

Explanatory Note: Optional End-Use Certification (EUC) (For activities falling under paragraph 2 of Annex B of UNSC Res. 2231 (2015))

This form can be used by States to assess and obtain certification of the end-use for all activities falling under paragraph 2 of Annex B of UNSC Res. 2231 (2015). An end use certificate is among the necessary supporting information that is to be included with a proposal.

I. General Information

To facilitate timely consideration of the proposal, it is important that the proposing State provide a correct and complete EUC. An incorrect or incomplete EUC might lead to an incomplete proposal, which is likely to result in the proposal being delayed or denied.

The EUC needs to be signed and dated by the Atomic Energy Organisation of Iran (AEOI) for procurements for Iran's nuclear programme and the Ministry of Industry, Mine and Trade of Iran for procurements for a non-nuclear civilian end-use. 'Digital' signatures are not acceptable. All sections of the EUC should be completed legibly.

Be mindful of references to any unfamiliar abbreviations or acronyms particularly those referring to Consignees or End-Users. To avoid a delay or denial of your proposal, acronyms should be spelled out in full.

II. Guidance regarding the EUC

This sample EUC form encompasses 6 sections (A to F). The following headings deal with each section individually and offer a detailed explanation regarding all elements of each section.

Please be aware: the EUC form must be printed on an official headed paper of the Iranian authority, as noted in the upper left side of the EUC form.

1. Section A – Parties

- **Consignee:** The Consignee is the first recipient of the items, who can wield direct or indirect influence on the items. In certain cases, there might also be several Consignees. **In this case all Consignees must be named in the EUC.** A Consignee can also be the final End-User. Please note that a person/company, who/which only acts as a broker is not a Consignee.
- **End-User:** The final End-User is the entity, which consumes, uses, incorporates etc. the item. **The Consignee and the End-User can be identical.** In cases of identicalness please use the box Consignee solely.
- **Exporting entity/supplier:** The exporting entity/supplier is the contracting partner of the Consignee.

2. Section B – Items (Goods, software or technology)

a. General terms

- **Item:** The term item includes goods, software and technology. Software can be exported electronically (e.g. via email) or physically on a (mobile) data storage device (e.g. USB-stick).
- **Technology:** Technology encompasses documents, data, records etc. which can be used for the production of goods or production of parts of these goods or any developments or use of the aforementioned. Goods which will be produced with the assistance of the technology are referred to as derived goods.

b. Boxes of the section

- *Description of the item(s):* Please describe each item in as much detail as possible to enable a comprehensive technical evaluation.
- *Quantity/Weight:* These boxes must only be completed in cases of goods and software.

3. Section C – End-Use/Purpose of the item(s)

- *Purpose of the item(s):* Please describe the purpose of each item in as much detail as possible to enable a comprehensive technical evaluation especially regarding the intended end-use of the item.

Please be aware that this box is a vital element for the overall evaluation of the export. If the purpose is not clearly stated, this might lead to a denial of the proposal.

- *Tick-boxes re-transfer, incorporation of goods:* One (and only one) of the following three options for the purpose of the item should be selected: (a) Goods will be used in the form received and will not be re-exported, re-transferred or further distributed without prior consent of the exporting State, (b) Goods will be incorporated into specific products (to be specified) and will not be re-exported, re-transferred, or further distributed without prior consent of the exporting State, (c) Goods are to be re-sold, re-exported, or further distributed to specific end-users (to be specified) for specific end-products (to be specified). These tick-boxes complement the above description on the purpose of the item(s).
- *In cases of incorporation of the item(s) or usage for the development, production, usage or repair of another item,* this item must be described in detail as well as the purpose and the respective End-User. Please note that this box is only to be completed, if the exported item(s) is (are) further used in the above specified way.

4. Section D – End-Use location

Please specify the exact *End-Use location* of the exported items. This location might differ from the address of the End-User (if different from the Consignee).

For example: Company X, with its central procurement office in city Y, buys the item but uses it in its production facility in city Z. In this case there is only one End-User (company X), but the End-Use location (city Z) differs from the order address (city Y).

Therefore please note: The End-Use location is the place where the item is actually used, consumed etc.

5. Section E – Certification of the end-user undertaking by the end-user

In this section the end-user attests the end-use/purpose of the item declared under section C and the end-use location declared under section D and permits the exporting State to verify the end-use of items set out in INFCIRC/254/Rev.9/Part 2 which are to be imported following the procedure under Section 6 of Annex IV of the JCPOA.

All these statements and information must be signed by the end-user. This includes the mentioning of (1.) the place and date, (2.) the official seal (if applicable), (3.) the signature itself and (4.) the name and title of the signer in block letters.

6. Section F – Certification of the end-user undertaking by the appropriate authority of Iran

In this section the appropriate authority of Iran explicitly declares what the exported goods are going to be used for by checking one of the tick boxes. **Please be aware** that only one box can be ticked to have a valid EUC as these options are alternatives and cannot be present at the same time.

If goods and services are for Iran's nuclear programme as set out by the JCPOA, the end-use certification needs to be signed by the Atomic Energy Organisation of Iran (AEOI). For non-nuclear civilian end-use, the end-use certification needs to be signed by the Ministry of Industry, Mine and Trade of Iran.

The appropriate authority of Iran confirms that the above mentioned items will not be retransferred in Iran without prior consent from the exporting State and that Iran will meet the requirements of the guidelines as set out in INFCIRC/254/Rev.12/Part 1 and INFCIRC/254/Rev.9/Part 2.

Furthermore, the appropriate authority of Iran attests the End-Use/Purpose of the item declared under Section C and the end-use location declared under Section D and permits the

exporting State to verify the End-Use of items set out in INFCIRC/254/Rev.9/Part 2 which are to be imported following the procedure under Section 6 of Annex IV of the JCPOA.

Iran will provide to the International Atomic Energy Agency (IAEA) access to the locations of intended use of all items, materials, equipment, goods, or technology set out in INFCIRC/254/Rev. 12/Part 1.

All these statements and information must be signed and verified by the appropriate authority of Iran. This includes the mentioning of (1.) the place and date, (2.) the official seal, (3.) the signature itself and (4.) the name and title of the signer in block letters.