

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2007 Nr. 50

A. TITEL

*Handvest van de Verenigde Naties;
San Francisco, 26 juni 1945*

B. TEKST

De Engelse tekst van het Handvest is bij Koninklijk Besluit van 21 december 1945 bekendgemaakt in *Stb.* F 321.

De Engelse en de Franse tekst, zoals gewijzigd, zijn geplaatst in *Trb.* 1979, 37.

Op 19 december 2006 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 5599^e zitting aangenomen Resolutie 1730 (2006). De Engelse tekst van de resolutie luidt:

Resolution 1730 (2006)

Adopted by the Security Council at its 5599th meeting, on 19 December 2006

The Security Council,

Recalling the statement of its President of 22 June 2006 (S/PRST/2006/28),

Emphasizing that sanctions are an important tool in the maintenance and restoration of international peace and security,

Further emphasizing the obligations placed upon all Member States to implement, in full, the mandatory measures adopted by the Security Council,

Continuing in its resolve to ensure that sanctions are carefully targeted in support of clear objectives and implemented in ways that balance effectiveness against possible adverse consequences,

Committed to ensuring that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions,

1. Adopts the de-listing procedure in the document annexed to this resolution and *requests* the Secretary-General to establish within the Secretariat (Security Council Subsidiary Organs Branch), a focal point to receive de-listing requests and to perform the tasks described in the attached annex;
2. Directs the sanctions committees established by the Security Council, including those established pursuant to resolution 1718 (2006), 1636 (2005), 1591 (2005), 1572 (2004), 1533 (2004), 1521 (2005), 1518 (2003), 1267 (1999), 1132 (1997), 918 (1994), and 751 (1992) to revise their guidelines accordingly;
3. Decides to remain seized of the matter.

De-listing procedure

The Security Council requests the Secretary-General to establish, within the Secretariat (Security Council Subsidiary Organs Branch), a focal point to receive de-listing requests. Petitioners seeking to submit a request for de-listing can do so either through the focal point process outlined below or through their state of residence or citizenship.¹⁾

The focal point will perform the following tasks:

1. Receive de-listing requests from a petitioner (individual(s), groups, undertakings, and/or entities on the Sanctions Committee's lists).
2. Verify if the request is new or is a repeated request.
3. If it is a repeated request and if it does not contain any additional information, return it to the petitioner.
4. Acknowledge receipt of the request to the petitioner and inform the petitioner on the general procedure for processing that request.
5. Forward the request, for their information and possible comments to the designating government(s) and to the government(s) of citizenship and residence. Those governments are encouraged to consult with the designating government(s) before recommending de-listing. To this end, they may approach the focal point, which, if the designating state(s) so agree(s), will put them in contact with the designating state(s).

¹⁾ A State can decide, that as a rule, its citizens or residents should address their de-listing requests directly to the focal point. The State will do so by a declaration addressed to the Chairman of the Committee that will be published on the Committee's website.

6. a) If, after these consultations, any of these governments recommend de-listing, that government will forward its recommendation, either through the focal point or directly to the Chairman of the Sanctions Committee, accompanied by that government's explanation. The Chairman will then place the de-listing request on the Committee's agenda.

b) If any of the governments, which were consulted on the de-listing request under paragraph 5 above oppose the request, the focal point will so inform the Committee and provide copies of the de-listing request. Any member of the Committee, which possesses information in support of the de-listing request, is encouraged to share such information with the governments that reviewed the de-listing request under paragraph 5 above.

c) If, after a reasonable time (3 months), none of the governments which reviewed the de-listing request under paragraph 5 above comment, or indicate that they are working on the de-listing request to the Committee and require an additional definite period of time, the focal point will so notify all members of the Committee and provide copies of the de-listing request. Any member of the Committee may, after consultation with the designating government(s), recommend de-listing by forwarding the request to the Chairman of the Sanctions Committee, accompanied by an explanation. (Only one member of the Committee needs to recommend de-listing in order to place the issue on the Committee's agenda.) If after one month, no Committee member recommends de-listing, then it shall be deemed rejected and the Chairman of the committee shall inform the focal point accordingly.

7. The focal point shall convey all communications, which it receives from Member States, to the Committee for its information.

