



### Iran

## Council Regulation (EU) No 359/2011 (Human rights violations)

Her Majesty's Treasury issue this Notice in respect of the restrictive measures directed by the Council of the European Union against certain persons responsible for serious human rights violations in Iran. This Notice draws attention to Council Regulation (EU) No 359/2011, provides guidance on certain aspects only of the Regulation and should be read alongside the Regulation.

### Introduction

1. On 12 April 2011 the Council adopted Council Regulation (EU) No 359/2011 ("the Regulation") which places restrictive measures on certain persons responsible for serious human rights violations in Iran, and persons, entities or bodies associated with them.
2. The Regulation was published in the Official Journal of the European Union (O.J. L100, 14.4.2011, P.1) on 14 April 2011. The Regulation entered into force on 14 April 2011 and is directly applicable in the UK.
3. Annex I to the Regulation lists the names of those persons referred to in paragraph 1 that were designated by the Council and are therefore subject to the freezing of funds and economic resources provisions imposed under Article 2 of the Regulation.
4. A copy of the Regulation is available from the Financial Sanctions pages of the Treasury website at: [http://www.hm-treasury.gov.uk/d/council\\_regulation\\_eu\\_359\\_120411.pdf](http://www.hm-treasury.gov.uk/d/council_regulation_eu_359_120411.pdf)
5. The Regulation creates a new asset freezing regime which complements the existing EU financial sanctions in respect of Iran under Council Regulation (EU) No 961/2010 of 25 October 2010. Council Regulation (EU) No 961/2010 imposes various measures, including an asset freeze, on persons in relation to Iran's proliferation-sensitive nuclear activities.

### Freezing of funds and economic resources of designated persons

6. Article 2 of the Regulation provides that all funds and economic resources belonging to, owned, held or controlled by the natural or legal persons, entities and bodies listed in Annex I

to the Regulation (referred to as 'designated persons' for the purposes of this Notice) must be frozen.

7. It further provides that no funds or economic resources shall be made available, directly or indirectly, to or for the benefit of designated persons.
8. It also provides that the participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent these measures is prohibited.
9. Annex I to the Regulation lists the persons who have been identified by the Council as being subject to the measures in Article 2.
10. For convenience, the names of the designated persons are set out in the Annex to this Notice.
11. The UK's Consolidated List of individuals and entities subject to financial sanctions in effect in the UK which is maintained on the Treasury website has been updated to include the designated persons.

#### **Frozen accounts**

12. All funds and economic resources belonging to, owned, held or controlled by the designated persons which are held by banks, building societies, stockbrokers, accountants, etc must be frozen. No funds or economic resources may be made available, directly or indirectly to, or for the benefit of the designated persons unless licensed by the competent authority of a Member State in accordance with the Regulation (see paragraphs 16 and 17). The only exemptions to these prohibitions are those permitted under the Regulation (see paragraphs 14 and 15).
13. No payment or transfer may be made from a frozen account, including to another frozen account, without prior authorisation. This includes the deduction of fees or service charges for routine holding or maintenance of frozen accounts. Loans and other forms of credit should not be made available to designated persons.

#### **Interest, other payments and credits**

14. The prohibitions in the Regulation do not apply to the addition to frozen accounts of interest or other earnings on those accounts, or payments due under contracts, agreements or obligations, that were concluded or arose before the date on which the person was included in Annex I to the Regulation, provided that any such interest, other earnings and payments are frozen in accordance with Article 2(1).

15. The prohibition against making funds or economic resources available does not prevent financial or credit institutions in the Union from crediting frozen accounts where they receive funds transferred to the account of a designated person, provided that any additions to such accounts are also frozen. Financial or credit institutions are required to inform the Treasury of any such transactions without delay.

### **Licences**

16. The Treasury are able to authorise the release of or making available of certain frozen funds or economic resources, if they have determined that the funds or economic resources concerned are:

- (a) necessary to satisfy the basic needs of designated persons and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; or
- (d) necessary for extraordinary expenses (Subject to notification having been made to all other EU Member States and the Commission at least two weeks prior to the authorisation being granted).

17. The Treasury are also able to authorise the release of or making available of certain funds or economic resources, if they have determined that the funds or economic resources concerned are intended exclusively to satisfy claims secured by a lien or judgement, established prior to the date the person was listed in Annex I to the Regulation provided the lien or judgement is not for the benefit of a designated person mentioned in Annex I of the Regulation or contrary to public policy and provided the EU is notified of the authorisation.

### **Reporting requirements**

18. Relevant institutions and other persons are requested to check whether they maintain any accounts or otherwise hold any funds or economic resources for the designated persons and, if so, they must freeze such accounts or other funds and, unless licensed by the Treasury, refrain from making available funds and/or economic resources to designated persons.

19. Relevant institutions must report their findings to the Treasury, together with any additional information that would facilitate compliance with the Regulation.

#### **Other information**

20. Further information on all UK and EU financial sanctions regimes and the UK's Consolidated List of targets of financial sanctions can be obtained from the Financial Sanctions pages of the Treasury website: [http://www.hm-treasury.gov.uk/fin\\_sanctions\\_index.htm](http://www.hm-treasury.gov.uk/fin_sanctions_index.htm).

#### **Enquiries**

21. Non-media enquiries, reports and licence applications should be addressed to:

Asset Freezing Unit, HM Treasury, 1 Horse Guards Road, London SW1A 2HQ  
E-mail: [AFU@hmtreasury.gsi.gov.uk](mailto:AFU@hmtreasury.gsi.gov.uk), Telephone: 020 7270 5454.

