



# Security Council

Sixty-seventh year

*Provisional*

## 6888<sup>th</sup> meeting

Thursday, 13 December 2012, 3 p.m.

New York

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*President:* Mr. Loulichki . . . . . (Morocco)

*Members:*

Azerbaijan . . . . .	Mr. Mehdiyev
China . . . . .	Mr. Zhang Junan
Colombia . . . . .	Mr. Osorio
France . . . . .	Mr. Briens
Germany . . . . .	Mr. Wittig
Guatemala . . . . .	Mr. Rosenthal
India . . . . .	Mr. Manjeev Singh Puri
Pakistan . . . . .	Mr. Masood Khan
Portugal . . . . .	Mr. Moraes Cabral
Russian Federation . . . . .	Mr. Churkin
South Africa . . . . .	Mr. Laher
Togo . . . . .	Mr. M'Beou
United Kingdom of Great Britain and Northern Ireland . . . .	Mr. Parham
United States of America . . . . .	Mrs. DiCarlo

## Agenda

### Non-proliferation

Briefing by the Chair of the Security Council Committee established pursuant to resolution 1737 (2006)

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*The meeting was called to order at 3.10 p.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **Non-proliferation**

#### **Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)**

**The President** (*spoke in Arabic*): The Security Council will now begin its consideration of the item on its agenda.

At this meeting, the Security Council will hear a briefing by Ambassador Néstor Osorio, Permanent Representative of Colombia, in his capacity as Chair of the Security Council Committee established pursuant to resolution 1737 (2006).

I now give the floor to Ambassador Osorio.

**Mr. Osorio** (Colombia) (*spoke in Spanish*): I have the honour to present to the Council the 90-day report of the Committee established pursuant to resolution 1737 (2006), in accordance with paragraph 18 (h) of that resolution.

(*spoke in English*)

The report covers the period from 13 September to 4 December 2012. During that time, the Committee held two meetings and conducted additional work using the non-objection procedure envisioned by paragraph 15 of the guidelines for the conduct of its work.

At the informal consultations of 23 October, the Committee continued its discussion of the Panel's final report of 12 June 2012 (S/2012/395), which is available on the Committee's website. Several delegations proposed that the Committee adopt a series of implementation assistance notices that could aid Member States in implementing the Security Council measures, taking into account the experts' findings during their 2011 and 2012 mandates.

On 26 November, the Coordinator of the Panel of Experts briefed the Committee on the Panel's midterm report of 9 November, which was submitted in accordance with paragraph 2 of resolution 2049 (2012). The Committee heard additional information about the Panel's current activities.

In the course of the discussion that followed the oral briefing, members of the Committee exchanged their views on the midterm report, as well as on the implementation of the relevant Security Council resolutions. Some members expressed concerns about possible non-compliance with those resolutions, which may have led to transfers of material under sanctions from Iran to States in the region, while some members also addressed the need to ensure that sanctions were playing a constructive role in supporting diplomatic efforts and dialogue. During a subsequent discussion, some Committee members requested the Panel assemble for the Committee's review a compilation of publicly available statements recently made by Iranian officials and alleged recipients of Iranian military assistance regarding potential violations of paragraph 5 of resolution 1747 (2007). In that regard, the Committee intends to ensure that any work undertaken regarding reported violations will be conducted in an impartial and objective manner, based on verified information and solid evidence.

The Committee also discussed the possibility of issuing a guidance note to aide States in their submission of national implementation reports, and sending letters to States requesting them to provide, on a voluntary basis, additional identifiers for individuals subject to travel bans and asset freezes. Those issues remain under consideration by the Committee.

During the reporting period, the Committee received a number of communications relating to the implementation of the relevant Security Council measures.

In a letter dated 9 October, four Member States submitted a report stating that the July 2012 Great Prophet 7 exercise, during which Iran tested Shahab-1 short-range ballistic missiles and Shahab-3 medium-range ballistic missiles, constituted a violation of paragraph 9 of resolution 1929 (2010). That case is currently being investigated by the Panel.

As mentioned during my previous briefing to the Council, in September (see S/PV.6839), the Committee sought information from several States relating to the inspection and seizure, on 15 March 2011, of three shipping containers of arms and arms-related materiel onboard the ship *M/V Victoria*. I am pleased to inform the Council that three States have already responded to the Committee's letters and offered helpful details. I would like to take this opportunity to encourage all States to cooperate with the Committee and its Panel

of Experts in the investigation of possible sanctions violations.

In response to a query from an international organization, the Committee found that the described project, aimed at assisting Iran develop its technical capacity for intellectual property rights protection, did not violate the sanctions measures.

Lastly, the Committee received three notifications: two from a Member State with reference to paragraph 5 of resolution 1737 (2006) concerning the delivery of items for use in the nuclear power plant in Bushehr, Iran; and one from another State, submitted pursuant to paragraph 15 of resolution 1737 (2006) and paragraph 4 of resolution 1747 (2007), in connection with the unfreezing of funds in order to make a payment due under a contract entered into prior to the listing of an entity.

On that note, I conclude my report. I thank again the members of the Committee for their cooperation and assistance and the Secretariat for its support to me.

**The President** (*spoke in Arabic*): I thank Ambassador Osorio for his briefing.

I now give the floor to those Council members who wish to make a statement.