8. Inform the petitioner:

a) Of the decision of the Sanctions Committee to grant the de-listing petition; or

b) That the process of consideration of the de-listing request within the Committee has been completed and that the petitioner remains on the list of the Committee.

Op 22 december 2006 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 5609^e zitting aangenomen Resolutie 1735 (2006). De Engelse tekst van deze Resolutie luidt:

Resolution 1735 (2006)

Adopted by the Security Council at its 5609th meeting, on 22 December 2006

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004, 1566 (2004) of 8 October 2004, 1617 (2005) of 29 July 2005, 1624 (2005) of 14 September 2005, and 1699 (2006) of 8 August 2006, and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed; and reiterating its unequivocal condemnation of Al-Qaida, Usama bin Laden, the Taliban, and other individuals, groups, undertakings, and entities associated with them, for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, destruction of property and greatly undermining stability,

Expressing its deep concern about the increased violent and terrorist activities in Afghanistan of the Taliban and Al-Qaida, and other individuals, groups, undertakings, and entities associated with them,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Emphasizing that dialogue between the Committee established pursuant to resolution 1267 (1999) (“the Committee”) and Member States is vital to the full implementation of the measures,

Recognizing that one of the most effective means of dialogue between the Committee and Member States is through direct contact, including country visits,

Welcoming the expanded cooperation with Interpol, including the establishment of “Interpol – UN Security Council Special Notices” and the passage of resolution 1699 (2006), and encouraging Member States to work in the framework of Interpol and other international and regional organizations in order to reinforce the implementation of the measures against Al-Qaida, Usama bin Laden, and the Taliban, and other individuals, groups, undertakings and entities associated with them,

Noting the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

Reiterating that the measures referred to in paragraph 1 below, are preventative in nature and are not reliant upon criminal standards set out under national law,

Underscoring that, in giving effect to the measures in paragraph 1 of resolution 1617 (2005) and other relevant resolutions, full account is to be taken of the provisions regarding exemptions in paragraphs 1 and 2 of resolution 1452 (2002),

Taking note of the Committee's document on the arms embargo (SCA/2/06(20)), which is intended to be a useful tool to assist States in the implementation of the measures in paragraph 1(c) of this resolution,

Expressing its deep concern about criminal misuse of the internet by Al-Qaida, Usama bin Laden, and the Taliban, and other individuals, groups, undertakings, and entities associated with them, in furtherance of terrorist acts,

Noting with concern the changing nature of the threat presented by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, in particular the ways in which terrorist ideologies are promoted,

Stressing the importance of meeting all aspects of the threat that Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them represent to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. Decides that all States shall take the measures as previously imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000), paragraphs 1 and 2 of resolution 1390 (2002), with respect to Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the "Consolidated List"):

a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons' benefit, or by their nationals or by persons within their territory;

b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit

is necessary for the fulfilment of a judicial process or the Committee established pursuant to resolution 1267 (1999) (“the Committee”) determines on a case-by-case basis only that entry or transit is justified;

c) Prevent the direct or indirect supply, sale, or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

2. Reminds States of their obligation to freeze without delay the funds and other financial assets or economic resources pursuant to paragraph 1 (a) of this resolution;

3. Confirms that the requirements in paragraph 1 (a) of this resolution apply to economic resources of every kind;

4. Calls upon States to redouble their efforts to implement the measure in paragraph 1 (b) and 1 (c) of this resolution;

Listing

5. Decides that, when proposing names to the Committee for inclusion on the Consolidated List, States shall act in accordance with paragraph 17 of resolution 1526 (2004) and paragraph 4 of resolution 1617 (2005) and provide a statement of case; the statement of case should provide as much detail as possible on the basis(es) for the listing, including: (i) specific information supporting a determination that the individual or entity meets the criteria above; (ii) the nature of the information and (iii) supporting information or documents that can be provided; States should include details of any connection between the proposed designee and any currently listed individual or entity;

6. Requests designating States, at the time of submission, to identify those parts of the statement of case which may be publicly released for the purposes of notifying the listed individual or entity, and those parts which may be released upon request to interested States;

7. Calls upon States to use the cover sheet attached in Annex I when proposing names for the Consolidated List, in order to ensure clarity and consistency in requests for listing;

8. Directs the Committee to encourage the submission of names from Member States for inclusion on the Consolidated List;

9. Directs the Committee to encourage States to submit additional identifying and other information on listed individuals and entities, including updates on assets frozen and the movement of listed individuals as such information becomes available;

