inform the submitting State, after examination and when appropriate, of the Committee’s position.

**Listing of individuals and entities**

20. The Committee will decide on the designation of individuals and entities pursuant to paragraph 18 (f) of resolution 1737 (2006).

21. The Committee will consider all requests from United Nations Member States, submitted in writing, to add the names of individuals or entities to the list within ten working days from the

date of official transmittal of such requests to Committee members. If no objections are received within the defined time period, the additional names will be promptly incorporated in the list.

22. Proposed additions to the list shall include as much relevant information as possible on a proposed name, in particular sufficient identifying information to allow for the positive identification of the individual or entity concerned, including for:

i. Individuals: family name/surname, given names, other relevant names, date of birth, place of birth, nationality/citizenship, gender, aliases, occupation, residence, passport or travel document (including date of issue) and national identification number, current and previous addresses, and current location;

ii. Entities: name, acronyms, address, headquarters, subsidiaries, affiliates, fronts, nature of business or activity, leadership, tax or other identification number and other names by which it is known or was formerly known, and website addresses.

The request for listing should include also a narrative description of the information explaining how the individuals or entities are engaged in, directly associated with, or providing support for Iran's proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems or in which manner they are acting on behalf of such individuals and entities or at their direction or are owned or controlled by them, or how they have assisted designated persons or entities in evading sanctions or in violating the provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008), or 1929 (2010).

23. The Committee will consider expeditiously requests to update the list, in accordance with paragraph 10 of resolution 1737 (2006) and paragraph 26 of resolution 1929 (2010). If a proposal for listing is not approved within the decision-making period set out in paragraph 21 above, the Committee will provide feedback to the submitting States on the status of the request.

24. In its communication to inform Member States of new entries to the list, the Secretariat shall include the publicly releasable portion of the statement of case.

25. The Secretariat shall, after publication but within one week after a name is added to the list, notify the Permanent Mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known). The Secretariat shall include with this notification a copy of the publicly releasable portion of the statement of case, a description of the effects of designation, and the provisions for available exemptions. The letter shall remind States receiving such notification that they are required to take, in accordance with their domestic laws and practices, all possible measures to notify or inform in a timely manner the newly listed individuals and entities on the list of the measures imposed on them, any information on reasons for listing available on the Committee's website as well as all the information provided by the Secretariat in the above-mentioned notification.

## **The List**

26. Pursuant to paragraph 18 of Security Council resolution 1737 (2006), and consistent with paragraph 24 of resolution 1737 (2006), paragraph 13 of resolution 1747 (2007), paragraph 19 of resolution 1803 (2008), and paragraph 37 of resolution 1929 (2010), the Committee will keep the list, including those in the annexes to the above-mentioned resolutions, under continual review.

## **De-listing**

27. Member States may submit delisting requests at any time.

28. A petitioner seeking to submit a request for de-listing can do so either directly to the Focal Point as outlined in Security Council resolution 1730 (2006), or through his/her State of residence or nationality. Submissions to the Focal Point will be subject to the procedure established in Security Council resolution 1730 (2006).

29. A State can decide that as a rule, its nationals or residents should address their delisting requests directly to the Focal Point. The State will do so by a declaration addressed to the Chairperson that will be published on the Committee's website.

30. The request for de-listing should also include a narrative description of the information explaining how the individuals or entities are not or no longer engaged in, directly associated with, or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems or in which manner they are not or no longer acting on behalf of such individuals and entities or at their direction or are not or no longer owned or controlled by them, or how they have not or no longer assisted designated persons or entities in evading sanctions or in violating the provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008), or 1929 (2010).

31. For a deceased individual, the petition shall be submitted either directly to the Committee by a State, or through the Focal Point by his/her legal beneficiary, to the extent possible with an official documentation certifying that status. The statement of case supporting the delisting request shall include, if possible, a death certificate or similar official documentation confirming the death. The submitting State or the petitioner should also ascertain and inform the Committee whether or not any legal beneficiary of the deceased's estate or any joint owner of his/her assets is on the list.

32. If a petitioner chooses to submit a petition to the Focal Point, the latter will undertake the steps specified in the Annex to resolution 1730 (2006).

33. Where appropriate, the Chairperson will inform the reviewing States of the outcome of the de-listing petition.

34. The Secretariat shall, within one week after a name is removed from the list(s), notify the Permanent Mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent

that this information is known). The letter shall remind States receiving such notification that they are required to take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the de-listing in a timely manner.

### **Updating existing information on the list**

35. The Committee shall consider and decide, in accordance with the following procedures, on updating the list, with additional identifying information and other information, along with supporting documentation, including any relevant information regarding the location, incarceration, or death of listed individuals and other significant events, as such information becomes available.

36. The Committee may approach the State originally requesting a designation and consult with it on the relevance of the submitted additional information. The Committee may also encourage Member States or regional or international organizations providing such additional information to consult with the State originally requesting a designation.

37. Upon the decision of the Committee to incorporate additional information into the list, the Chairperson of the Committee will inform the Member State or regional or international organization that submitted the additional information accordingly.

### **Notifications and requests for exemptions**

38. The Committee shall receive notifications or requests for exemptions set out in paragraphs 9, 13, and 15 of Security Council resolution 1737 (2006), which apply also to individuals and entities listed pursuant to paragraph 4 of resolution 1747 (2007), paragraph 7 of resolution 1803 (2008), and paragraph 11 of resolution 1929 (2010), in writing from Member States. Notifications or requests shall be received no less than:

- i. five working days prior to the authorization to make payments pursuant to subparagraph 13 (a) of Security Council resolution 1737 (2006); or
- ii. ten working days prior to the authorization to unfreeze funds pursuant to paragraph 15 of Security Council resolution 1737 (2006).