**Mr. Moraes Cabral** (Portugal): At the outset, let me thank Ambassador Néstor Osorio for his briefing and to commend him and his team for two years of intensive work leading the sanctions Committee on Iran. Under his able leadership, the Committee managed to advance the implementation of resolution 1929 (2010) and contributed to the efforts of the international community to seek clarification on the nature of Iran's nuclear programme.

Let me also thank the Panel of Experts for its useful work in assisting the Committee. In that context, I want to emphasize the importance of acting on the recommendations of the Panel's final report (S/2012/395, annex), including the designation of specified entities that have engaged in proliferation activities or prohibited arms export actions. The Committee shall continue to issue guidance to Member States. We are convinced that one of the best ways to do so is to adopt implementation assistance notices that would advance compliance with Security Council resolutions.

Regrettably, the resumption of serious and credible talks with Iran has not yet materialized, nor has Iran fully complied with all its international obligations

as set out in Security Council and International Atomic Energy Agency (IAEA) Board of Governors' resolutions. In particular, Iran continues to fail to provide the necessary cooperation to enable the Agency to credibly assess that all nuclear material in Iran is for peaceful purposes. Consequently, Portugal reiterates its serious and deepening concern with the continuing expansion of Iran's nuclear activities as reflected in the most recent IAEA report (GOV/2012/55) as well as with the fact that Iran continues to deny access to the Parchin military site. The 16 November report also stated that Iran continued to install more centrifuges for uranium enrichment at Fordo and Natanz sites. Despite the intensified dialogue between the IAEA and Iran since last January, the report also concludes that no concrete results have been achieved in resolving outstanding issues. Hence, without thoroughly addressing all these pending issues in close cooperation with the IAEA, Iran will fail to restore international confidence in the peaceful nature of its nuclear activities.

Portugal calls on the Iranian authorities to act responsibly and to comply with their international obligations, thereby bringing sanctions to an end. Portugal reaffirms its longstanding commitment to a diplomatic solution to the Iranian nuclear issue in accordance with the dual-track approach. In support of that approach, my country welcomes the statement of the E3+3 foreign ministers on 27 September in New York and fully endorses the efforts led by the High Representative of the European Union on behalf of the E3+3 in that regard. We sincerely hope that Iran will commit to serious negotiation process, exercise flexibility and reach early agreement on concrete confidence-building steps.

**Mr. Parham** (United Kingdom): I thank Ambassador Osorio and the Committee established pursuant to resolution 1737 (2006) for their continued work, and pay tribute to Ambassador Osorio and his team in the Mission of Colombia and to the support that they have received from the Panel of Experts during his two years as Chair of that important Committee of the Security Council.

The United Kingdom, along with the international community at large, remains deeply concerned about Iran's nuclear programme. The resolution adopted by the Board of Governors of the International Atomic Energy Agency (IAEA) on 13 September called on Iran to cooperate urgently with the IAEA. The overwhelming

support for that resolution demonstrated the depth of international concern.

Iran must urgently address the international community's serious concerns over its nuclear activity. Assurance of Iran's peaceful intentions has not been forthcoming. Iran continues to expand its enrichment capacity, in direct contravention of resolutions of the IAEA Board of Governors and the Security Council, and has consistently failed to cooperate with the Agency to address the possible military dimensions of its nuclear programme.

Despite this, the United Kingdom remains fully committed to finding a peaceful, negotiated solution to this issue. The E3+3 has met with Iran at the political and expert levels on four occasions since April, and it remains active in pursuit of further dialogue. While the E3+3 is entering into these talks in good faith, negotiations cannot continue indefinitely. Iran must engage seriously with this process. Until it does, the international community will apply increasing pressure.

Here in New York, it is the work of the 1737 Committee that remains at the forefront of that pressure — a symbol of international support for efforts at peacefully preventing proliferation activity. In this regard, I welcome the work of the Committee in preparing implementation assistance notices. This essential work will help to ensure that Member States are fully equipped to implement Security Council measures against Iran.

The role of the Panel of Experts remains crucial in making sure that United Nations sanctions are adhered to in full. We strongly welcome its work with international organizations and experts, and we champion its efforts to investigate alleged sanctions violations. We look forward to hearing the results of the two investigations currently under way.

We remain appalled by credible information that Iran is providing technical advice, financial support, equipment and weapons to aid Al-Assad's brutal and violent repression of the Syrian people. This is in stark contravention of the will of the Syrian people and a reminder of Iran's hypocrisy in claiming to support freedom in the Arab world.

We also have serious concerns about Iranian support for groups such as Hizbullah, Palestinian Islamic Jihad and Hamas. Iranian Majlis Speaker Ali Larijani described the Gaza resistance as "just a small part of Iran's power". Such support is unacceptable

and only serves to undermine regional security. Arms supplies to Hizbullah are contrary to the United Nations embargo on the export of weapons by Iran, and recent confirmation by a commander of the Islamic Revolutionary Guard Corps of the transfer of Iranian military technology to Hamas would indicate a further violation of the Council's resolutions and of international law. We support the Committee and the Panel of Experts in investigating these transgressions.

Iran's leaders, if they do the right thing, can bring all sanctions to an end and, in doing so, help Iran to realize the benefits of a civil nuclear programme. They have a clear choice. They can either address international concerns through negotiation and action, or face further pressure and isolation.

