



Council of the  
European Union

Brussels, 16 January 2023  
(OR. en)

5161/23

**LIMITE**

**CORLX 19  
CFSP/PESC 25  
RELEX 21  
MOG 6  
COHOM 5  
FIN 23**

**'I/A' ITEM NOTE**

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Council Implementing Decision and Implementing Regulation concerning restrictive measures directed against certain persons and entities in view of the situation in Iran

1. On 12 April 2011, the Council adopted Decision 2011/235/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Iran and Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran.
2. On 12 January 2023, the Middle East/Gulf Working Party (MOG) reached agreement to add 18 persons and 19 entities to the list of persons and entities subject to restrictive measures in the Annex to Decision 2011/235/CFSP and in Annex I to Regulation (EU) No 359/2011.

3. On 12 January 2023, the High Representative submitted proposals for a Council Implementing Decision implementing Decision 2011/235/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Iran and a Council Implementing Regulation implementing Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran (documents 5157/23 and 5159/23).
4. On 16 January 2023, the Foreign Relations Counsellors Working Party agreed on the draft Council Implementing Decision and draft Council Implementing Regulation.
5. A letter of individual notification will be sent to those whose address is available. A notice for the attention of the listed persons and entities will be published in the Official Journal ("C" series). A notice for the attention of data subjects will also be published in the "C" Series.
  - In these circumstances, COREPER is invited to:
  - confirm the agreement on the draft Council Implementing Decision and draft Council Implementing Regulation;
  - recommend that the Council adopt the Council Implementing Decision implementing Decision 2011/235/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran as set out, after finalisation of the text by the legal/linguistic experts, in document 5158/23;
  - recommend that the Council adopt the Council Implementing Regulation implementing Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran as set out, after finalisation of the text by the legal/linguistic experts, in document 5160/23;

- recommend that the Council approve the general template for letters to be sent to those whose address is available, as set out in Annex I to this note;
  - recommend that the Council approve the notice to be published in the Official Journal ("C" Series), as set out in Annex II to this note;
  - recommend that the Council approve the notice for the attention of data subjects to be published in the "C" Series of the Official Journal, as set out in Annex III to this note.
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**Letter to the designated persons and entities whose addresses are known – General template**

This is to inform you that the Council of the European Union has decided that you/your client should be included in the list of persons and entities subject to restrictive measures in the Annex to Council Decision 2011/235/CFSP<sup>1</sup>, as implemented by Council Implementing Decision (CFSP) 2023/xxx<sup>2</sup>, and in Annex I to Council Regulation (EU) No 359/2011<sup>3</sup>, as implemented by Council Implementing Regulation (EU) 2023/xxx<sup>4</sup> concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran. The grounds for your/your client's designation appear in the relevant entries in those Annexes.

Your attention is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites in Annex II to Council Regulation (EU) No 359/2011, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4 of the Regulation).

Your attention is drawn to the possibility of submitting a request to the Council before **31 December 2023**, together with supporting documentation that the decision to include you/your client on the abovementioned list should be reconsidered. Any such request should be sent to the following address:

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<sup>1</sup> OJ L 100, 14.4.2011, p. 51–57  
<sup>2</sup> Official Journal L , ....., p....  
<sup>3</sup> OJ L 100, 14.4.2011, p. 1–11  
<sup>4</sup> Official Journal L , ....., p....

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1048 Bruxelles/Brussel

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Your attention is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, 2<sup>nd</sup> paragraph, and Article 263, 4<sup>th</sup> and 6<sup>th</sup> paragraphs, of the Treaty on the Functioning of the European Union.

[You are also informed of the Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision 2011/235/CFSP and Council Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Iran apply (2023/C xxx/xx)<sup>5</sup>.]

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<sup>5</sup> Official Journal C... p...

