

Explanatory Note: Optional Application Form

(For activities falling under paragraph 2 of Annex B of UNSC Res. 2231)

This form can be used by States to apply for permission for all activities falling under paragraph 2 of Annex B of UNSC Res. 2231. It is intended to help States to submit proposals which include all necessary supporting information as specified in Annex IV of the JCPOA.

1 State submitting the proposal

Name of the State submitting the proposal in order to allow proper attribution.

The first State seeking to engage in a transfer requiring approval by the Security Council should submit the proposal. If the Security Council approves the proposed transfer, activities, such as financial, transportation, and insurance transactions directly related to the approved transfer that are consistent with UNSCR 2231 and the JCPOA may also be considered approved for that transfer. Information on these activities must be provided by the State to the Security Council as soon as possible and in any event as a condition of approval before the activity taking place. States would need to submit a new proposal for any additional items not identified in the original proposal.

For an activity involving several States, there are optional fields (later in the form) for the State submitting the proposal to identify other entities involved in the transaction. In such circumstances, approval of the proposal identifying such other entities is sufficient to provide approval for the participation of such other entities (and there need not be a separate proposal).

2 Type of proposed activity

In this section, the proposing State should specify the activity or activities, as set out in paragraph 2 of Annex B of UNSC Res. 2231 (multiple entries possible).

- 2 (a) This section covers the activities set out in paragraph 2 (a) of Annex B of UNSC Res. 2231, that are **the supply, sale, or transfer** of items to Iran.

If applicable the type of the activity can be specified in the box below.

Tick box: type of item, material, equipment and technology. Multiple entries are possible for proposals relating to items set out in INFCIRC/254/Rev.12. Part 1, INFCIRC/254/Rev.9. Part 2, or any further items (not covered by the INFCIRCs) if the State determines that they could contribute to reprocessing or enrichment-related or heavy-water related activities inconsistent with the JCPOA.

- 2 (b) This section covers the activities set out in paragraph 2 (b) of Annex B of UNSC Res. 2231, that are **services and assistance related** to the supply, sale, or transfer of items to Iran or the manufacture or use of such items in Iran.

Tick box: type of related services. Multiple entries are possible. If applicable the type of the activity can be specified in the box below (in particular if the box other services has been ticked).

Tick box: type of activity to which proposed service or assistance is related to. Multiple entries are possible.

- 2 (c) This section covers the activities set out in paragraph 2 (a) of Annex B of UNSC Res. 2231, that is the **acquisition by Iran of an interest in a nuclear-related commercial activity**. The application form is primarily designed for activities falling under 2 (a) and 2 (b). For activities falling under 2 (c) some of the following supporting information may not be applicable. The proposing States should attach further information.

3 Supporting information

3 (a) Description of the goods/description of the related service

This entry should contain a clear description of the items to be exported. A description is part of the necessary supporting information.

The entry should allow for an understanding of the relevance of the item or the service for the procurement channel. The entry should neither be too general (e.g. “tools”) nor be limited to product names. A detailed description could help to clarify why goods fall under the criteria of the respective entry on the control lists and verify whether the transaction is in line with the JCPOA.

For **proposals covering several items**, only the first item should be described in the section. A description of additional items needs to be provided on a separate sheet.

For items, material, equipment, goods and technology set out in INFCIRC/254/ Rev.12. Part 1 or INFCIRC/254/Rev.9/Part 2, the NSG **control list number** should be provided. It is also useful, for NSG States, to use the NSG control parameters to describe the characteristics of the items.

If the proposal relates to **further items** which are not set out in INFCIRC/254/ Rev.12. Part 1 or INFCIRC/254/Rev.9/Part 2, the proposing State could specify its reasons for submission to the procurement channel.

Technical documentation may be provided by proposing States. This will be useful for the assessment of the proposal.

Quantity/Weight (if applicable): Indication of quantity of items; the type of unit applicable should also be indicated (e.g. units, kilograms, etc.)

Currency and total value (if applicable): Information on the value of goods to be exported or value of services provided, together with the currency. This information is useful for the assessment of the proposal and can be provided in approximate form. The value should be given in the currency of the exporting State.

3 (b) Exporting entity/entity providing related service

Name and details of the entity exporting the items or providing the related services. This is part of the necessary supporting information.

Other involved entities (if different from exporting and importing entity, if applicable) should be provided on a separate sheet: entries should identify other parties involved in a transaction and specify their role, e.g. agents, brokers, first consignees, freight forwarders etc. In order to avoid duplications and in order to get an immediate understanding of the proposal, it will be helpful to have explanations on the key entities involved in the transaction.