**Mr. Churkin** (Russian Federation) (*spoke in Russian*): We thank the Chair of the Committee established pursuant to resolution 1737 (2006), Ambassador Néstor Osorio, for his briefing on the work of the Committee. We note the high professionalism and effectiveness of the leadership of the Chair and the Colombian delegation as a whole. Under the Colombian chairmanship, the Committee has acted in a balanced and objective manner and has not overstepped its mandate. That must continue in the future.

We thank the Committee's Panel of Experts for its concrete assistance. The Russian delegation has always believed that the Panel must work impartially and independently and be guided in its conclusions and evaluations only by reliable and objective information.

Russia fully upholds all Security Council resolutions concerning Iran. We remain convinced that the effectiveness of the sanctions regime, and of the collective and united activities of the international community as a whole to settle the situation of Iran's nuclear programme, are undermined by unilateral restrictions applied in parallel. In a number of cases, they are extraterritorial in nature, which is categorically unacceptable under international law.

With respect to ensuring the implementation of sanctions, we stress that the 1737 Committee has received no reports recently of any implication of Iran in the illegal trafficking of conventional weapons, as noted in the midterm report of the Panel of Experts.

Russia has consistently called for a political and diplomatic settlement of the Iranian nuclear issue, and believes that there is no alternative to a negotiated solution. Efforts to that end must be undertaken on the

basis of the principles of consistency and reciprocity and in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons. We call for intensified dialogue between Iran and the International Atomic Energy Agency (IAEA) and the continuation of the Six-Party talks. We hope that the next round of talks between Iran and the IAEA on the so-called proposed investigation will allow the two sides to conclude work on a document on modalities and to begin practical activities on that basis as soon as possible.

In cooperation with its partners, Russia shall continue to strive to achieve progress towards a settlement of the Iranian nuclear issue.

**Mr. Briens** (*spoke in French*): I thank Ambassador Osorio for his quarterly briefing and welcome the outstanding work of the Colombian chairmanship of the Committee established pursuant to resolution 1737 (2006) over the past two years. I also wish to thank the Panel of Experts, whose investigations and recommendations are highly useful to the Committee and the Council.

The Chair's quarterly report and the midterm report of the Panel of Experts that were just presented to us demonstrate once again that Iran continues not to comply with its international obligations and that it is pursuing both its illicit nuclear activities and its efforts to circumvent sanctions. Iran disseminates its conventional weapons and its missiles at the risk of destabilizing the entire region.

Despite six resolutions of the Council, Iran continues to enrich its uranium to 20 per cent and 3.5 per cent, while at the same time quantitatively and qualitatively increasing its production capacity, although we can identify no credible civilian purpose therefor. At the same time, it pursues its heavy water-related activities without providing access to the International Atomic Energy Agency (IAEA), as it must do.

Furthermore, it has been over a year since the Agency's Board of Governors addressed a very clear demand that Iran respond to its questions concerning the possible military dimensions of its nuclear programme. We all expect that the meeting to be held today in Tehran between Iranian authorities and the IAEA will allow the Agency to obtain the responses it requires, but we are under no illusions. We have all been able to follow for ourselves Iran's intensive activities in Parchin since the Agency first requested access. The IAEA recently deemed that those activities were of a

nature to compromise its capacity to conduct effective verification when it eventually gains access.

I also wish to highlight Iran's repeated violations of the arms embargo imposed by the Council. These violations fuel the spiral of violence in the Near East and Middle East. We have already expressed our concern and firmly condemned the transfer of weapons from the Islamic Republic of Iran to Syria — several such cases were highlighted by the Panel of Experts in their June report (see S/2012/395, annex).

As we mentioned in the previous debate (see S/PV.6839), we would like the Committee to designate Yas Air Cargo and SAD Import-Export Company as soon as possible, as they have been implicated in arms transfers to the regime in Damascus. Since those revelations, we have learned that weapons have also been transferred from Iran to Syria in aircraft using Iraqi air space. Those activities not only violate Security Council resolutions, but have allowed the Damascus regime to continue to massacre its own people.

We have also learned directly from Iranian officials that Tehran had transferred weapons and ballistic material to non-State groups in Gaza. A flagrant example was the launch from Gaza of a Fajr-5 missile that originated from the Islamic Republic of Iran. The Panel of Experts, which has been requested to investigate those issues, should shed light on the matter so that the Committee is able to take all necessary action. Those actions represent clear violations of the arms embargo and should not remain unpunished.

I also would make note of our concern about the Iranian ballistic programme, which has continued despite bans agreed to by the Council. I recall that, on 9 October, together with the United States, United Kingdom and Germany, France notified the Committee of the Shahab-3 missile tests carried out by the Islamic Revolutionary Guards last summer. That was a clear violation of paragraph 9 of resolution 1929 (2010) that we must therefore sanction.

It is striking to note that the North Korean launch was the object of unanimous condemnation by the international community, with the near sole exception of the Islamic Republic of Iran, which welcomed it. The latter is also conducting a space programme for no other purpose than to validate military-use technologies.

Faced with the challenge of repeated violations by the Islamic Republic of Iran of Security Council

resolutions, we must remain united and firm. Dialogue will continue and we are committed to it. The many meetings of the E3+3 Governments with Iran in 2012 bear witness to that.

But faced with our serious proposals, Tehran has not been constructive and will not negotiate seriously with us. As long as Iran does not abide by its obligations, we must ensure the full application of the sanctions. They have a genuine impact on the ground and we believe that such pressure is likely to lead the Iranian authorities to eventually resume serious negotiations.