10. Decides that the Secretariat shall, after publication but within two weeks after a name is added to the Consolidated List, notify the Perma-

ment 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), and include with this notification a copy of the publicly releasable portion of the statement of case, a description of the effects of designation, as set forth in the relevant resolutions, the Committee's procedures for considering delisting requests, and the provisions of resolution 1452 (2002);

11. Calls upon States receiving notification as in paragraph 10 to take reasonable steps according to their domestic laws and practices to notify or inform the listed individual or entity of the designation and to include with this notification a copy of the publicly releasable portion of the statement of case, a description of the effects of designation, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, the provisions of resolution 1452 (2002);

12. Encourages States to submit to the Committee for inclusion on the Consolidated List names of individuals and entities participating in the financing or support of acts or activities of Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, as described in paragraph 2 of resolution 1617 (2005), by any means, including but not limited to using proceeds derived from illicit cultivation, production, and trafficking of narcotic drugs originating in Afghanistan, and their precursors;

Delisting

13. Decides that the Committee shall continue to develop, adopt, and apply guidelines regarding the de-listing of individuals and entities on the Consolidated List;

14. Decides that the Committee, in determining whether to remove names from the Consolidated List, may consider, among other things, (i) whether the individual or entity was placed on the Consolidated List due to a mistake of identity, or (ii) whether the individual or entity no longer meets the criteria set out in relevant resolutions, in particular resolution 1617 (2005); in making the evaluation in (ii) above, the Committee may consider, among other things, whether the individual is deceased, or whether it has been affirmatively shown that the individual or entity has severed all association, as defined in resolution 1617 (2005), with Al-Qaida, Usama bin Laden, the Taliban, and their supporters, including all individuals and entities on the Consolidated List;

Exemptions

15. Decides to extend the period for consideration by the Committee of notifications submitted pursuant to paragraph 1 (a) of resolution 1452 (2002) from 48 hours to 3 working days;

16. Reiterates that the Committee must make a negative decision on notifications submitted pursuant to paragraph 1 (a) of resolution 1452 (2002), in order to prevent the release of funds and other financial assets or economic resources that have been determined by the notifying State(s) to be necessary for basic expenses;

17. Directs the Committee to review its guidelines with respect to the provisions of paragraph 1(a) of resolution 1452 (2002) as reiterated in paragraph 15 above;

18. Encourages States that submit requests to the Committee, pursuant to paragraph 1 (b) of resolution 1452 (2002), to report in a timely way on the use of such funds, with a view to preventing such funds from being used to finance terrorism;

Measures Implementation

19. Encourages States to identify, and if necessary introduce, adequate procedures to fully implement all aspects of the measures described in paragraph 1 of this resolution;

20. Stresses that the measures imposed by paragraph 1(a) of this resolution apply to all forms of financial resources, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them;

21. Directs the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above, and requests the Chairman, in his periodic reports to the Council pursuant to paragraph 31 below, to provide progress reports on the Committee's work on this issue;

22. Requests States to ensure that the most up to date version of the Consolidated List is promptly made available to relevant Government offices and other relevant bodies, in particular, those offices responsible for the assets freeze and border control;

23. Requests the Secretary General to take the necessary steps to increase cooperation between the United Nations and relevant international and regional organisations, including Interpol, ICAO, IATA, and the WCO, in order to provide the Committee with better tools to fulfil its mandate more effectively and to give Member States better tools to implement the measures referred to in paragraph 1 of this resolution;

Taliban

24. Encourages States to submit names of individuals and entities currently associated with the Taliban to the Committee for inclusion on the Consolidated List;

25. Directs the Committee to encourage States to provide additional identifying and other information on listed Taliban individuals and entities;

26. Directs the Committee to work, in accordance with its guidelines, to consider requests for inclusion on the Consolidated List, names of individuals and entities associated with the Taliban, and to consider petitions for the removal of listed members and/or associates of the Taliban who are no longer associated with the Taliban;

Coordination

27. Reiterates the need for ongoing close cooperation and exchange of information among the Committee, the Counter Terrorism Committee (“CTC”), and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including enhanced information sharing, coordinated visits to countries, technical assistance, and other issues of relevance to all three committees;

