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## Legislation

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<sup>(1)</sup> Text with EEA relevance.

# EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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## II

(Non-legislative acts)

## REGULATIONS

## COUNCIL REGULATION (EU) 2023/720

of 31 March 2023

**amending certain Council Regulations concerning restrictive measures in order to insert provisions on a humanitarian exemption**

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

Whereas:

- (1) The European Union is able to impose restrictive measures, including the freezing of funds and economic resources against designated natural or legal persons, entities and bodies. Council Regulations give effect to those measures.
- (2) On 9 December 2022, the United Nations Security Council (UNSC) adopted United Nations Security Council Resolution (UNSCR) 2664 (2022). Paragraph 1 of that Resolution introduces an exemption from the sanctions in the form of asset freezes imposed by the Security Council or by its Sanctions Committees for humanitarian assistance and other activities that support basic human needs, applicable to certain actors. For the purposes of this Regulation, paragraph 1 of UNSCR 2664 (2022) is termed the 'humanitarian exemption'.
- (3) On 31 March 2023, Council Decision (CFSP) 2023/726 <sup>(1)</sup> was adopted to give effect to UNSCR 2664 (2022) in Union law.
- (4) UNSCR 2664 (2022) emphasises that where the humanitarian exemption to the asset freeze measures conflicts with previous resolutions, it is to supersede such previous resolutions to the extent of such conflict. However, UNSCR 2664 (2022) clarifies that paragraph 1 of UNSC resolution 2615 (2021) remains in effect.
- (5) UNSCR 2664 (2022) requests that providers relying on the humanitarian exemption make reasonable efforts to minimise the accrual of any benefits prohibited by sanctions, whether as a result of direct or indirect provision or diversion, to individuals or entities listed under the relevant Regulation, including by strengthening the providers' risk management and due diligence strategies and processes.
- (6) UNSCR 2664 (2022) requires that the humanitarian exemption to the asset freeze measures will apply to the 1267/1989/2253 ISIL (Da'esh) and Al-Qaida sanctions regime for a period of two years from the date of the adoption of UNSCR 2664 (2022), and states that the UNSC intends to decide on an extension of the application of UNSCR 2664 (2022) prior to the date on which the application of that exemption would otherwise expire.

<sup>(1)</sup> See page 48 of this Official Journal.

- (7) The Council considers that the humanitarian exemption to the asset freeze measures pursuant to UNSCR 2664 (2022) should also apply in cases where the Union decides to adopt complementary measures concerning the freezing of funds and economic resources in addition to those decided by the UNSC or its Sanctions Committees.
- (8) The amendments fall within the scope of the Treaty and therefore regulatory action at the level of the Union is necessary in order to implement them, in particular with a view to ensuring their uniform application in all Member States.
- (9) Council Regulations (EC) No 881/2002 <sup>(2)</sup>, (EC) No 1183/2005 <sup>(3)</sup>, (EU) No 267/2012 <sup>(4)</sup>, (EU) No 747/2014 <sup>(5)</sup>, (EU) 2015/735 <sup>(6)</sup>, (EU) 2016/1686 <sup>(7)</sup>, (EU) 2016/44 <sup>(8)</sup>, (EU) 2017/1509 <sup>(9)</sup> and (EU) 2017/1770 <sup>(10)</sup> should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

#### Article 1

Regulation (EU) 2017/1509 is amended as follows:

- (1) in Article 34, the following paragraph is added:

‘10. Paragraphs 1 and 3 shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee as regards Annexes XIII, XVI and XVII, and by the Council as regards Annex XV.’;

<sup>(2)</sup> Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations (OJ L 139, 29.5.2002, p. 9).

<sup>(3)</sup> Council Regulation (EC) No 1183/2005 of 18 July 2005 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo (OJ L 193, 23.7.2005, p. 1).

<sup>(4)</sup> 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).

<sup>(5)</sup> Council Regulation (EU) No 747/2014 of 10 July 2014 concerning restrictive measures in view of the situation in Sudan and repealing Regulations (EC) No 131/2004 and (EC) No 1184/2005 (OJ L 203, 11.7.2014, p. 1).

