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21 September 2012

Dear Mr. Gurry,

On behalf of the Security Council Committee established pursuant to resolution 1737 (2006), I refer to your letters dated 19 July and 9 August 2012, requesting the Committee's guidance on the technology transfers through the World Intellectual Property Organization (WIPO) to the Islamic Republic of Iran in the context of the Security Council resolutions pertaining to Iran.

The Committee notes that the WIPO inquiry regards an internal proposal to supply the Industrial Property Office of the Islamic Republic of Iran with certain proprietary software. This proposed program includes the provision of WIPO's standard IP office automation package (Industrial Property Automation System - IPAS) together with associated assistance for the customization of the system, migration of data, training of users and integration with any other systems in use within the office.

The Committee further notes that the proposed project is similar in scope to projects which WIPO has provided to more than 60 IP offices worldwide and that WIPO has in the past (2008 and 2010) provided the office with standard computing equipment, including workstations, laptops, printers, scanners and servers which was provided to prepare for the present project. Your letter also notes that WIPO continuously follows up with support to the office after the completion of a project, which provides an implicit validation that the project is sustainable and that assistance is being used for the intended purposes.

Resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010) expressly prohibit the supply, sale or transfer to Iran of a number of armaments defined in the UN Registry of Conventional Arms and related materiel; nuclear, missile and chemical and biological weapons, technology and specified related materiel (the complete list of such items can be found on the Committee's website); technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of these prohibited items; and other items that a State determines could contribute to enrichment-related, reprocessing or heavy water-related activities or to the development of nuclear weapon delivery systems.

Mr. Francis Gurry
Director General
World Intellectual Property Organization
Geneva, Switzerland

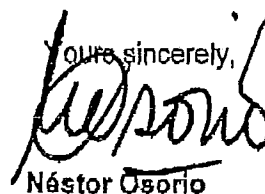
The resolutions also impose an asset freeze on certain designated persons and entities, obligating States to ensure that funds or other economic resources are prevented from being made available to or for the benefit of such persons or entities (the complete list of such individuals and entities can be found on the Committee's website: <http://www.un.org/sc/committees/1737/>).

I wish to convey the Committee's understanding that nothing in Security Council resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010) prohibit the proposed project as described in your letter aimed at assisting Iran in developing technical capacity for intellectual property rights protection.

The Committee encourages WIPO to carefully review all activities, including this program and future transfers, to ensure that such activities do not involve individuals or entities designated by the United Nations Security Council for targeted sanctions. The Committee also encourages WIPO to continue to follow-up on projects in Iran in light of the obligation on States to prohibit exports of items that could contribute to enrichment-related, reprocessing or heavy water-related activities or to the development of nuclear weapon delivery systems.

The Committee encourages UN and other international organizations to engage in a collaborative discussion about activities in Iran that may be relevant to resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010). The Committee believes that it would have been advisable for WIPO to have consulted the Committee earlier. The Committee therefore welcomes WIPO's intention to provide information to the Committee on a regular basis, and whenever necessary, regarding its activities related to Iran.

The Committee does not object if WIPO wishes to disclose to Member States and other interested parties the final outcome of WIPO's request for advice and clarification addressed to the Committee, as requested in your letter of 9 August. The Committee also stands ready to provide specific guidance on any future activities in advance in order to ensure that such activities do not violate resolutions pertaining to Iran.

Yours sincerely,


Néstor Osorio
Chairman of the Security Council
Committee established pursuant to
Security Council resolution 1737 (2006)