Outreach

28. Further reiterates the importance of having the Committee follow up via oral and/or written communications with Member States regarding effective implementation of the sanctions measures;

29. Strongly encourages Member States to send representatives to meet the Committee for more in-depth discussion of relevant issues;

30. Requests the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004) and 1617 (2005);

31. Requests the Committee to report orally, through its Chairman, at least every 180 days to the Council on the overall work of the Committee and the Analytical Support and Sanctions Monitoring Team (“Monitoring Team”), and, as appropriate, in conjunction with the reports by the Chairmen of the CTC and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

Monitoring Team and Reviews

32. Decides, in order to assist the Committee in the fulfilment of its mandate, to extend the mandate of the current New York-based Monitoring Team, appointed by the Secretary-General pursuant to paragraph 20 of resolution 1617 (2005), for a further period of 18 months, under the direction of the Committee with the responsibilities outlined in Annex II, and requests the Secretary-General to make the necessary arrangements to this effect;

33. Decides to review the measures described in paragraph 1 of this resolution with a view to their possible further strengthening in 18 months, or sooner if necessary;

34. Decides to remain actively seized of the matter.

CONSOLIDATED LIST: COVER SHEET FOR MEMBER STATE SUBMISSIONS TO THE COMMITTEE

Please complete as many of the following fields as possible:

I. IDENTIFIER INFORMATION – for Individuals						
Where possible, note the nationality or cultural or ethnic sources of names/aliases. Provide all available spellings.	Surname/ Family Name/ Last Name	First Name	Additional name (e.g. father’s name or middle name), where applicable	Additional name (e.g. grandfather’s name), where applicable	Additional name, where applicable	Additional name, where applicable
Full Name: (in original and Latin script)						
Aliases/ “Also Known As” (A.K.A.s): Note whether it is a strong or weak alias.	Current					
	Former					
Other nom de guerre, pseudonym:			Title: Honorary, professional, or religious title			
Employment/ Occupation: Official title/position			Nationality/ Citizenship:			
Date of Birth: (DD/MM/YYYY)			Passport Details: (Number, issuing date & country, expiry date)			

Alternative Dates of Birth (if any): (DD/MM/YYYY)		National Identification Number(s), Type(s): (e.g. Identity card, Social Security)	
Place of Birth: (provide all known details including city, region, province/state, country)		Address(es): (provide all known details, including street address, city, province/state, country)	
Alternative Place(s) of Birth (if any): (city, region, province/state, country)		Previous Address(es): (provide all known details, including street address, city, province/state, country)	
Gender:		Languages spoken:	
Father's full name:		Mother's full name:	
Current location:		Previous location(s):	
Undertakings and entities owned or controlled, directly or indirectly by the individual (see UNSCR 1617 (2005), para. 3):			
Website Addresses:			
Other relevant detail: (such as physical description, distinguishing marks and characteristics)			

IDENTIFIER INFORMATION — For Groups, Undertakings, or Entities	
Name:	
Also Known As (A.K.A.s): Where possible, note whether it is a strong or weak A.K.A.	Now Known As (N.K.A.s)
	Formerly Known As (F.K.A.s)
Address(es): Headquarters and/or branches. Provide all known details, including street address, city, province/state, country	
Tax Identification Number: (or local equivalent, type)	
Other Identification Number and type:	
Website Addresses:	
Other Information	
II. BASIS FOR LISTING May the Committee publicly release the following information? Yes No May the Committee release the following information to Member States? Yes No Complete one or more of the following:	
	(a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of Al-Qaida (AQ), Usama bin Laden (UBL), or the Taliban, or any cell, affiliate, splinter group or derivative thereof. • Name(s) of cell, affiliate, splinter group or derivate thereof: _____
	(b) supplying, selling or transferring arms and related materiel to AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof. • Name(s) of cell, affiliate, splinter group or derivate thereof: _____