Iran must clearly recognize that dialogue is in its best interest, rather than isolation.

**Mr. Masood Khan** (Pakistan): We join other delegations in thanking Ambassador Néstor Osorio for his final 90-day report to the Council. We deeply appreciate his able stewardship of the Committee and his valuable contribution to its work.

We have taken note of the recent report (GOV/2012/55) of the International Atomic Energy Agency (IAEA) on the implementation of the IAEA safeguards regime in Iran pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

Ten days from now, the Security Council Committee established pursuant to resolution 1737 (2006) will have completed six years of existence. The Council and the Committee have invested time and energy to address the Iranian nuclear issue. It may be worthwhile for the Council to reflect and review the objectives and strategy on the subject, even as it promotes the full implementation of the relevant Council resolutions by all States.

In our view, the potential for confrontation over Iran's nuclear programme has not diminished. Any exacerbation will further destabilize the immediate neighbourhood of the Islamic Republic of Iran and the entire region. Given the delicate and complex environment in the region, Pakistan does not want an escalation of tension in an already volatile region. We therefore reaffirm the need for dialogue and diplomacy.

We believe that a peaceful resolution of the crisis is still possible on the basis of reciprocal confidence-building measures, as well as the necessary steps to ensure Iran's right to peaceful uses of nuclear energy.

As party to the NPT, Iran is obligated to fulfil its responsibilities contained in the Treaty. Similarly, Iran,

as a member of the IAEA, is required to fully cooperate with the Agency within the framework of its Safeguards Agreement.

While Iran should fulfil its legal obligations under the NPT and the IAEA statute, its rights under those instruments should also be respected. We urge Iran to extend full cooperation to the IAEA to resolve all outstanding issues.

We encourage Iran and the group made up of the five permanent members of the Security Council and Germany to stay the course of meaningful engagement, build on the talks they have already held this year and deepen the diplomatic process for a negotiated resolution of the Iranian nuclear issue.

We continue to support the view that the work and activities of the Panel of Experts should conform strictly to its mandate. The Panel's work must be guided by the broader but interlinked objectives outlined in the Council's resolutions, namely, the effective implementation of the sanctions regime and advancing a diplomatic solution.

We take note of the midterm report of the Panel and welcome the ongoing discussions in the Committee on the Panel's 2012 final report (S/2012/395, annex) recommendations.

We look forward to further deliberations in the weeks ahead. We reiterate our view that Security Council sanctions should not be pursued as an end in itself. A negotiated solution to the unresolved issues would be facilitated if the Council, the Committee and the Panel of Experts acted in unison and maintained a balance between sanctions and negotiations.

Over the years, the Panel of Experts has continued to undertake extensive outreach efforts globally, while preparing various reports and recommendations.

There is a need to broaden the composition of the Panel's membership, to include in particular members from developing countries, in order to enhance awareness about, and ensure the implementation of, the relevant Security Council resolutions.

The method method for appointing the Panel's experts also needs revision. It must be harmonized with the United Nations core values of transparency and impartiality. We hope that the Council will carefully examine those issues to develop the necessary recommendations.

**Mr. Laher** (South Africa): South Africa thanks the Chair of the Security Council Committee established pursuant to resolution 1737 (2006), Ambassador Néstor Osorio, of Colombia for his 90-day report. We reiterate our full support for the work of the Committee. We commend Ambassador Osorio and the Colombian delegation for the manner in which the Committee has been chaired for the past two years.

We also wish to thank the Panel of Experts of the Committee established pursuant to resolution 1929 (2010) for its midterm report, which was submitted to the Committee last month.

The work of the Panel in presenting its findings and using accurate, verifiable information is important to support the work of the Committee and ensure the credibility of its actions. We hope that the good working relationship that exists between the Panel and the Committee and guides its direction will continue.

South Africa congratulates the Committee on its efforts to achieve consensus on the recommendations contained in the final report of the Panel of Experts (S/2012/395, annex). We encourage further discussion on implementation assistance notices in a manner that is conducive to the proper implementation of the relevant sanctions resolutions.

The constructive spirit in the Committee is critical to supporting the ongoing discussions between Iran and interested parties over concerns about Iran's nuclear activities. The Committee's work must reflect a holistic approach to the sanctions resolutions and the will of the international community. As we have stated before, our task must be to operate within the larger international framework of the nuclear disarmament and nuclear non-proliferation regime. The implementation of the sanctions against the Islamic Republic of Iran should reflect that and take into account the different priorities of States in the implementation efforts.

We continue to encourage progress towards a peaceful resolution of the concerns over Iran's nuclear activities. The central role played by the International Atomic Energy Agency (IAEA) in trying to resolve the outstanding issues regarding those activities is indispensable. We urge Iran to comply with the relevant decisions of the IAEA and with its obligations under the relevant Security Council resolutions.

In conclusion, South Africa wishes to stress that a sustainable solution will be one that restores international confidence in the peaceful nature of the

nuclear programme of the Islamic Republic of Iran while respecting Iran's right, consistent with the Treaty on the Non-Proliferation of Nuclear Weapons, to the peaceful use of nuclear energy.

**Mr. Mehdiyev** (Azerbaijan): I would like to thank Ambassador Néstor Osorio for his work as Chair of the Security Council Committee established pursuant to resolution 1737 (2006) and for his presentation of the 90-day report of the Committee covering the period from 13 September to 4 December.