39. The information transmitted to the Committee should include, as appropriate:

- i. Items or assistance as provided in paragraph 9 of Security Council resolution 1737 (2006): a copy of the contract for delivery including appropriate end-user guarantees and a formal commitment from the Government of Iran not to use such items or assistance in proliferation sensitive nuclear activities or for development of nuclear weapon delivery systems;
- ii. Expenses as provided in subparagraphs 13 (a) and (b) of Security Council resolution 1737 (2006): recipient (name and address), recipient's bank information (name and address of bank, account number), purpose of payment, amount of installment, number of installments, payment starting date, bank transfer or direct debit, interests, specific funds being unfrozen, other related information; and

- iii. Use of funds as provided in subparagraphs 13 (c) and (d) and paragraph 15 of Security Council resolution 1737 (2006): the information listed under ii. above, a copy of the judicial, administrative or arbitral lien, the judgment or the contract, and a description of the information allowing to determine the relevant relation or absence of relation.

40. The Committee, through the Secretariat, will inform the submitting State of receipt of the notification or request and, after consideration and when appropriate, of the Committee's position.

### **Requests for exemptions to the travel ban**

41. The Committee shall receive from Member States, in writing, requests for exemptions to the travel ban pursuant to paragraph 6 of resolution 1803 (2008) and paragraph 10 of resolution 1929 (2010), except where travel is for activities directly related to the provision to Iran of items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006) in accordance with paragraph 3 of resolution 1737 (2006), no less than five working days before the date of the proposed travel. The Committee, through the Secretariat, will inform the submitting State of receipt of the notification, and, after consideration, of the Committee's position.

42. The requests for exemptions to the travel ban should include information about the purpose of and justification for the proposed travel, with copies of supporting documents, including specific details of meetings or appointments, as well as the following information:

- i. Name, nationality and passport number(s) of the person(s) undertaking the travel;
- ii. The proposed dates and times of departure from and return to the country from which the travel is to commence;
- iii. The complete trip itinerary, including the ports of departure and return and all transit stops
- iv. Details of the mode of transport to be used, including, as applicable, record locator, flight number(s), and name(s) of vessel(s);
- v. Information about the purpose(s) of the proposed travel, with copies of supporting documents furnishing details supporting the request in accordance with paragraph 6 of resolution 1803 (2008) and paragraph 10 of resolution 1929 (2010), except where travel is for activities directly related to the provision to Iran of items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006) in accordance with paragraph 3 of resolution 1737 (2006), such as dates and times of meetings or appointments.

43. In cases of emergency medical evacuations, the Chairperson shall also be promptly provided with a doctor's note containing details of the nature of the medical emergency and the facility where treatment was received by the patient, as well as information regarding the date, time, and mode of travel by which the patient returned or will return to his/her country of residence.

44. In cases where the Committee approves requests for exemptions to the travel restrictions, the Chairperson will write to the Permanent Mission to the United Nations of the State of which the listed individual is a national or resident or to the relevant UN office, informing them of the

approval. Copies of the approval letter will also be sent to the Permanent Missions to the United Nations of all State(s) to which the listed individual will be traveling and transiting in the course of the approved exemption.

45. The Committee shall receive written confirmation from the State in whose territory the listed individual resides or from the relevant UN office, with supporting documents, confirming the itinerary and date on which the listed individuals traveling under an exemption granted by the Committee returned to the country of residence.

46. Any changes to the required travel information previously submitted to the Committee, particularly the points of transit, shall require the prior approval of the Committee and shall be received by the Chairperson and circulated to the Committee members no less than five working days prior to the commencement of the travel, except in cases of emergency, as determined by the Chairperson.

47. The Chairperson shall be informed in writing immediately in the event of advancement or postponement of travel for which the Committee has already issued an exemption. Submission to the Chairperson of written notification will be sufficient in cases where the time of departure is advanced or postponed no more than 48 hours and the previously submitted itinerary remains otherwise unchanged. If travel is to be advanced or postponed more than 48 hours before or after the date previously approved by the Committee, then a new exemption request must be submitted, and should be received by the Chairperson and circulated to Committee members.

### **Communication and transparency**

48. The information received by the Committee will be kept confidential if the provider so requests or if the Committee so decides. Elements of identification of listed individuals or entities, once available, as well as any significant modification to the list will be promptly communicated to all Member States through a Note Verbale from the Chairperson. The updated list will be made promptly available on the web page of the Committee, and will be published in a press release unless the Committee decides otherwise.

49. The Chairperson may brief interested Member States and the press following formal meetings of the Committee, unless the Committee decides by consensus otherwise. In addition, the Chairperson may be authorized, after prior consultations with and approval of the Committee, to hold press conferences or issue press releases on any aspect of the Committee's work.

### **Outreach**

50. In accordance with paragraph 27 of resolution 1929 (2010), the Committee shall assist States in implementing the measures imposed by resolutions 1737 (2006), 1747 (2007), 1803 (2008), and 1929 (2010), particularly with regard to appropriate disposal of items under paragraph 16 of resolution 1929 (2010).

51. In order to publicize the work of the Committee and enhance dialogue with Member States, the Chairperson can hold open briefings for all interested Member States. In these activities, the Chairperson can seek input from the Panel of Experts and support from the Secretariat.

52. The Committee may consider, as appropriate, visits by the Chairperson and/or Committee members to selected countries to discuss ways to effectively implement the measures imposed by the relevant resolutions. The purpose of such visits is to encourage Member States to fulfill their obligations.