	(c) recruiting for AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof. ¹ <ul style="list-style-type: none"> Name(s) of cell, affiliate, splinter group or derivate thereof:
	(d) otherwise supporting acts or activities of AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof. ¹ <ul style="list-style-type: none"> Name(s) of cell, affiliate, splinter group or derivate thereof:
	(e) Other association with AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof. <ul style="list-style-type: none"> Briefly explain nature of association and provide name of cell, affiliate, splinter group or derivate thereof:
	(f) Entity owned or controlled, directly or indirectly, by, or otherwise supporting, an individual or entity on the Consolidated List. ² <ul style="list-style-type: none"> Name(s) of individual or entity on the Consolidated List:
<p>Please attach a Statement of the Case which should provide as much detail as possible on the basis(es) for listing indicated above, including: (1) specific information supporting the association or activities alleged; (2) the nature of the information (e.g., intelligence, law enforcement, judicial, media, admissions by subject, etc.) and (3) supporting information or documents that can be provided. Include details of any connection with a currently listed individual or entity. Indicate what portion(s) of the Statement of Case the Committee may publicly release or release to Member States.</p>	

¹ S/RES/1617 (2005), para. 2.

² S/RES/1617 (2005), para. 3.

III. POINT OF CONTACT *The individual(s) below may serve as a point-of-contact for further questions on this case: (THIS INFORMATION SHALL REMAIN CONFIDENTIAL)*

Name:

Position/Title:

Annex II

In accordance with paragraph 32 of this resolution, the Monitoring Team shall operate under the direction of the Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

- a. To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measures in paragraph 1(a) of this resolution as it pertains to preventing the criminal misuse of the internet by Al-Qaida, Usama bin Laden, the Taliban, and other individuals, groups, undertakings, and entities associated with them, to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;
- b. To submit a comprehensive program of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities, envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the CTC's Executive Directorate ("CTED") and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;
- c. To submit, in writing, two comprehensive, independent reports to the Committee, one by 30 September 2007 and the other by 31 March 2008, on implementation by States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;
- d. To analyze reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee as instructed by the Committee;
- e. To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;
- f. To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;
- g. To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;
- h. To consult with Member States in advance of travel to selected Member States, based on its program of work as approved by the Committee;

- i. To encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List, as instructed by the Committee;
- j. To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;
- k. To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph c of this annex;
- l. To consult with Member States' intelligence and security services, including through regional fora, in order to facilitate the sharing of information and to strengthen enforcement of the measures;
- m. To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;
- n. To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;
- o. To assist other subsidiary bodies of the Security Council, and their expert panels, upon request with enhancing their cooperation with Interpol, referred to in resolution 1699 (2006);
- p. To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;
- q. Any other responsibility identified by the Committee.

Op 23 december 2006 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 5612e zitting aangenomen Resolutie 1737 (2006). De Engelse tekst van deze resolutie luidt:

Resolution 1737 (2006)

Adopted by the Security Council at its 5612th meeting, on 23 December 2006

The Security Council,

Recalling the Statement of its President, S/PRST/2006/15, of 29 March 2006, and its resolution 1696 (2006) of 31 July 2006,

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons, and recalling the right of States Party, in conformity with Articles I and II of that Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Reiterating its serious concern over the many reports of the IAEA Director General and resolutions of the IAEA Board of Governors related to Iran's nuclear programme, reported to it by the IAEA Director General, including IAEA Board resolution GOV/2006/14,

Reiterating its serious concern that the IAEA Director General's report of 27 February 2006 (GOV/2006/15) lists a number of outstanding issues and concerns on Iran's nuclear programme, including topics which could have a military nuclear dimension, and that the IAEA is unable to conclude that there are no undeclared nuclear materials or activities in Iran,

Reiterating its serious concern over the IAEA Director General's report of 28 April 2006 (GOV/2006/27) and its findings, including that, after more than three years of Agency efforts to seek clarity about all aspects of Iran's nuclear programme, the existing gaps in knowledge continue to be a matter of concern, and that the IAEA is unable to make progress in its efforts to provide assurances about the absence of undeclared nuclear material and activities in Iran,

Noting with serious concern that, as confirmed by the IAEA Director General's reports of 8 June 2006 (GOV/2006/38), 31 August 2006 (GOV/2006/53) and 14 November 2006 (GOV/2006/64), Iran has not established full and sustained suspension of all enrichment-related and reprocessing activities as set out in resolution 1696 (2006), nor resumed its cooperation with the IAEA under the Additional Protocol, nor taken the other steps required of it by the IAEA Board of Governors, nor complied with the provisions of Security Council resolution 1696 (2006) and which are essential to build confidence, and *deploring* Iran's refusal to take these steps,