During the reporting period, the Committee continued its discussion of the final report of the Panel of Experts (see S/2012/395). We take note of the Panel's midterm report, which was submitted in accordance with paragraph 2 of resolution 2049 (2012), as well as a number of communications related to the implementation of the relevant Security Council measures. We also note the Panel's visit to several Member States and the participation of its experts in a number of conferences and seminars during the reporting period. It is essential that the Panel continue its outreach activities, which play an important role in increasing the number of national implementation reports from Member States.

We look forward to continued discussion on the possibility of the Committee issuing a guidance note to aid States in their submission of national implementation reports and the implementation assistance notice that could assist Member States in implementing Security Council measures.

In accordance with its international obligations, Azerbaijan has taken all the necessary measures to prevent the use of its territory as a transit route for the illicit trafficking of items and materials related to the proliferation of nuclear weapons and weapons technology.

It is obvious that the issues concerning our immediate neighbour Iran are of particular importance for my country. The recent report of the International Atomic Energy Agency (IAEA) of 16 November (GOV/2012/55) has shown that outstanding issues regarding the Iranian nuclear programme remain unresolved. We support the right of any country to develop its nuclear industry for peaceful purposes, in full accordance with the relevant international obligations. It is therefore important that all the necessary steps be taken by the Government of Iran to build international confidence in the exclusively peaceful nature of its nuclear programme.

It is encouraging that, during the reporting period, Iran reaffirmed its commitment to dialogue with the IAEA and invited the Agency's delegation to visit Tehran. We hope that the visit, which commenced today, will help move the resolution of the problem forward. It is essential to continue dialogue and cooperation on the issues on which progress is urgent for regional stability. We encourage further efforts aimed at resolving the issues of concern peacefully and in a constructive manner.

**Mr. Rosenthal** (Guatemala) (*spoke in Spanish*): My delegation would like to thank Ambassador Néstor Osorio for his presentation of the 90-day report on the work of the Security Council Committee established pursuant to resolution 1737 (2006). Now, at the end of his mandate, I congratulate him and his team for having chaired the Committee so ably over the past two years.

During the period under review, the Committee continued to diligently carry out the tasks with which it was charged. It did so with transparency, impartiality and objectivity, without undermining its mandate. We believe that it should continue to do so in the future.

In addition, we recognize the importance of the assistance and cooperation that the Committee provides to Member States. We welcome the work of the Committee, which continued to consider national reports, requests and complaints regarding alleged violations on the part of Member States.

Concerning the work of the Panel of Experts, we take note of its midterm report, which was issued in November 2011. We appreciate the work that the Panel has been doing, including its information and awareness-raising activities, and we call on it to continue to work in strict compliance with the relevant resolutions of the Security Council.

With respect to the Iranian nuclear programme, allow us to briefly highlight three points.

First, Guatemala has always supported the right of all States to use nuclear energy for peaceful purposes, in accordance with the relevant international treaties. Iran must fully cooperate with the International Atomic Energy Agency (IAEA) in order to restore confidence in the exclusively peaceful nature of its nuclear programme.

Secondly, the Security Council has received the most recent report of the Director General of the IAEA, in which he once again states that Iran has continued to

accelerate its nuclear programme. This situation remains a source of great concern for us. We endorse the call by the Agency, and we urge Iran, in accordance with the requirements in the relevant resolutions of the Security Council and of the IAEA Board of Governors, to adopt measures for the full implementation of the safeguards agreement and other obligations and commitments under the Treaty on the Non-Proliferation of Nuclear Weapons and, above all, to submit to inspections. In that connection, we note with satisfaction that United Nations inspectors arrived today in Tehran for a round of negotiations, the first since August.

Thirdly, we are encouraged by the recent conversations between the E3+3 Governments and Iran. At their third round in Moscow, held last June, the parties agreed to continue dialogue, and we therefore encourage all those participating in that process to work diligently for progress and a positive result, which is what the rest of the international community expects. We believe it is important to continue to seek a peaceful and negotiated solution to the Iranian nuclear question, in accordance with the dual-track strategy.

Lastly, Guatemala will continue to actively participate in the Committee for the purpose of contributing to a sustainable solution.

**Mr. Wittig** (Germany): May I join others in thanking Ambassador Néstor Osorio, not only for his briefing but also for his outstanding work in chairing the Security Council Committee established pursuant to resolution 1737 (2006) over the past two years. As Ambassador Osorio leaves, the work of the 1737 Committee continues to be of crucial importance.

In June 2010, about two and a half years ago, the Council adopted resolution 1929 (2010). Since then, Iran has neither been willing to enter into negotiations on substantial issues during various rounds of talks with the E3+3 Governments nor taken concrete confidence-building measures in order to convince the international community that its nuclear programme is exclusively peaceful in nature. Nevertheless, the E3+3 remain committed to pursuing a diplomatic solution. The E3+3 intend to resume negotiations with Iran in the very near future.

The Iranian nuclear programme remains, in fact, a major threat to international peace and security. The latest report (GOV/2012/55) of the International Atomic Energy Agency (IAEA) does not alleviate our concerns, just the contrary. Iran continues to expand



its enrichment capacity at Natanz and Fordow. On this very day, talks between the IAEA and Iranian officials are taking place in Tehran. It appears that Iran has once more refused to grant IAEA access to Parchin. Even if the long-overdue access should finally be granted, extensive activities carried out by Iran on that site will have seriously undermined the Agency's ability to conduct effective inspections. Of the utmost concern is the fact that due to Iran's persistent lack of cooperation, no progress whatsoever has been made in clarifying the possible military dimensions of its nuclear programme.