<sup>(6)</sup> Council Regulation (EU) 2015/735 of 7 May 2015 concerning restrictive measures in respect of the situation in South Sudan, and repealing Regulation (EU) No 748/2014 (OJ L 117, 8.5.2015, p. 13).

<sup>(7)</sup> Council Regulation (EU) 2016/1686 of 20 September 2016 imposing additional restrictive measures directed against ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them (OJ L 255, 21.9.2016, p. 1).

<sup>(8)</sup> Council Regulation (EU) 2016/44 of 18 January 2016 concerning restrictive measures in view of the situation in Libya and repealing Regulation (EU) No 204/2011 (OJ L 12, 19.1.2016, p. 1).

<sup>(9)</sup> Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No 329/2007 (OJ L 224, 31.8.2017, p. 1).

<sup>(10)</sup> Council Regulation (EU) 2017/1770 of 28 September 2017 concerning restrictive measures in view of the situation in Mali (OJ L 251, 29.9.2017, p. 1).

(2) in Article 45, paragraph 1 is replaced by the following:

‘1. Without prejudice to Article 34(10), the competent authorities of the Member States may authorise any activities otherwise prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) or 2397 (2017) if the Sanctions Committee has determined, on a case-by-case basis, that they are necessary to facilitate the work of international and non-governmental organisations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population in the DPRK or for any other purpose consistent with the objectives of those UNSCRs.’;

(3) Article 37 is replaced by the following:

*‘Article 37*

Without prejudice to Article 34(10), the prohibitions in Article 34(1) and (3) shall not apply with regard to funds and economic resources belonging or made available to the Foreign Trade Bank or the Korean National Insurance Company (KNIC) in so far as such funds and economic resources are meant exclusively for the official purposes of a diplomatic or consular mission in the DPRK, or for humanitarian assistance activities which are undertaken by, or in coordination with, the United Nations.’.

#### *Article 2*

Regulation (EC) No 1183/2005 is amended as follows:

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

‘3. Paragraphs 1 and 2 shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee as regards Annex I, and by the Council as regards Annex Ia.’;

(2) Article 4b is replaced by the following:

*‘Article 4b*

1. Without prejudice to Article 2(3), by way of derogation from Article 2(1) and (2), the competent authorities of the Member States may authorise the release of frozen funds or economic resources belonging to natural or legal persons, entities or bodies listed in Annex Ia, or the making available of certain funds or economic resources to natural or legal persons, entities or bodies listed in Annex Ia, under such conditions as they deem appropriate, after having determined that the provision of such funds or economic resources is necessary for humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies and food, or the transfer of humanitarian workers and related assistance or for evacuations from DRC.

2. The Member State concerned shall inform other Member States and the Commission of authorisations made under this Article within four weeks of the authorisation.’;

(3) Article 7b is replaced by the following:

*'Article 7b*

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Articles 1a, 2(1) and 2(2):.

*Article 3*

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

(1) in Article 23, the following paragraph is added:

'7. Paragraphs 1, 2 and 3 shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee as regards Annex VIII, and by the Council as regards Annex IX.;

(2) in Article 23a, the following paragraph is added:

'7. Paragraphs 1, 2 and 3 shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee as regards Annex XIII, and by the Council as regards Annex XIV.;

(3) Article 41 is replaced by the following:

*'Article 41*

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Articles 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d, 4a, 4b, 5, 10d, 15a, 23(1), 23(2), 23(3), 23(4), 23a(1), 23a(2), 23a(3) and 23a(4):.

*Article 4*

In Article 2 of Regulation (EU) No 2016/1686, the following paragraph is added:

'3. Paragraphs 1 and 2 shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Council as regards Annex I.'

*Article 5*

In Article 2 of Regulation (EC) No 881/2002, the following paragraph is added:

'5. Article 2(1) and (2) shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee as regards Annexes I and Ia.'