Emphasizing the importance of political and diplomatic efforts to find a negotiated solution guaranteeing that Iran's nuclear programme is exclusively for peaceful purposes, and *noting* that such a solution would benefit nuclear nonproliferation elsewhere, and *welcoming* the continuing commitment of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the support of the European Union's High Representative to seek a negotiated solution,

Determined to give effect to its decisions by adopting appropriate measures to persuade Iran to comply with resolution 1696 (2006) and with the requirements of the IAEA, and also to constrain Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Security Council determines that the objectives of this resolution have been met,

Concerned by the proliferation risks presented by the Iranian nuclear programme and, in this context, by Iran's continuing failure to meet the requirements of the IAEA Board of Governors and to comply with the provisions of Security Council resolution 1696 (2006), *mindful* of its pri-

mary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Acting under Article 41 of Chapter VII of the Charter of the United Nations,

1. Affirms that Iran shall without further delay take the steps required by the IAEA Board of Governors in its resolution GOV/2006/14, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions;

2. Decides, in this context, that Iran shall without further delay suspend the following proliferation sensitive nuclear activities:

- a) all enrichment-related and reprocessing activities, including research and development, to be verified by the IAEA; and
- b) work on all heavy water-related projects, including the construction of a research reactor moderated by heavy water, also to be verified by the IAEA;

3. Decides that all States shall 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 all items, materials, equipment, goods and technology which could contribute to Iran's enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems, namely:

- a) those set out in sections B.2, B.3, B.4, B.5, B.6 and B.7 of INFCIRC/254/Rev.8/Part 1 in document S/2006/814;
- b) those set out in sections A.1 and B.1 of INFCIRC/254/Rev.8/Part 1 in document S/2006/814, except the supply, sale or transfer of:
 - (i) equipment covered by B.1 when such equipment is for light water reactors;
 - (ii) low-enriched uranium covered by A.1.2 when it is incorporated in assembled nuclear fuel elements for such reactors;
- c) those set out in document S/2006/815, except the supply, sale or transfer of items covered by 19.A.3 of Category II;
- d) any additional items, materials, equipment, goods and technology, determined as necessary by the Security Council or the Committee established by paragraph 18 below (herein "the Committee"), which could contribute to enrichment-related, or reprocessing, or heavy water-related activities, or to the development of nuclear weapon delivery systems;

4. Decides that all States shall 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, materials, equipment, goods and technology:

a) those set out in INFCIRC/254/Rev.7/Part2 of document S/2006/814 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities;

b) any other items not listed in documents S/2006/814 or S/2006/815 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems;

c) any further items if the State determines that they would contribute to the pursuit of activities related to other topics about which the IAEA has expressed concerns or identified as outstanding;

5. Decides that, for the supply, sale or transfer of all items, materials, equipment, goods and technology covered by documents S/2006/814 and S/2006/815 the export of which to Iran is not prohibited by subparagraphs 3 (b), 3 (c) or 4 (a) above, States shall ensure that:

a) the requirements, as appropriate, of the Guidelines as set out in documents S/2006/814 and S/2006/985 have been met; and

b) 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

c) they notify the Committee within ten days of the supply, sale or transfer; and

d) in the case of items, materials, equipment, goods and technology contained in document S/2006/814, they also notify the IAEA within ten days of the supply, sale or transfer;

6. Decides that all States shall also take the necessary measures 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 in paragraphs 3 and 4 above;

7. Decides that Iran shall not export any of the items in documents S/2006/814 and S/2006/815 and that all Member States shall prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran;

8. Decides that Iran shall provide such access and cooperation as the IAEA requests to be able to verify the suspension outlined in paragraph 2 and to resolve all outstanding issues, as identified in IAEA reports, and *calls upon* Iran to ratify promptly the Additional Protocol;

9. Decides that the measures imposed by paragraphs 3, 4 and 6 above shall not apply where the 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:

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

10. Calls upon all States to exercise vigilance regarding the entry into or transit through their territories of individuals who 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, and *decides* in this regard that all States shall notify the Committee of the entry into or transit through their territories of the persons designated in the Annex to this resolution (herein "the Annex"), as well as of additional persons 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 and for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 above, except where such travel is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) above;

11. Underlines that nothing in the above paragraph requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of the above paragraph, take into account humanitarian considerations as well as the necessity to meet the objectives of this resolution, including where Article XV of the IAEA Statute is engaged;

