

Council Decision 2012/635/CFSP of 15 October 2012 amending
Decision 2010/413/CFSP concerning restrictive measures against Iran

COUNCIL DECISION 2012/635/CFSP

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- (1) On 27 February 2007, the Council adopted Common Position 2007/140/CFSP concerning restrictive measures against Iran⁽¹⁾ which implemented United Nations Security Council Resolution (UNSCR) 1737 (2006).
- (2) On 23 April 2007, Common Position 2007/140/CFSP was amended by Common Position 2007/246/CFSP⁽²⁾ in order to implement UNSCR 1747 (2007). The Council then further amended Common Position 2007/140/CFSP by adopting, on 7 August 2008, Common Position 2008/652/CFSP⁽³⁾, which implemented UNSCR 1803 (2008).
- (3) On 26 July 2010, the Council adopted Decision 2010/413/CFSP⁽⁴⁾ which implemented UNSCR 1929 (2010) and repealed Common Position 2007/140/CFSP.
- (4) On 23 January 2012, the Council adopted Decision 2012/35/CFSP which amended Decision 2010/413/CFSP by strengthening the restrictive measures against Iran in light of the reiterated serious and deepening concerns over the nature of Iran's nuclear programme, and in particular over the findings on Iranian activities relating to the development of military nuclear technology, as reflected in the International Atomic Energy Agency (IAEA) report. Those measures were further strengthened on 15 March 2012 by Decision 2012/152/CFSP⁽⁵⁾.
- (5) In view of Iran's failure to engage seriously in negotiations in order to address international concerns about its nuclear programme, the Council considers it necessary to adopt additional restrictive measures against Iran.
- (6) In this context, it is appropriate to review the prohibition on the sale, supply or transfer to Iran of additional dual-use goods and technology listed in Annex I to Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items⁽⁶⁾, with a view to including items which might be relevant to industries controlled directly or indirectly by the Iranian Revolutionary Guard Corps or which might be relevant to Iran's nuclear, military and ballistic missile programme, while taking into account the need to avoid unintended effects on the civilian population of Iran.
- (7) Moreover, the purchase, import or transport of natural gas from Iran should be prohibited.

Status: Point in time view as at 15/10/2012.

Changes to legislation: There are currently no known outstanding effects for the Council Decision 2012/635/CFSP, Introductory Text. (See end of Document for details)

- (8) Furthermore, the sale, supply or transfer to Iran of graphite, and raw or semi-finished metals such as aluminium and steel, and software for integrating industrial processes, which is relevant to industries controlled directly or indirectly by the Iranian Revolutionary Guard Corps or which is relevant to Iran's nuclear, military and ballistic missile programme, should be prohibited.
- (9) The sale, supply or transfer to Iran of key naval equipment and technology for ship-building, maintenance or refit, should be prohibited.
- (10) In addition, Member States should not enter into any new commitments to provide financial support for trade with Iran. This should not affect existing commitments and should not concern trade for food, agricultural, medical or other humanitarian purposes.
- (11) It should also be prohibited for Member States to construct or participate in the construction of new oil tankers for Iran.
- (12) In order to prevent the transfer of any financial or other assets or resources that could contribute to Iran's proliferation-sensitive nuclear activities, or the development of nuclear weapon delivery systems, transactions between Union and Iranian banks and financial institutions should be prohibited, unless authorised in advance by the relevant Member State. This should not prevent the continuation of trade which is not prohibited under Decision 2010/413/CFSP.
- (13) Furthermore, the provision of flagging and classification services to Iranian oil tankers and cargo vessels should be prohibited.
- (14) The supply of vessels designed for the transport or storage of oil and petrochemical products to Iranian persons and entities or to other persons and entities for the purpose of transporting or storing Iranian oil and petrochemical products should be prohibited.
- (15) In addition, the provisions concerning the freezing of funds and economic resources of the Central Bank of Iran should be amended.
- (16) Finally, additional persons and entities should be included in the list of persons and entities subject to restrictive measures as set out in Annex II to Decision 2010/413/CFSP, in particular Iranian State-owned entities engaged in the oil and gas sector, since they provide a substantial source of revenue for the Iranian Government. Furthermore, certain persons and entities should be removed from that list and the entry for one entity should be amended.
- (17) Further action by the Union is needed in order to implement certain measures provided for in this Decision.
- (18) Decision 2010/413/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

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- (1) OJ L 61, 28.2.2007, p. 49.
- (2) OJ L 106, 24.4.2007, p. 67.
- (3) OJ L 213, 8.8.2008, p. 58.
- (4) OJ L 195, 27.7.2010, p. 39.
- (5) OJ L 77, 16.3.2012, p. 18.
- (6) OJ L 134, 29.5.2009, p. 1.

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