

Practical arrangements for the Procurement Working Group and the Joint Commission for matters relating to the Procurement Channel

A. General

1. The Procurement Working Group will provide a forum for discussion among the E3/EU+3 and Iran to address and make decisions with regard to questions and issues regarding the implementation of the procurement channel.
2. Except as decided otherwise, meetings of the Procurement Working Group will be held in Vienna.
3. Except as decided otherwise, the Procurement Working Group will meet every three weeks. The date and time of meetings will be determined by the Coordinator in consultation with the participants of the Procurement Working Group.
4. The working language of the Procurement Working Group and of the Joint Commission when dealing with matters relating to the procurement channel as set out in Section 6 of Annex IV of the JCPOA will be English.
5. The meetings of the Procurement Working Group may include a part to which the IAEA will be invited to participate as an observer.
6. For procurements for Iran's nuclear programme, the AEOI will sign the end-use certification. For procurements for a non-nuclear civilian end-use, the appropriate authority as specified and duly made known to the Working Group by Iran will sign the end-use certification.

B. Review of proposals by the Procurement Working Group and the Joint Commission

1. Upon receipt of a proposal from the Security Council the Coordinator of the Procurement Working Group will forward the proposal without delay (within one working day) to the participants of the Procurement Working Group and if the proposal relates to items, materials, equipment, goods and technology intended to be used in nuclear activities authorized by the JCPOA also to the IAEA. At this point in time the period for consideration of the proposal begins.
2. When circulating proposals to the Procurement Working Group participants, the Coordinator will indicate the end-date and time of the 20 working day consideration period. Each participant of the Procurement Working Group will communicate to the Coordinator within this 20 working day period whether it approves or rejects a proposal or whether it requests an extension of the consideration period.
3. If at the end of the 20 working day period or before, the Coordinator has received approvals from all participants of the Procurement Working Group, the Coordinator will notify the Security Council of a positive recommendation of the Joint Commission without delay (within one working day). If the Coordinator has received at least one request for extension, the timeline for consideration will be extended by additional ten working days unless the Coordinator has received one or more disapprovals from participants of the Procurement Working Group. In this case the Coordinator will notify all Procurement Working Group participants of the new end-date and time of the consideration period. The Coordinator will also notify the Security Council of an extension of the timeline for consideration.

4. If at the end of the 30 working day period, the Coordinator has received no disapprovals, the Coordinator will notify the Security Council of a positive recommendation of the Joint Commission without delay (within one working day).
5. If at least one disapproval has been received at the end of the review period (20 or 30 working days if extended), the proposal may, at the request of at least two participants of the Procurement Working Group, be referred within 5 working days to the Joint Commission for review. The Coordinator will inform the working group participants until which date and time participants need to request a review. If at least two requests are received by this date and time, the Joint Commission review will take place within 10 working days and the proposal will be decided by consensus. The disapproving JCPOA participant(s) should provide relevant information regarding the disapproval to the Joint Commission as appropriate, taking into account the need to protect confidential information.
6. Approvals and disapprovals in the Procurement Working Group will be communicated by the participants of the Procurement Working Group to the Coordinator to be forwarded to the other participants of the Procurement Working Group.
7. The recommendation of approval or disapproval of the Joint Commission will be communicated by the Coordinator to the Security Council and in parallel to the JCPOA participants.
8. Participants of the Procurement Working Group may provide relevant information regarding a disapproval of a proposal, including questions relevant for a resubmission of a proposal, as appropriate, to the Coordinator. The Coordinator will compile all information and questions provided by the participants and forward them together with a negative recommendation of the Joint Commission to the Security Council to be forwarded to the proposing state.
9. The Joint Commission will only provide a recommendation of approval or disapproval to the Security Council. In cases where the E3+3 and Iran decide that the proposal does not relate to transfers and activities referenced in Section 6.1 of Annex IV of the JCPOA, the Coordinator could return the proposal to the Security Council without action.

C. Reporting

1. The Joint Commission will report to the Security Council every six months on the status of the Procurement Working Group's decisions and on any further implementation issues.
2. The Coordinator will compile the report to the Security Council, containing a list of all proposals which have been submitted to the Joint Commission during this period as well as any proposals from previous periods which are still pending. This list should state whether proposals have been recommended for approval or disapproval by the Joint Commission and whether they have been reviewed by the Joint Commission. For proposals which are still pending, the list should state the status of consideration.
3. Any further issues may be included in the report by consensus of the participants of the procurement working group.

D. Guidance

1. The Procurement Working Group will formulate and update as required guidelines on the procurement channel, which will be provided to the Security Council for publication on the UN website.

2. The guidelines for proposing states will include among others, an outline of the procedure and timelines, an application form and end- use-certification together with explanatory notes and advice on practical considerations in the form of questions and answers.
3. The Procurement Working Group will endeavour to respond to requests for guidance from third parties, as communicated by the Coordinator, within 9 working days. Such communication will be shared with the Security Council. The Procurement Working Group could advise states, by consensus whether a proposal relates to transfers and activities referenced in Section 6.1 of Annex IV of the JCPOA. It could also advise on the completeness of proposals. The Procurement Working Group will not give preliminary decisions on the approval or disapproval of proposals.

E. End-use verification

1. Under the JCPOA, Iran will permit the exporting state to verify the end-use of all items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.9/Part 2 imported following the procedure under Section 6 of Annex IV of the JCPOA. Under UNSC Resolution 2231, the exporting state must have obtained and be in a position to exercise effectively a right to verify the end-use. How end-use verification is implemented needs to be agreed between the exporting state and Iran.
2. The modalities for end-use verification may be described in the application.
3. Upon request of the exporting state, or if the Joint Commission deems necessary when approving a proposal for transfer, the Joint Commission will provide expertise to the exporting state, including experts, as needed, to participate in the end-use verification.