12. Decides that all States shall freeze the funds, other financial assets and economic resources which are on their territories at the date of adoption of this resolution or at any time thereafter, that are owned or controlled by the persons or entities designated in the Annex, as well as those of additional persons or entities designated by the Security Council or by 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 by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them, including through illicit means, and that the measures in this paragraph shall cease to apply in respect of such persons or entities if, and at such time as, the Security Council or the Committee removes them from the Annex, and *decides* further that all States shall 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 these persons and entities;

13. Decides that the measures imposed by paragraph 12 above do not apply to funds, other financial assets or economic resources that have been determined by relevant States:

a) to be necessary for basic expenses, including payment for food-stuffs, 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 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;

b) to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee;

c) 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 the present resolution, is not for the benefit of a person or entity designated pursuant to paragraphs 10 and 12 above, and has been notified by the relevant States to the Committee;

d) to be necessary for activities directly related to the items specified in subparagraphs 3 (b) (i) and (ii) and have been notified by the relevant States to the Committee;

14. Decides that States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 12 above 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 the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

15. Decides that the measures in paragraph 12 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that:

a) the contract is not related to any of the prohibited items, materials, equipment, goods, technologies, assistance, training, financial assistance, investment, brokering or services referred to in paragraphs 3, 4 and 6 above;

b) the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 12 above;

and after notification by the relevant States to the 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;

16. Decides that technical cooperation provided to Iran by the IAEA or under its auspices shall only be for food, agricultural, medical, safety or other humanitarian purposes, or where it is necessary for projects directly related to the items specified in subparagraphs 3 (b) (i) and (ii) above, but that no such technical cooperation shall be provided that relates to the proliferation sensitive nuclear activities set out in paragraph 2 above;

17. Calls upon all States to exercise vigilance and prevent specialized teaching or training of Iranian nationals, within their territories or by their nationals, of disciplines which would contribute to Iran's proliferation sensitive nuclear activities and development of nuclear weapon delivery systems;

18. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks:

a) to seek from all States, in particular those in the region and those producing the items, materials, equipment, goods and technology referred to in paragraphs 3 and 4 above, information regarding the actions taken by them to implement effectively the measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 of this resolution and whatever further information it may consider useful in this regard;

b) to seek from the secretariat of the IAEA information regarding the actions taken by the IAEA to implement effectively the measures imposed by paragraph 16 of this resolution and whatever further information it may consider useful in this regard;

c) to examine and take appropriate action on information regarding alleged violations of measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 of this resolution;

d) to consider and decide upon requests for exemptions set out in paragraphs 9, 13 and 15 above;

e) to determine as may be necessary additional items, materials, equipment, goods and technology to be specified for the purpose of paragraph 3 above;

f) to designate as may be necessary additional individuals and entities subject to the measures imposed by paragraphs 10 and 12 above;

g) to promulgate guidelines as may be necessary to facilitate the implementation of the measures imposed by this resolution and include in such guidelines a requirement on States to provide information where possible as to why any individuals and/or entities meet the criteria set out in paragraphs 10 and 12 and any relevant identifying information;

h) to report at least every 90 days to the Security Council on its work and on the implementation of this resolution, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 above;

19. Decides that all States shall report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 4, 5, 6, 7, 8, 10, 12 and 17 above;

20. Expresses the conviction that the suspension set out in paragraph 2 above as well as full, verified Iranian compliance with the requirements set out by the IAEA Board of Governors, would contribute to a diplomatic, negotiated solution that guarantees Iran's nuclear programme is for exclusively peaceful purposes, *underlines* the willingness of the international community to work positively for such a solution, *encourages* Iran, in conforming to the above provisions, to re-engage with the international community and with the IAEA, and *stresses* that such engagement will be beneficial to Iran;

21. Welcomes the commitment of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the support of the European Union's High Representative, to a negotiated solution to this issue and encourages Iran to engage with their June 2006 proposals (S/2006/521), which were endorsed by the Security Council in resolution 1696 (2006), for a long-term comprehensive agreement which would allow for the development of relations and cooperation with Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran's nuclear programme;

