

Sanctions against Iran

**an introduction for the 20th Asia Export Control
Seminar, Tokyo 2013**

**Panel of Experts on Iran
established pursuant to UNSCR 1929 (2010)**

Outline

The presentation will include:

Character of UN sanction on Iran

Overview of sanction measures

Enforcement implementation issues

Suggested steps for improvement

Panel of Experts on Iran

Non decision making technical body established pursuant to UNSCR 1929 (2010) consisting of 8 members with different professional background

**Assistance to 1737 Sanction Committee in exercising its mandate
Operates under its direction**

Information gathering, examining and analysis with a view to enhance and improve implementation of measures and inspect incidents of non-compliance

Reports with recommendations to the 1737 Sanctions Committee

Main activities of the Panel are

Consultations

Inspections

Outreach

UN Sanctions on Iran

Collective action under Article 41, Chapter VII of the UN Charter

Following

Serious proliferations concerns posed by

- Iranian nuclear programme
- Iran's continuing failure to meet its international nuclear obligations

System of targeted UN sanctions established by UNSCR

- 1737 (2006)
- 1747 (2007)
- 1803 (2008)
- 1929 (2010)

These sanctions are Targeted Sanctions

Designed to alter the decision-making calculus amongst Iran's leadership

Without

- Creating humanitarian hardships
- Hampering legitimate economic transaction

This is somewhat different from what unilateral sanction may focus on.

Targets and Measures

Targets of such sanctions are specified Iranian Programmes

- Proliferation-sensitive nuclear programmes (uranium enrichment, reprocessing, heavy water)
- Development of nuclear weapons and their delivery systems
- Conventional arms transfers to and in particular important from Iran

Sanctions measures to focus on such targets are

- Embargo on specified items as outlined in relevant provision of UNSCRs
- Asset freeze of designated individuals and entities
- Travel ban for designated individuals

Embargo

Embargo items include

Nuclear/Missile related: All items, materials, equipment, goods and technology

as specified for nuclear items in the NSG Trigger list, and the NSG Dual Use List

and S/2010/263 missile related list

For conventional Arms

To Iran: Arms as defined for the purpose of the UN conventional arms register

From Iran: Any arms and related material

For further reference see website of the 1737 Committee at [http://: www.un.org/sc/committees/1737/index.shtml](http://www.un.org/sc/committees/1737/index.shtml)

Role of Export Control

Many Member States have implemented specific measures to enforce UN sanctions (on Iran) within their national export control systems such as specific procedures for licensing, customs clearance and customs controls

Main actors and "decision points" for effective controls in the process of sanction compliance efforts are

- Private sector by:** ICS, internal lists, management responsibility, training, etc
- Licensing authorities by :** specific risk assessment, end-use and end-user check, enhanced information sharing including at international level
- Customs/Port Authorities by:** specific clearance procedures for Iran bound consignments, targeted risk management on documentation, scanning/screening, physical inspection, cooperation at national and international level, etc.

Asset freeze and travel ban

Measures of asset freeze and travel ban complement such efforts. Consolidated lists of entities and individuals designated by the Security Council as related to Iran's nuclear or ballistic missile programmes are applied

Updated list see <http://www.un.org/un/committees/1737/consolist.shtml>

Note:

IRGC and IRISL are not designated as such, but States are called for precaution with regard to their activities.

Responsibility rests with Member States

Measures targeting services to Iranian activities are required/ obligated to ensure the efficacy of the UN sanctions and to enforce actions based on "reasonable grounds" (in case Member States have information that provides reasonable grounds to believe that

- cargo is involved the supply, sale, transfer or export is prohibited**
- such services, assets or resources or business could contribute to Iranian proliferation sensitive programmes...)**

Member States are required/obliged to take measures to prevent

That their nationals or firms within their territory and jurisdiction are getting involved in any activity which could contribute to targeted Iranian programmes when doing business with Iran by

- prohibition of financial services; financial market access; insurance and re-insurance, etc**
- prohibition of bunkering services**
- request to exercise vigilance in business**

And we have been informed on the great efforts Member States attribute to the this end with outreach to the private sector.

Member States are further called upon (based on reasonable grounds)

- an enhanced vigilance and to inspect all cargo to and from Iran in their territory, in particular in their ports and seaports so including trans-shipments, transfers even of using airspace**
- to cooperate in inspections of vessels on the high seas that may be undertaken (with the consent of the flag state)**

And Member States are authorized to seize and dispose of any such items the supply, sale, transfer, or export is prohibited by relevant provisions.

Reporting

Furthermore Member States are requested to submit to the 1737 Committee

- an initial written report on interdiction in case of possible incidents of non-compliance (within 5 working days)**
- and at a later state a written detailed report**

Member States are also required

- to communicate to the 1737 Committee any information available on transfers or activity by Iran Air's cargo division or vessels owned and operated by IRISL including renaming and re- registering that may be undertaken in order to evade sanctions of or in violation of provisions of relevant UNSCRs**

With a view to past Iranian attempts of sanction evasion the 1737 Committee issued implementation assistance notices calling upon Member States for enhanced respectively extreme vigilance (see website).

**Key to cope with responsibility is ongoing enhanced vigilance
Continuous review and improvement of enforcement measures**

Major Stakeholders

Individual states - requires awareness, vigilance and commitment regarding implementation, cooperation, enforcement

Individual state agencies - requires inter-agency coordination and cooperation and information sharing

International community - requires concerted efforts among states in all forms and at all levels (bilateral, regional, multinational) as well as with International Organisations, regimes and initiatives

Private Sector - requires Internal compliance, vigilance, corporate approach, management responsibility, and public/private cooperation and information exchange

Key to success is

extensive cooperation amongst all stakeholders of the process

In particular by information sharing

- cross sector (public/private; financial information/export control; etc.)

- in a timely manner and interactive

and capacity building by using synergies with existing initiatives and political efforts at multinational, regional or national level (WCO SAFE, CEN; UNSCR 1540; reporting system on denials; etc.)

Suggested Steps

Adhere to reporting requirements in a timely manner

Submit implementation reports

Submit reports on interdictions in case of incidents of non-compliance

Enhance cooperation with 1737 Sanction Committee/Panel of Experts by

Sharing enforcement experiences and challenges in consultations and seminars

Submitting information on patterns and attempts of assumed Iranian procurement

Submitting inquiries when in doubt

Note: Any information that can be provided may complete a puzzle the 1737 Committee or Panel of Experts may work on.

Speak out about

Strength of your system and how your efforts could possibly seconded by concerted initiatives

Challenges and difficulties in implementation of sanctions

Obstacles in practice when adhering to provisions of relevant sanctions

Thank you!

For further information please refer to the

1737 Sanctions Committee Website

**at: [http://www.un.org/sc/committees/1737/
index.shtml](http://www.un.org/sc/committees/1737/index.shtml)**

or email address: sc-1737-committee@un.org

Panel of Experts on Iran email address:

poe1929@un.org