During the last Security Council briefing, several members expressed their deep concern regarding conventional arms transfers from Iran (see S/PV.6839). The fact that the Sanctions Committee's Panel of Experts has not received any reports of intercepted conventional arms transfers involving Iran in the current reporting period should not necessarily be interpreted as non-occurrence of such sanctions violations. Our concerns have not been dispelled. In fact, recent reports about illegal arms flows from Iran to Syria via air through Iraq underscore the pressing relevance of that issue. Moreover, those reports add to various public statements, by both Iranian officials and Palestinian groups such as the Palestinian Islamic Jihad and Hamas, indicating that Iran provided relevant technical assistance for building arms and rockets that were designed to target Israel. We strongly urge the Committee and its Panel of Experts to follow those preoccupying reports very closely and to act accordingly.

We remain convinced that high vigilance on Iran's proliferation activities is necessary. The Committee and its Panel of Experts have an important role to play in promoting the overall acceptance and credibility of this body in ensuring worldwide implementation of the sanctions. Against that background, we are confident that the Committee will soon conclude its considerations on two designations recommended by the Panel of Experts. Once again, the Iranian entities to be designated, Yas Air cargo Airline and SAD Import-Export Company, are clearly linked to arms trafficking with Syria.

In the same context, Germany welcomes the valuable implementation assistance note on conventional arms currently under consideration by the Sanctions Committee. Its publication would be a further step towards making the sanctions regime more efficient. We are hopeful that other implementation

assistance notes incorporating some more of the Panel's recommendations will follow suit in the near future.

The Panel of Experts submitted its midterm report to the Committee on 9 November 2011. We have examined it carefully and find it valuable and substantiated. We would like to express our appreciation for the Panel's work and support it by sharing our experiences. Therefore, we have invited the Panel to again visit Germany from 17 to 20 December in order to discuss matters relevant to its mandate.

Iran urgently needs to convince the international community that its nuclear programme is exclusively peaceful. We are convinced that a diplomatic solution is possible and that negotiations with the E3+3 can yield results. Yet the onus is on Iran, and our patience cannot be unlimited. If Iran continues to disregard its international obligations, it will face the increasing costs of its continued obstruction.

**Mrs. DiCarlo** (United States of America): I would like to thank Ambassador Osorio for his briefing today and for his active and effective leadership of this critical committee.

Iran's nuclear programme continues to threaten regional and international security. The latest news from Vienna on Iran's nuclear progress underscores that threat. According to the Director General of the International Atomic Energy Agency (IAEA), Iran completed installation of all centrifuges at the Fordow site, its previously covert hardened underground facility. That will significantly expand Iran's ability to enrich uranium.

Meanwhile, Iran continues its efforts to sanitize the Parchin site, which the IAEA has associated with high-explosives testing. Director General Amano underscores that Iran's actions have seriously undermined the IAEA's ability to conduct effective verification. He has also said that no concrete results have been achieved to resolve the outstanding issues. Iran's actions continue to contravene multiple resolutions of the Security Council and the IAEA, and demonstrate Iran's ongoing defiance of the international community.

We welcome recent dialogue between Iran and the IAEA, but those talks must produce results. IAEA officials are meeting today on a structured approach to resolving the outstanding questions regarding Iran's nuclear programme. We hope that Iran will finally be forthcoming. But whether or not an agreement is reached, given Iran's existing legal obligations there

are no excuses for it not to cooperate immediately with the IAEA on the substance of the Agency's concerns. Iran cannot continue its approach of denial, deception and distraction. Now is the time to demand Iran's full cooperation, full compliance and full commitment to resolve outstanding questions about its nuclear programme.

Given Iran's ongoing breach of its obligations, the international community must make good on our commitment to fully and aggressively enforce the sanctions that the Security Council has imposed. The full implementation of those measures will reduce Iran's ability to advance its nuclear programme, support terrorism and destabilize the region, thereby creating more time and space to pursue a comprehensive and negotiated solution through diplomacy.

We urge the Committee and the Panel of Experts to accelerate their critical work in 2013 and to assist Member States as much as possible in fulfilling their obligations to implement the sanctions. We further encourage the Committee and the Panel to investigate thoroughly and respond vigorously to any report of sanctions violations. We also must all be mindful of our responsibility as Member States to share information with both the Committee and the Panel to facilitate their work. Furthermore, we reiterate that the Committee should implement the recommendations contained in the Panel's final report of June 2012 (S/2012/395, annex), including the imposition of targeted sanctions on individuals and companies that facilitate Iran's evasion of sanctions.

Iran's flagrant proliferation of conventional arms constitutes a growing threat and makes the Committee's work all the more urgent. In recent weeks, Iranian officials have publically acknowledged exporting military equipment in blatant violation of resolution 1747 (2007), which prohibits all arms exports from Iran. Despite the sanctions in place, Iran continues its well documented pattern of arms exports to the Al-Assad regime in Syria, which uses them to slaughter the Syrian people, and to militants in Gaza, who use them to terrorize Israeli civilians, as we saw just a few weeks ago.

