

IMPLEMENTATION ASSISTANCE NOTICE #2: HANSA INDIA

The following information may be useful to Member States in implementing their obligations under resolutions 1737 (2006), 1747 (2007) and 1803 (2008).

INCIDENT REPORT:

- On 15 and 16 October 2009, two Member States submitted to the Committee established pursuant to resolution 1737 (2006) information regarding a sanctions violation involving the prohibited transfer of arms-related materiel from Iran to Syria.
- The cargo was being transferred aboard the *M/V Hansa India*, a Germany-flagged vessel chartered by the shipping corporation Islamic Republic of Iran Shipping Lines (IRISL).
- Inspections of the cargo revealed the presence of arms-related materiel such as bullet casings and seven containers loaded with 7.62mm caliber bullet casings (apparently for AK rifles).
- The contents were in barrels marked "SAZEMANE SENAYE DEFA," which is Farsi for "Defense Industries Organization (DIO)", an entity designated under resolution 1737 (2007).
- The ship's manifest indicated that the cargo was being transferred from Iran to Syria. This transfer was in violation of paragraph five of resolution 1747 (2007), which states:
"Iran shall not supply, sell or transfer directly or indirectly from its territory or by its nationals or using its flag vessels or aircraft any arms or related materiel, and that all 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."
- The Member State that reported this violation has since decided, in accordance with its international obligations, to retain, unload and store the cargo.

CONCLUSIONS

- This incident involved virtually identical circumstances to a previous incident reported to the Committee in February 2009 regarding the *M/V Monchegorsk* (see the Committee's *Implementation Assistance Notice* of 24 July 2009). In light of this pattern of sanctions violations, the Committee urges all Member States to redouble their efforts to ensure full implementation of resolutions 1737 (2006), 1747 (2007) and 1803 (2008). In particular, the Committee recommends Member States be especially alert for additional violations involving similar circumstances to those described above.
- The Committee notes with concern that this is the second violation of resolution 1747 (2007) in which IRISL has been involved. In resolution 1803 (2008), the Security Council called upon all States to inspect the cargoes to and from Iran of vessels, at their seaports, owned or operated by IRISL, provided there are reasonable grounds to believe that the vessel is transporting goods prohibited under resolutions 1737 (2006), 1747 (2007) and 1803 (2008). In light of IRISL's role in repeated violations of these resolutions, the Committee therefore urges Member States to exercise extreme vigilance over all IRISL activities, including subjecting its cargo to enhanced scrutiny.
- The Committee urges Member States to alert their private sector to this pattern of sanctions violations and the risks involved in facilitating such violations of UN Security Council resolutions. In this regard, the Committee recalls paragraph 7 of resolution 1803 (2008),

which states that targeted financial measures shall apply also to "persons and entities determined by the Council or the Committee to have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, this resolution, resolution 1737 (2006) or resolution 1747 (2007)."

- The Committee further calls upon all Member States to report -- on a confidential basis, if necessary -- any information regarding alleged violations of the measures imposed in these resolutions. Consistent with its mandate, the Committee will examine and take appropriate action regarding such information. The Committee remains available to answer inquiries from Member States about the obligations imposed by these resolutions.

20 January 2010