22. Reiterates its determination to reinforce the authority of the IAEA, strongly supports the role of the IAEA Board of Governors, *commends* and *encourages* the Director General of the IAEA and its secretariat for their ongoing professional and impartial efforts to resolve all remaining outstanding issues in Iran within the framework of the IAEA, *underlines* the necessity of the IAEA continuing its work to clarify all outstanding issues relating to Iran's nuclear programme;

23. Requests within 60 days a report from the Director General of the IAEA on whether Iran has established full and sustained suspension of all activities mentioned in this resolution, as well as on the process of Iranian compliance with all the steps required by the IAEA Board and with the other provisions of this resolution, to the IAEA Board of Governors and in parallel to the Security Council for its consideration;

24. Affirms that it shall review Iran's actions in the light of the report referred to in paragraph 23 above, to be submitted within 60 days, and:

a) that it shall suspend the implementation of measures if and for so long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA, to allow for negotiations;

b) that it shall terminate the measures specified in paragraphs 3, 4, 5, 6, 7, 10 and 12 of this resolution as soon as it determines that Iran has fully complied with its obligations under the relevant resolutions of the

Security Council and met the requirements of the IAEA Board of Governors, as confirmed by the IAEA Board;

c) that it shall, in the event that the report in paragraph 23 above shows that Iran has not complied with this resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with this resolution and the requirements of the IAEA, and underlines that further decisions will be required should such additional measures be necessary;

25. Decides to remain seized of the matter.

Annex

A. Entities involved in the nuclear programme

1. Atomic Energy Organisation of Iran
2. Mesbah Energy Company (provider for A40 research reactor — Arak)
3. Kala-Electric (aka Kalaye Electric) (provider for PFEP — Natanz)
4. Pars Trash Company (involved in centrifuge programme, identified in IAEA reports)
5. Farayand Technique (involved in centrifuge programme, identified in IAEA reports)
6. Defence Industries Organisation (overarching MODAFL-controlled entity, some of whose subordinates have been involved in the centrifuge programme making components, and in the missile programme)
7. 7th of Tir (subordinate of DIO, widely recognized as being directly involved in the nuclear programme)

B. Entities involved in the ballistic missile programme

1. Shahid Hemmat Industrial Group (SHIG) (subordinate entity of AIO)
2. Shahid Bagheri Industrial Group (SBIG) (subordinate entity of AIO)
3. Fajr Industrial Group (formerly Instrumentation Factory Plant, subordinate entity of AIO)

C. Persons involved in the nuclear programme

1. Mohammad Qannadi, AEOI Vice President for Research & Development
2. Behman Asgarpour, Operational Manager (Arak)
3. Dawood Agha-Jani, Head of the PFEP (Natanz)
4. Ehsan Monajemi, Construction Project Manager, Natanz
5. Jafar Mohammadi, Technical Adviser to the AEOI (in charge of managing the production of valves for centrifuges)

6. Ali Hajinia Leilabadi, Director General of Mesbah Energy Company
7. Lt Gen Mohammad Mehdi Nejad Nouri, Rector of Malek Ash-tar University of Defence Technology (chemistry dept, affiliated to MODALF, has conducted experiments on beryllium)

D. Persons involved in the ballistic missile programme

1. Gen Hosein Salimi, Commander of the Air Force, IRGC (Pas-daran)
2. Ahmad Vahid Dastjerdi, Head of the AIO
3. Reza-Gholi Esmaeli, Head of Trade & International Affairs Dept, AIO
4. Bahmanyar Morteza Bahmanyar, Head of Finance & Budget Dept, AIO

E. Persons involved in both the nuclear and ballistic missile programmes

1. Maj Gen Yahya Rahim Safavi, Commander, IRGC (Pasdaran)

C. VERTALING

Voor de vertaling van het Handvest, zoals gewijzigd, zie *Trb.* 1987, 113.

D. PARLEMENT

Zie *Trb.* 1951, 44

E. PARTIJGEGEVENS

Zie de rubrieken E en F van *Trb.* 1951, 44 en rubriek E van *Trb.* 2006, 254.

G. INWERKINGTREDING

Zie *Trb.* 1951, 44.

J. VERWIJZINGEN

Zie voor verwijzingen en andere verdragsgegevens, laatstelijk *Trb.* 2006, 75.

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat de Resoluties zullen zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *negende* maart 2007.

De Minister van Buitenlandse Zaken,

M. J. M. VERHAGEN