The Committee and the Panel should intensify their focus on Iranian arms smuggling and find ways to stem the flow. The States in the region must also do their part. Two years ago, the Council included in resolution 1929 (2010) new provisions for States to inspect suspicious cargo on their territories and to seize

and dispose of banned items. Every State is obligated to stop Iran's arms smuggle across its territory, whether trans-shipment occurs by land, sea or air. To comply with their international obligations, Iran's neighbours should increase the number of cargo inspections and deny overflight requests by aircraft suspected of carrying illicit cargo in violation of United Nations resolutions. Iran's consistent refusal to meet its obligations and build international confidence in its nuclear activities constitutes one of the most serious threats to international peace and security today.

Our first priority remains to prevent Iran from acquiring a nuclear weapon. The United States, working with our partners in the group made up of the five permanent members of the Security Council and Germany (P5+1), is fully committed to achieving that goal through a comprehensive approach of pressure and engagement. We have not given up on diplomacy, but Iran's repeated obfuscations means that the international community will continue to apply increasing pressure aimed at changing the regime's calculus. A durable solution must roll back Iran's most alarming nuclear activities, including its enrichment and stockpiling of uranium to 20 per cent and continued activity at the Fordo site. In exchange, the P5+1 is willing to take reciprocal steps to address Iran's expressed concerns. We want, and are working toward, a negotiated solution, but the choice to engage constructively lies with the Iranian regime.

Its failure to respond to the offers of the P5+1 would be a setback for Iran, the region and the wider world. Working together, the international community must convince Iran to choose engagement not isolation, transparency not secrecy, and stability not discord.

**Mr. M'Beou (Togo)** (*spoke in French*): I wish to thank Ambassador Osorio for his 90-day report on the activities of the Committee established pursuant to resolution 1737 (2006), as well as for his commendable work at the head of the Committee.

We also take note of the latest report of the Board of Governors (GOV/2012/55) of the International Atomic Energy Agency (IAEA) on the implementation of the Islamic Republic of Iran's Safeguards Agreement to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as the midterm report of the Panel of Experts established by resolution 1929 (2010).

The efforts of the international community over the past 12 months with respect to Iran's nuclear

programme have not led to success, despite the stepping up of diplomatic initiatives such as the activities carried out by the E3+3 group. In its resolution GOV/2011/69, the Board of Governors underscored the importance for both Iran and the IAEA of intensifying their dialogue in order to urgently resolve the most critical pending issues. Iran was called upon to engage without preconditions in talks aimed at re-establishing trust with respect to the wholly peaceful nature of its programme. In the final analysis, talks between the Agency and Iranian authorities did not lead to the hoped for results.

The reports of both the IAEA and the Panel of Experts note unequivocally that there has been no agreement on a structured approach to resolve questions relating to possible military dimensions of Iran's nuclear programme, and that there has not been a positive response from Iran with respect to the request for access to the Parchin site.

Concerning this situation, which continues to erode a climate of trust, Togo would like once again to call on the Islamic Republic of Iran not only to honour its commitments as a party to the Treaty on the Non-Proliferation of Nuclear Weapons but also to pursue good-faith negotiations with the E3+3.

We note to Iran's commitment, reiterated on 1 November, to hold a dialogue with the IAEA. We hope that the meeting in Tehran being held with the Agency today will allow for an advance in cooperation between the two parties.

To conclude, I would like to acknowledge the work of the Group of Experts established by resolution 1929 (2010), which, through consultations, inspections, investigations and outreach, has reminded States of the need to fulfil their obligations under the relevant Security Council resolutions on the Iranian nuclear issue, namely, the implementation of sanctions in the areas of export controls, customs, sea and air transportation, finance and a ban on travel, as well as to provide reports on such measures.

Togo is particularly pleased that, in May 2013, it will host the regional seminar mentioned in the final paragraph of the report of the Group of Experts. That event will allow the countries of Central and West Africa to discuss the measures that should be taken to comply with the sanctions regime of the United Nations on the issue and to adopt the necessary recommendations.

**Mr. Zhang Junan** (China) (*spoke in Chinese*): I wish to thank Ambassador Osorio for this briefing.

Over the past two years, Ambassador Osorio and his team have made great efforts to advance the work of the Committee, for which China expresses its thanks.

China always attaches great importance to the work of the Committee and will continue to closely cooperate with other members of the Committee to enable the Committee to fulfil its responsibilities in a balanced, pragmatic and effective matter. China has taken note of the midterm report submitted by of the Panel of Experts, acknowledges the efforts made by its members, and hopes that they will continue to carry out their work in a rigorous and appropriate manner according to the mandate of the resolution and under the guidance of the Committee.

The Iranian nuclear issue is of concern as regards the authority of the international non-proliferation regime and peace and stability in the Middle East region. Because of the complexity and importance of the issue, the international community must seek a comprehensive, long-term and appropriate solution. In that connection, the right of Iran to the peaceful use of nuclear energy as a State party to the Treaty on the Non-Proliferation of Nuclear Weapons should be respected. All parties, including Iran, should fulfil their international obligations, including those contained in Council resolutions.

At the same time, the international community should relentlessly conduct dialogue, cooperation and diplomatic talks towards a peaceful settlement of the Iranian nuclear issue. Over the past year, China and other concerned Member States have made productive efforts towards relaunching the dialogue over the Iranian nuclear programme and setting it on the right track.