22. Media enquiries should be addressed to the Treasury Press Office on 020 7270 5238.

HM Treasury  
14/04/2011

**ANNEX TO NOTICE**

**FINANCIAL SANCTIONS: IRAN**

**COUNCIL REGULATION (EU) NO 359/2011 (HUMAN RIGHTS VIOLATIONS)  
ANNEX I**

**NEW DESIGNATIONS**

**Individuals**

- 1. AHMADI-MOQADDAM, Esmail**  
DOB: --/--/1961  
POB: Tehran, Iran  
Position: Chief of Iran's National Police
- 2. ALLAHKARAM, Hossein**  
Position: Ansar-e Hezbollah Chief and Colonel in the IRGC  
Other Information: Co-founded Ansar-e Hezbollah.
- 3. ARAGHI, Abdollah**  
a.k.a: ERAGHI, Abdollah  
Position: Deputy Head of the IRGC's Ground Forces
- 4. BOZORGNIA, Mostafa**  
Position: Head of ward 350 of Evin Prison
- 5. DORRI-NADJAFABADI, Ghorban-Ali**  
DOB: --/--/1945  
POB: Najafabad, Iran  
Other Information: Former Prosecutor General of Iran until Sept 2009 (former Intelligence minister under Khatami presidency).
- 6. ESMAILI, Gholam-Hossein**  
Position: Head of Iran's Prisons Organisation
- 7. FAZLI, Ali**  
Position: Deputy Commander of the Basij  
Other Information: Former Head of the IRGC's Seyyed al-Shohada Corps, Tehran Province until Feb 2010).
- 8. HADDAD, Hassan**  
a.k.a: ZAREH DEHNAVI, Hassan  
Position: Judge, Tehran Revolutionary Court, branch 26
- 9. HAMEDANI, Hossein**  
Position: Head of the IRGC's Rassoulollah Corps in charge of Greater Tehran since Nov 2009
- 10. HEYDARIFAR, Ali-Akbar**  
Position: Judge, Tehran Revolutionary Court

- 11. JAFARI, Mohammad-Ali**  
DOB: 01/09/1957  
POB: Yazd, Iran  
a.k.a: JAFARI, Aziz  
Position: General Commander of the IRGC
- 12. JAFARI-DOLATABADI, Abbas**  
Position: Prosecutor General of Tehran since Aug 2009
- 13. KHALILI, Ali**  
Position: IRGC General. Head of the Medical Unit of Sarollah Base
- 14. MOGHISSEH, Mohammad**  
Position: Judge, Head of Tehran Revolutionary Court, branch 28  
Other information: Also referred to as Nasserian.
- 15. MOHSENI-EJEI, Gholam-Hossein**  
DOB: --/--/1956  
POB: Ejyeh, Iran  
Position: Prosecutor General of Iran since Sept 2009 and spokesman of the Judiciary  
Other Information: Former Intelligence minister during the 2009 elections.
- 16. MORTAZAVI, Amir**  
Position: Deputy Prosecutor of Mashhad
- 17. MORTAZAVI, Said**  
DOB: --/--/1967  
POB: Meybod, Yazd, Iran  
Position: Head of Iran's Anti-smuggling Task Force  
Other Information: Former Prosecutor General of Tehran until Aug 2009.
- 18. MOTLAGH, Bahram, Hosseini**  
Position: Head of the IRGC's Seyyed al-Shohada Corps, Tehran Province
- 19. NAQDI, Mohammad-Reza**  
DOB: --/--/1952  
POB: Najaf, Iraq  
Position: Commander of the Basij
- 20. PIR-ABASSI, Abbas**  
Position: Tehran Revolutionary Court, branches 26 and 28
- 21. RADAN, Ahmad-Reza**  
DOB: --/--/1963  
POB: Isfahan, Iran  
Position: Deputy Chief of Iran's National Police
- 22. RAJABZADEH, Azizollah**  
Position: Commander of the Law Enforcement Forces in Greater Tehran  
Other Information: Former Head of Tehran Police (until Jan 2010).

- 23. SAJEDI-NIA, Hossein**  
Position: Head of Tehran Police  
Other Information: Former Deputy Chief of Iran's National Police responsible for Police Operations.
- 24. SALAVATI, Abdolghassem**  
Position: Judge, Head of Tehran Revolutionary Court, branch 15
- 25. SEDAQAT, Farajollah**  
Position: Assistant Secretary of the General Prison Administration in Tehran  
Other Information: Former Head of Evin's prison, Tehran until Oct 2010.
- 26. SHARIATI, Seyed, Hassan**  
Position: Head of Mashhad Judiciary
- 27. SHARIFI, Malek, Adjar**  
Position: Head of East Azerbaidjan Judiciary
- 28. SOLTANI, Seyed, Mohammad**  
Title: Hodjatoleslam  
Position: Judge, Mashhad Revolutionary Court
- 29. TAEB, Hossein**  
DOB: --/--/1963  
POB: Tehran, Iran  
Position: Deputy IRGC commander for intelligence  
Other Information: Former Commander of the Basij (until Oct 2009).
- 30. YASAGHI, Ali-Akbar**  
Position: Judge, Mashhad Revolutionary Court
- 31. ZANJIREI, Mohammad-Ali**  
Position: Deputy Head of Iran's Prisons Organisation
- 32. ZARGAR, Ahmad**  
Position: Judge, Tehran Appeals Court, branch 36

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