*Article 6*

Regulation (EU) No 2016/44 is amended as follows:

- (1) in Article 5, the following paragraph is added:

'5. Paragraphs 1 and 2 shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;

- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental Organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee as regards Annexes II and VI, and by the Council as regards Annex III.;

(2) Article 10 is replaced by the following:

*'Article 10*

Without prejudice to Article 5(5), by way of derogation from Article 5(1) and (2) the competent authorities in the Member States, as listed in Annex IV, may authorise the release of frozen funds or economic resources belonging to persons, entities or bodies listed in Annex III, or the making available of certain funds or economic resources to persons, entities or bodies listed in Annex III, under such conditions as they deem appropriate, where they consider it necessary for humanitarian purposes, such as the delivery and facilitation of delivery of humanitarian aid, the delivery of materials and supplies necessary for essential civilian needs, including food and agricultural materials for its production, medical products and the provision of electricity, or for evacuations from Libya. The Member State concerned shall inform other Member States and the Commission of authorisations made under this Article within two weeks of the authorisation.;

(3) Article 11, paragraph 1 is replaced by the following:

'1. Without prejudice to Article 5(5), the competent authorities of the Member States, as indicated on the websites listed in Annex IV, may authorise the release of certain frozen funds or economic resources, provided that:

- (a) the funds or economic resources are used for one or more of the following purposes:
  - (i) humanitarian needs;
  - (ii) fuel, electricity and water for strictly civilian uses;
  - (iii) resuming Libyan production and sale of hydrocarbons;
  - (iv) establishing, operating, or strengthening institutions of civilian government and civilian public infrastructure;  
or,
  - (v) facilitating the resumption of banking sector operations, including to support or facilitate international trade with Libya;
- (b) the Member State concerned has notified to the Sanctions Committee its intention to authorise access to funds or economic resources, and the Sanctions Committee has not objected within five working days of such a notification;
- (c) the Member State concerned has notified the Sanctions Committee that those funds or economic resources shall not be made available to or for the benefit of any person, entity or body listed in Annex II or III;
- (d) the Member State concerned has consulted in advance with the Libyan authorities about the use of such funds or economic resources; and
- (e) the Member State concerned has shared with the Libyan authorities the notifications submitted pursuant to points (b) and (c) of this paragraph and the Libyan authorities have not objected within five working days to the release of such funds or economic resources.'



*Article 7*

Regulation (EU) No 2017/1770 is amended as follows:

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

'3. Paragraphs 1 and 2 shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental Organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee as regards Annex I, and by the Council as regards Annex Ia.'

(2) Article 3a, paragraph 1, is replaced by the following:

'1. Without prejudice to Article 2, paragraph 3, by way of derogation from Article 2(1) and (2) and with regard to a person, entity or body listed in Annex Ia, the competent authorities may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources under such conditions as they deem appropriate, after having determined that the provision of such funds or economic resources is necessary for humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies, food, or the transfer of humanitarian workers and related assistance or for evacuations from Mali.'

(3) Article 8 is replaced by the following:

*'Article 8*

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Article 2(1) and (2).'

*Article 8*

Regulation (EU) No 2015/735 is amended as follows:

(1) in Article 5, the following paragraph is added:

'4. Paragraphs 1, 2 and 3 shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental Organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);

- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee as regards Annex I, and by the Council as regards Annex II.;

(2) Article 15 is replaced by the following:

*'Article 15*

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Article 2 and Article 5(1), (2), and (3).'

*Article 9*

Regulation (EU) No 747/2014 is amended as follows:

(1) in Article 5, the following paragraph is added:

'4. Paragraphs 1, 2 and 3 shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental Organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee as regards Annex I.;

(2) Article 10 is replaced by the following:

*'Article 10*

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Article 2 and Article 5(1), (2), and (3).'

*Article 10*

This Regulation shall enter into force on the day following that 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, 31 March 2023.

*For the Council*  
*The President*  
J. ROSWALL

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**COUNCIL IMPLEMENTING REGULATION (EU) 2023/721**  
**of 31 March 2023**

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

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) No 359/2011 of 12 April 2011 concerning restrictive measures against certain persons, entities and bodies in view of the situation in Iran <sup>(1)</sup>, and in particular Article 12(1) 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 Regulation (EU) No 359/2011.
- (2) On the basis of a review of Council Decision 2011/235/CFSP <sup>(2)</sup>, the Council has decided that the restrictive measures set out therein should be renewed until 13 April 2024.
- (3) The entry concerning one person designated in Annex I to Regulation (EU) No 359/2011 should be removed from that Annex. The Council has also concluded that the entries concerning 18 persons and three entities included in Annex I to Regulation (EU) No 359/2011 should be updated.
- (4) Annex I to Regulation (EU) No 359/2011 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Council Regulation (EU) No 359/2011 is amended in accordance with the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the day following that 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, 31 March 2023.