3 (c) Importing entity in Iran / Iranian entity to which related services are provided to

Name and details of the entity in Iran importing the items or benefitting from related services. This is part of the necessary supporting information. In many cases this will be the end-user of the items in question. If not, the name and details of the end-user need to be provided under 3 (d).

3 (d) Statement of the proposed end-use and end-use location

A statement of the proposed end-use and end-use location is part of the necessary supporting information.

The **tick-box** (End-use for Iran's **nuclear** programme authorized by the JCPOA/**Non-nuclear** civilian end-use): If the end-use is for a nuclear purpose as certified by the AEOI, the Coordinator of the Procurement Working Group will send the application to the IAEA (in addition to the Procurement Working Group).

The **description of the proposed end-use** should clarify the purpose for which the item(s) will be used by the end-user. The description should allow an assessment of the proposal without being overly technical. The description should correspond with the description in the end-use document.

End-use location: The entry should contain information on where the item in question will be used (details of location). If the good is being exported for incorporation into another product by the end user, information on that product should be provided instead.

End-use certification signed by the AEOI or the Ministry of Foreign Affairs of Iran attesting to stated end-use to be attached to proposal.

Guidelines in the INFCIRCs: With this tick box the proposing State confirms that the requirements, as appropriate, of the Guidelines as set out in INFCIRC/254/ Rev.12/ Part 1 or

INFCIRC/254/Rev.9/Part 2 have been met. This relates in particular to guidelines on re-sale, re-transfer, and re-export.

If different from the importing entity, name and details of the **end-user** need to be provided.

3 (e) National export licence or reference number (if applicable):

National export licence or reference number linked with the Country Code in order to allow proper attribution for State submitting the proposal.

If not available as of the time of submittal of the proposal, such information must be provided by the proposing State to the Security Council as soon as possible and in any event as condition of approval prior to shipment of the item. If the national reference number was provided in the original application and if the proposing State notifies the Security Council that the national processing number is identical with the final export licence number, this information does not need to be submitted again. If the proposal is approved prior to receipt of this information, the Security Council should note in its letter to the exporting State, that this information is required to be submitted prior to shipment, as specified in Annex IV, section 6.4.2 of the JCPOA.

3 (f) Contract date

Date when the contract was concluded (if applicable).

If not available as of the time of submittal of the proposal, such information must be provided by the proposing State to the Security Council as soon as possible and in any event as condition of approval prior to shipment of the item. If the proposal is approved prior to receipt of this information, the Security Council should note in its letter to the exporting State, that this information is required to be submitted prior to shipment, as specified in Annex IV, section 6.4.2 of the JCPOA.

3 (g) Details on transportation

Details on transportation will in many cases not be available when a proposal is submitted to the Security Council. If not available as of the time of submittal of the proposal, such information must be provided by the proposing State to the Security Council as soon as possible and in any event as condition of approval prior to shipment of the item. If the proposal is approved prior to receipt of this information, the Security Council should note in its letter to the exporting State, that this information is required to be submitted prior to shipment, as specified in Annex IV, section 6.4.2 of the JCPOA.

The following fields are meant to provide more guidance on the kind of information needed for the Procurement Working Group to understand the movement of the items. The information can also help to identify possible duplications of proposals. In the case of a technology or software transfer, transportation details may not be relevant.

State of origin (if different from state submitting the proposal): State from which the items are originating.

State of consignment from which goods are sent to Iran (if different from State submitting the proposal): State from which the items will be shipped to Iran.

Other States involved in the transaction (please provide explanation/function): Possibility to provide more information on the transportation route if deemed necessary.

Type of conveyance (e. g. ship, air, rail, truck).

As indicated in the explanations under 3(c), the name of the freight forwarder or shipping agent should be provided on a separate sheet.

3 (h) End-use verification

Tick box end-use verification: With this tick box the proposing State confirms to have obtained and be in a position to exercise effectively a right to verify the end-use and end-use location of all items to be supplied to Iran.

It will be helpful if the proposing State provides further information on the measures agreed to with Iran and the recipient company to verify the end-use.

3 (i) Additional information

The proposing State may provide additional information to support the consideration of the proposal.

4 Date of Submission

Date of submission of the proposal.

5 Point of contact

Important for the administration of the proposal, including – if appropriate – for obtaining further information on the proposal. This should be the appropriate authority of the proposing State, which has submitted the proposal.