In the current context of major changes in the situation in the region, it is all the more important to firmly maintain and promote the process of dialogue. The dialogue has currently entered the substantive stage, and the parties should continue to work under the principle of gradual progress and mutual respect by showing greater goodwill, flexibility and pragmatism, as well as enhanced mutual trust through engagement. They should seek common ground and solve their differences in pursuit of a realistic and sensible settlement.

We also hope that Iran and the International Atomic Energy Agency will maintain and enhance their dialogue and cooperation, and agree as soon

as possible on an action plan aimed at resolving outstanding issues. The relevant Council resolutions should be comprehensively implemented, but sanctions are not their final goal. China is a firm supporter of diplomatic solutions, and is not in favour of putting excessive pressure or imposing new sanctions on Iran. We always oppose the use or threat of force. China will maintain an objective, equitable and responsible approach, working tirelessly for peaceful negotiations and playing its own role in preserving the common interests of the international community.

**Mr. Manjeev Singh Puri** (India): At the outset, I would like to thank Ambassador Néstor Osorio for presenting the 90-day report of the Committee established pursuant to resolution 1737 (2006). Since this is his last briefing to the Council, I would like to put on record our commendation of Ambassador Osorio's very able stewardship of the Committee over the past two years and of the professionalism with which the Committee has fulfilled its mandate.

I would also like to thank the Panel of Experts for its midterm report submitted to the 1737 Committee last month. While we are studying it, we appreciate the Panel's work, including its outreach activities. We encourage it to continue its work in strict accordance with the relevant resolutions of the Security Council in an independent, objective, transparent and impartial manner. The Panel should also continue the practice of briefing the Committee regularly on all its activities.

We have taken note of the report submitted by the International Atomic Energy Agency (IAEA) in November on the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons Safeguards Agreement and the relevant provisions of Security Council resolutions on Iran (GOV/2012/55), in accordance with paragraph 4 of resolution 1929 (2010). We hope that agreement on a structured approach will allow Iran and the Agency to start substantive work on the outstanding issues.

India has consistently supported the right of all nations to the peaceful uses of nuclear energy in accordance with the relevant international treaties to which they are party. Iran should fully cooperate with the International Atomic Energy Agency to restore confidence in the exclusively peaceful nature of its nuclear programme. We hope that the outstanding technical issues concerning the Iranian nuclear programme will be resolved peacefully through Iran's cooperation with the IAEA.

We welcome the fact that the five permanent members of the Security Council and Germany (P5+1) have reiterated their commitment to continuing their engagement with Iran. We think that the talks between the P5+1 and Iran should be resumed as soon as possible, leading to a resolution of all outstanding issues through dialogue and discussion.

In conclusion, India supports the full implementation of the relevant resolutions of the Security Council concerning the Iran nuclear issue. While implementing them, it is essential that every effort be made to ensure that legitimate trade and economic activities do not suffer.

**The President** (*spoke in Arabic*): I shall now make a statement in my national capacity as the representative of Morocco.

At the outset, I would like to extend my sincere thanks to Ambassador Néstor Osorio, Chair of the Security Council Committee established pursuant to resolution 1737 (2006), for his final periodic report. I would like to take this opportunity to put on record our appreciation for Ambassador Osorio and his team, as well as for the excellent manner in which he chaired the work of the Committee. It does honour to him and to Colombia, which he represents at the United Nations.

I would also like to thank the Panel of Experts established pursuant to paragraph 29 of resolution 1929 (2010), and to encourage it to continue, under the guidance of the Committee, its participation in meetings and workshops relevant to the Committee's mandate, particularly through its dialogue with Member States during visits to the countries concerned.

As the Committee continues to consider all the issues referred to it, we hope that it will also continue to seek the cooperation of Member States and to benefit from the professionalism and objectivity of the Panel of Experts. We call on it to continue to consider all reports of non-implementation, in view of their importance for fulfilling the relevant Security Council resolutions, as well as the recommendations in the last report of the Panel of Experts (S/2012/395/annex).

The most recent report (GOV/2012/55) submitted by the International Atomic Energy Agency (IAEA), on 16 November, concluded that pending issues relevant to the Iranian nuclear programme had not yet been settled. We hope that the Agency will receive full cooperation so as to allay concerns and make tangible progress on pending issues. As the IAEA is the only agency with

competence relating to safeguards, it should receive full cooperation at all times, including the necessary information on sites and facilities.

Proceeding from our conviction that dialogue and diplomacy are the only ways to settle this issue peacefully, we believe that continuing negotiations between the five permanent members of the Security Council and Germany (P5+1) and Iran is extremely important. However, the success of such a dialogue requires continued and sustainable commitment and good faith in the negotiations, as well as a willingness to refrain from taking any positions or making any announcements that could complicate matters. First and foremost, Security Council resolutions must be respected, as must requests by the IAEA, in view of Iran's international commitments.

We would like to stress the importance of preventing any weakening of the non-proliferation regime and

of providing every possible assistance to States in helping them abide by their safeguards agreements. Without this, the denuclearization of our world, which is exceedingly important to us, will not be achievable; nor will it promote the voluntary nature of the Treaty on the Non-Proliferation of Nuclear Weapons. However, in the same vein, we would like to emphasize the right of all States to the peaceful uses of nuclear energy. The non-proliferation regime is based on a delicate balance between the rights and obligations of States, a balance that all should maintain and respect.

I now resume my functions as President of the Council.

There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 4.20 p.m.*