



2024/1795

25.6.2024

COUNCIL DECISION (CFSP) 2024/1795

of 24 June 2024

amending Decision 2011/235/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Iran

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Whereas:

- (1) On 12 April 2011, the Council adopted Decision 2011/235/CFSP ⁽¹⁾.
- (2) In its conclusions of 20 May 2021 on the communication from the Commission to the European Parliament and the Council 'on the EU's humanitarian action: new challenges, same principles', the Council reaffirmed its commitment to avoid and, where unavoidable, mitigate to the maximum extent any potential unintended negative impacts of Union restrictive measures on principled humanitarian action. The Council reiterated that Union restrictive measures comply with all obligations under international law, in particular international human rights law, international humanitarian law and international refugee law. It underlined the importance of fully adhering to humanitarian principles and international humanitarian law in Union sanctions policy, including through the consistent inclusion of humanitarian exceptions in Union restrictive measures regimes where relevant, and by ensuring that an effective framework is in place for the use of such exceptions by humanitarian organisations.
- (3) On the basis of a review of Decision 2011/235/CFSP, and in order to facilitate principled humanitarian action by impartial humanitarian actors in Iran, the Council considers that certain organisations and agencies acting as humanitarian partners of the Union should be exempted from the prohibition to make funds or economic resources available to designated persons, entities and bodies, for exclusively humanitarian purposes in Iran. In addition, the Council considers that a derogation mechanism should be introduced for those organisations and actors involved in humanitarian activities that cannot benefit from that humanitarian exemption. Furthermore, the Council also considers that a review clause related to those exceptions should be introduced.
- (4) Further action by the Union is needed in order to implement certain measures.
- (5) Decision 2011/235/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2011/235/CFSP is amended as follows:

- (1) in Article 2, the following paragraphs are added:

'7. The prohibition set out in paragraph 2 shall not apply to organisations and agencies which are pillar-assessed by the Union and with which the Union has signed a financial framework partnership agreement on the basis of which the organisations and agencies act as humanitarian partners of the Union, provided that the provision of the funds or economic resources referred to in paragraph 2 is necessary for exclusively humanitarian purposes in Iran.

⁽¹⁾ 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 (OJ L 100, 14.4.2011, p. 51).

8. In cases not covered by paragraph 7, and by way of derogation from paragraphs 1 and 2, the competent authorities of a Member State may grant specific or general authorisations, under such general or specific conditions as they deem appropriate, to release certain frozen funds or economic resources or to make available certain funds or economic resources, provided that the provision of such funds or economic resources is necessary for exclusively humanitarian purposes in Iran.

9. In the absence of a negative decision, a request for information or a notification for additional time from the relevant competent authority within 5 working days of the date of receipt of a request for authorisation under paragraph 8, that authorisation shall be considered granted.

10. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under paragraphs 8 or 9 within 2 weeks of such authorisation.’.

(2) in Article 6, the following paragraph is added:

‘3. The exceptions referred to in Article 2 as regards Article 2(1) and (2) shall be reviewed at regular intervals, and at least every 12 months, or at the urgent request of any Member State, the High Representative of the Union for Foreign Affairs and Security Policy or the Commission following a fundamental change in circumstances.’.

Article 2

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

Done at Luxembourg, 24 June 2024.

For the Council

The President

J. BORRELL FONTELLES