

DECISIONS

COUNCIL DECISION 2014/21/CFSP

of 20 January 2014

amending Council Decision 2010/413/CFSP concerning restrictive measures against Iran

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 26 July 2010, the Council adopted Decision 2010/413/CFSP⁽¹⁾ concerning restrictive measures against Iran.
- (2) On 24 November 2013, China, France, Germany, the Russian Federation, the United Kingdom and the United States, supported by the High Representative of the Union for Foreign Affairs and Security Policy, reached an agreement with Iran on a Joint Plan of Action which sets out an approach towards reaching a long-term comprehensive solution to the Iranian nuclear issue. It was agreed that the process leading to this comprehensive solution would include, as a first step, initial mutually-agreed measures to be taken by both sides for a duration of six months and renewable by mutual consent.
- (3) As part of this first step, Iran would undertake a number of voluntary measures as specified in the Joint Plan of Action. In return, a number of voluntary measures would be undertaken which would include, for the Union, the suspension of restrictive measures concerning the prohibition on the provision of insurance and reinsurance and transport for Iranian crude oil, the prohibition on the import, purchase or transport of Iranian petrochemical products and on the provision of related services, and the prohibition on trade in gold and precious metals with the Government of Iran, its public bodies and the Central Bank of Iran, or persons and entities acting on their behalf. The suspension of those restrictive measures is to last for a duration of six months during which the relevant contracts would have to be executed.
- (4) Furthermore, the Joint Plan of Action also foresees a tenfold increase of the authorisation thresholds in relation to the transfers of funds to and from Iran.
- (5) Further action by the Union is needed in order to implement certain measures provided for in this Decision.

- (6) Decision 2010/413/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Decision 2010/413/CFSP the following Article is added:

"Article 26a

1. The prohibition set out in Article 3a(1) shall be suspended until 20 July 2014 insofar as it concerns the transport of Iranian crude oil.
2. The prohibition set out in Article 3a(2) shall be suspended until 20 July 2014 insofar as it concerns the provision of insurance and reinsurance, related to the import, purchase, or transport of Iranian crude oil.
3. The prohibition set out in Article 3b shall be suspended until 20 July 2014.
4. The prohibition set out in Article 4c shall be suspended until 20 July 2014 insofar as it concerns gold and precious metals.
5. Article 10(3)(a), (b) and (c) are replaced by the following points until 20 July 2014:

"(a) transfers due on transactions regarding foodstuffs, healthcare, medical equipment, or for agricultural or humanitarian purposes below EUR 1 000 000, as well as transfers regarding personal remittances, below EUR 400 000, shall be carried out without any prior authorisation. The transfer shall be notified to the competent authority of the Member State concerned if above EUR 10 000;

(b) transfers due on transactions regarding foodstuffs, healthcare, medical equipment, or for agricultural or humanitarian purposes above EUR 1 000 000, as well as transfers regarding personal remittances, above EUR 400 000, shall require the prior authorisation from the competent authority of the Member State concerned. The relevant Member State shall inform the other Member States of any authorisation granted;

(1) OJ L 195, 27.7.2010, p. 39.

- (c) any other transfer above EUR 100 000 shall require the prior authorisation from the competent authority of the Member State concerned. The relevant Member State shall inform the other Member States of any authorisation granted."
6. Article 10(4)(b) and (c) are replaced by the following points until 20 July 2014:
- "(b) any other transfer below EUR 400 000 shall be carried out without any prior authorisation. The transfer shall be notified to the competent authority of the Member State concerned if above EUR 10 000;
- (c) any other transfer above EUR 400 000 shall require the prior authorisation from the competent authority of the Member State concerned. The authorisation shall be deemed granted within four weeks unless the competent authority of the Member State concerned has objected within that time-limit. The relevant Member State shall inform the other Member States of any authorisation rejected."
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7. The prohibitions set out in Article 18b shall be suspended until 20 July 2014.

8. The prohibitions set out in Article 20(1)(b) and (c) and in Article 20(2) to the Ministry of Petroleum, listed in Annex II, shall be suspended until 20 July 2014, insofar as necessary for the execution, until 20 July 2014, of contracts for the import or purchase of Iranian petrochemical products."

Article 2

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

Done at Brussels, 20 January 2014.

For the Council
The President
C. ASHTON

REGULATIONS

COUNCIL REGULATION

of 20 January 2014

amending Regulation (EU) No 267/2012 concerning restrictive measures against Iran

(2014/42/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EU) No 267/2012 ⁽²⁾ gives effect to the measures provided for in Decision 2010/413/CFSP.
- (2) On 24 November 2013, China, France, Germany, the Russian Federation, the United Kingdom and the United States, supported by the High Representative of the Union for Foreign Affairs and Security Policy, reached an agreement with Iran on a Joint Plan of Action which sets out an approach towards reaching a long-term comprehensive solution to the Iranian nuclear issue. It was agreed that the process leading to this comprehensive solution would include, as a first step, initial mutually-agreed measures to be taken by both sides for a duration of six months, renewable by mutual consent.
- (3) As part of this first step, Iran would undertake a number of voluntary measures as specified in the Joint Plan of Action. In return, a number of voluntary measures would be undertaken which would include the suspension by the Union, for a duration of six months, during which the relevant contracts would have to be executed, of the following restrictive measures:
 - the prohibition on the provision of insurance and reinsurance and transport of Iranian crude oil,
 - the prohibition on the import, purchase or transport of Iranian petrochemical products and on the provision of related services,

— the prohibition on trade in gold and precious metals with the Government of Iran, its public bodies and the Central Bank of Iran, or persons and entities acting on their behalf.

