

Council Regulation (EU) No 359/2011 of 12 April 2011
concerning restrictive measures directed against certain
persons, entities and bodies in view of the situation in Iran

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215(2) thereof,

Having regard to Council Decision 2011/235/CFSP of 12 April 2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Iran⁽¹⁾, adopted in accordance with Chapter 2 of Title V of the Treaty on European Union,

Having regard to the joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and from the European Commission,

Whereas:

- (1) Decision 2011/235/CFSP provides for the freezing of funds and economic resources of certain persons responsible for serious human rights violations in Iran. Those persons and entities are listed in the Annex to the Decision.
- (2) The restrictive measures should target persons complicit in or responsible for directing or implementing grave human rights violations in the repression of peaceful demonstrators, journalists, human rights defenders, students or other persons who speak up in defence of their legitimate rights, including freedom of expression, as well as persons complicit in or responsible for directing or implementing grave violations of the right to due process, torture, cruel, inhuman and degrading treatment, or the indiscriminate, excessive and increasing application of the death penalty, including public executions, stoning, hangings or executions of juvenile offenders in contravention of Iran's international human rights obligations.
- (3) Those measures fall within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is therefore necessary in order to implement them, in particular with a view to ensuring their uniform application by economic operators in all Member States.
- (4) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and in particular the right to an effective remedy and to a fair trial and the right to the protection of personal data. This Regulation should be applied in accordance with those rights.

Status: Point in time view as at 13/04/2017.

Changes to legislation: *There are currently no known outstanding effects for the Council Regulation (EU) No 359/2011, Introductory Text. (See end of Document for details)*

- (5) The power to amend the list in Annex I to this Regulation should be exercised by the Council, in view of the political situation in Iran, and to ensure consistency with the process for amending and reviewing the Annex to Decision 2011/235/CFSP.
- (6) The procedure for amending the lists in Annex I to this Regulation should include providing designated persons, entities or bodies with the grounds for listing, so as to give them an opportunity to submit observations. Where observations are submitted, or substantial new evidence is presented, the Council should review its decision in light of those observations and inform the person, entity or body concerned accordingly.
- (7) For the implementation of this Regulation, and in order to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources must be frozen in accordance with this Regulation, must be made public. Any processing of personal data should respect Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁽²⁾ and Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁽³⁾.
- (8) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Status: Point in time view as at 13/04/2017.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EU) No 359/2011, Introductory Text. (See end of Document for details)

- (1) See page 51 of this Official Journal.
- (2) [OJ L 8, 12.1.2001, p. 1.](#)
- (3) [OJ L 281, 23.11.1995, p. 31.](#)

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