**Notice for the attention of the persons, entities and bodies to whom measures provided for in Council Decision 2011/235/CFSP<sup>1</sup>, as implemented by Council Implementing Decision (CFSP) 2023/ XXX<sup>+</sup>XXX<sup>+</sup> and in Council Regulation (EU) No 359/2011<sup>2</sup>, as implemented by Council Implementing Regulation (EU) 2023/XXX<sup>++</sup> concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran apply**

The following information is brought to the attention of the persons and entities that appear in the Annex to Council Decision 2011/235/CFSP, as implemented by Council Implementing Decision (CFSP) 2023/XXX<sup>+</sup>, and in Annex I to Council Regulation (EU) No 359/2011, as implemented by Council Implementing Regulation (EU) 2023/XXX<sup>++</sup> concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran.

The Council of the European Union has decided that those persons and entities should be included on the list of persons and entities subject to restrictive measures provided for in Council Decision 2011/235/CFSP and in Council Regulation (EU) No 359/2011.

The attention of the persons and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated on the websites in Annex II to Council Regulation (EU) No 359/2011, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4 of the Regulation).

The persons and entities concerned may submit a request to the Council before **31 December 2023**, together with supporting documentation that the decision to include them on the above-mentioned list should be reconsidered to the following address:

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<sup>1</sup> OJ L 100, 14.4.2011, p. 51–57

<sup>+</sup> OJ: Please insert number and publication details for Council Implementing Regulation in document 5158/23.

<sup>2</sup> OJ L 100, 14.4.2011, p. 1–11

<sup>++</sup> OJ: Please insert number and publication details for Council Implementing Regulation in document 5160/23.

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The attention of the persons and entities concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, 2<sup>nd</sup> paragraph, and Article 263, 4<sup>th</sup> and 6<sup>th</sup> paragraphs, of the Treaty on the Functioning of the European Union.

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**Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision 2011/235/CFSP<sup>1</sup> and Council Regulation (EU) No 359/2011<sup>2</sup> concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran apply**

The attention of data subjects is drawn to the following information in accordance with Article 16 of Regulation (EU) 2018/1725.

The legal basis for this processing operation are Decision 2011/235/CFSP, as implemented by Council Implementing Decision (CFSP) 2023/xxx<sup>+</sup>, and Regulation (EU) No 359/2011, as implemented by Council Implementing Regulation (EU) 2023/xxx<sup>++</sup>.

The controller of this processing operation is RELEX.1 in the Directorate-General for External Relations - RELEX of the General Secretariat of the Council (GSC), that can be contacted at:

Council of the European Union

General Secretariat

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Rue de la Loi/Wetstraat 175

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e-mail: [sanctions@consilium.europa.eu](mailto:sanctions@consilium.europa.eu)

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<sup>1</sup> OJ L 100, 14.4.2011, p. 51–57

<sup>2</sup> OJ L 100, 14.4.2011, p. 1–11

<sup>+</sup> OJ: Please insert number and publication details for Council Implementing Decision in document 5158/23.

<sup>++</sup> OJ: Please insert number and publication details for Council Implementing Regulation in document 5160/23.

The GSC's Data Protection Officer can be contacted at:

Data Protection Officer

[data.protection@consilium.europa.eu](mailto:data.protection@consilium.europa.eu)

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Decision 2011/235/CFSP, as implemented by Council Implementing Decision (CFSP) 2023/xxx<sup>3</sup>, and Regulation (EU) No 359/2011, as implemented by Council Implementing Regulation (EU) 2023/xxx<sup>4</sup>.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision 2011/235/CFSP and Regulation (EU) No 359/2011.

The personal data collected includes data necessary for the correct identification of the person concerned, the statement of reasons and any other data related thereto.

The personal data collected may be shared as necessary with the European External Action Service and the Commission.

Without prejudice to restrictions pursuant to Article 25 of Regulation (EU) 2018/1725, the exercise of the rights of the data subjects such as the right of access, as well as the rights to rectification or to object will be answered in accordance with Regulation (EU) 2018/1725.

Personal data will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the restrictive measures or the validity of the measure has expired, or for the duration of court proceedings in the event they had been started.

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<sup>3</sup> OJ: Please insert number and publication details for Council Implementing Decision in document 5158/23

<sup>4</sup> OJ: Please insert number and publication details for Council Implementing Regulation in document 5160/23.

Without prejudice to any judicial, administrative or non-judicial remedy, data subjects may lodge a complaint with the European Data Protection Supervisor in accordance with Regulation (EU) 2018/1725 ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)).

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