- (4) Furthermore, the Joint Plan of Action also foresees the increase by tenfold of the authorisation thresholds in relation to the transfers of funds to and from Iran.
- (5) On 20 January 2014, the Council adopted Decision 2014/21/CFSP ⁽³⁾ amending Decision 2010/413/CFSP.
- (6) The abovementioned measures fall within the scope of the Treaty 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.
- (7) Regulation (EU) No 267/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 267/2012 is amended as follows:

- (1) In Article 11, the following paragraphs 3 and 4 are added:
 - "3. The prohibition laid down in point (c) of paragraph 1 shall be suspended as regards the products listed in Annex XI.
 4. The prohibition laid down in point (d) of paragraph 1 shall be suspended insofar as it concerns the provision of insurance and reinsurance related to the import, purchase or transport of the products listed in Annex XI."
- (2) In Article 13, the following paragraph 3 is added:
 - "3. The prohibitions laid down in points (a), (b), (c) and (d) of paragraph 1 shall be suspended."
- (3) In Article 15, the following paragraph 3 is added:
 - "3. The prohibitions laid down in points (a), (b) and (c) of paragraph 1 shall be suspended as regards the products listed in Annex XII."

- (4) The following Article 28b is inserted:

⁽³⁾ See page 22 of this Official Journal.

⁽¹⁾ OJ L 195, 27.7.2010, p. 39.

⁽²⁾ Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010 (OJ L 88, 24.3.2012, p. 1).

"Article 28b

1. By way of derogation from Article 23(2) and (3), the competent authorities may authorise, under such conditions as they deem appropriate, the release of economic resources or the making available of funds or economic resources, directly or indirectly, to the Ministry of Petroleum as listed in Annex IX, after having determined that those funds or economic resources are necessary for the execution of contracts for the import or purchase of the petrochemical products listed in Annex V, that originate in Iran or have been imported from Iran.

2. The Member States concerned shall inform the other Member States and the Commission, within 4 weeks, of authorisations granted under this Article."

(5) Article 30 is amended as follows:

(a) in paragraph 3(a):

(i) the reference to "EUR 100 000" is replaced by "EUR 1 000 000";

(ii) the reference to "EUR 40 000" is replaced by "EUR 400 000";

(b) in paragraph 3(b):

(i) the reference to "EUR 100 000" is replaced by "EUR 1 000 000";

(ii) the reference to "EUR 40 000" is replaced by "EUR 400 000";

(c) in paragraph 3(c), the reference to "EUR 10 000" is replaced by "EUR 100 000".

(6) Article 30a is amended as follows:

(a) in paragraph 1(b), the reference to "EUR 40 000" is replaced by "EUR 400 000";

(b) in paragraph 1(c), the reference to "EUR 40 000" is replaced by "EUR 400 000".

(7) In Article 37b, the following paragraph 3 is added:

"3. The prohibition laid down in paragraph 1 shall be suspended."

(8) In point (b) of Article 45, the words "amend Annexes III, IV, IVA, V, VI, VIA, VIB, VII, VIIA, VIIB and X" are replaced by the words "amend Annexes III, IV, IVA, V, VI, VIA, VIB, VII, VIIA, VIIB, X, XI and XII".

(9) Annex I and Annex II to this Regulation are added as Annexes XI and XII respectively.

Article 2

This Regulation shall enter into force on the date of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 January 2014.

For the Council
The President
C. ASHTON

ANNEX I

*ANNEX XI

List of products referred to in Article 11(3) and (4)

HS code	Description
2709 00	Petroleum oils and oils obtained from bituminous minerals, crude".

ANNEX II

"ANNEX XII

LIST OF PRODUCTS REFERRED TO IN ARTICLE 15(3)

HS code	Description
7106	Silver (including silver plated with gold or platinum), unwrought or in semi-manufactured forms, or in powder form
7108	Gold (including gold plated with platinum), unwrought or in semi-manufactured forms, or in powder form
7109	Base metals or silver, clad with gold, not further worked than semi-manufactured
7110	Platinum, unwrought or in semi-manufactured forms, or in powder form
7111	Base metals, silver or gold, clad with platinum, not further worked than semi-manufactured
7112	Waste and scrap of precious metal or of metal clad with precious metal; other waste and scrap containing precious metal or precious-metal compounds, of a kind used principally for the recovery of precious metal".