*For the Council*  
*The President*  
J. ROSWALL

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<sup>(1)</sup> OJ L 100, 14.4.2011, p. 1.

<sup>(2)</sup> 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).

Annex I to Regulation (EU) No 359/2011 ('List of natural and legal persons, entities and bodies referred to in Article 2(1)') is amended as follows:

(1) entry 82 (concerning SARAFRAZ Mohammad (Dr.)) in the list headed 'Persons' is deleted;

(2) the entries for the following 18 persons are replaced by the following:

#### Persons

	Name	Identifying information	Reasons	Date of listing
'17.	SOLTANI Hodjatoleslam Seyed Mohammad	Gender: male	Since 2018, Hodjatoleslam Seyed Mohammad Soltani serves as deputy prosecutor in the Revolutionary Prosecution Office, Mashhad. Head of the Organisation for Islamic Propaganda in the province of Khorasan-Razavi. Former Judge, Mashhad Revolutionary Court (2013-2019). Trials under his jurisdiction have been conducted summarily and inside closed session, without adherence to basic rights of the accused. As execution rulings were issued en masse, death sentences were issued without proper observance of fair hearing procedures. He is responsible for issuing heavy prison sentences to citizens of the Baha'is minority, due to their religious beliefs, through unfair trials with lack of due process, and the use of extrajudicial procedures.	12.4.2011
19.	JAFARI-DOLATABADI Abbas	POB: Yazd (Iran) DOB: 1953 Gender: male	Former advisor to the Supreme Disciplinary Court of judges (29 April 2019-at least 2020). Former Prosecutor General of Tehran (August 2009-April 2019). Abbas Jafari-Dolatabadi's office indicted a large number of protesters, including individuals who took part in the December 2009 Ashura Day protests. He ordered the closure of Karroubi's office in September 2009 and the arrest of several reformist politicians, and he banned two reformist political parties in June 2010. His office charged protesters with "Muharebeh", or "enmity against God", which carries the death penalty, and denied due process to those facing the death penalty. His office also targeted and arrested reformists, human rights activists and members of the media, as part of a broad crackdown on the political opposition.  In October 2018, he announced to the media that four detained Iranian environmental activists were to be charged with "sowing corruption on earth", a charge which carries the death penalty.	12.4.2011

	Name	Identifying information	Reasons	Date of listing
21.	MOHSENI-EJEI Gholam-Hossein	POB: Ejiyeh (Iran) DOB: circa 1956 Gender: male	Chief of Justice since July 2021. Member of the Expediency Council. Prosecutor General of Iran from September 2009 until 2014. Former Deputy Head of the Judiciary (2014 until July 2021) and spokesperson of the Judiciary (2010-2019). Intelligence Minister from 2005 until 2009. While he was Intelligence Minister during the 2009 elections, intelligence agents under his command were responsible for the detention and torture of, and the extraction of false confessions under pressure from, hundreds of activists, journalists, dissidents and reformist politicians. In addition, political figures were coerced into making false confessions under unbearable interrogation, which included torture, abuse, blackmail and the threatening of family members. During the 2022/2023 protests, Gholam-Hossein Mohseni-Ejei stated that there would be no leniency with protesters.	12.4.2011
25.	SALAVATI Abdolghassem	Gender: male	Judge of the Special Court for Financial Crimes, branch 4 since 2019. Former Head of Tehran Revolutionary Court, branch 15. Committing Judge in the Tehran Tribunal. In charge of the post-election cases, he was the Judge presiding over the “show trials” in summer 2009, he condemned to death two monarchists that appeared in the show trials. He has sentenced more than a hundred political prisoners, human rights activists and demonstrators to lengthy prison sentences. In 2018, reports showed that he continued to hand down similar sentences without proper observance of fair hearing procedures. During the 2022 protests, Abdolghassem Salavati sentenced many protestors to death including Mohammad Beroghani and Saman Seydi.	12.4.2011
43.	JAVANI Yadollah	Gender: male Nationality: Iranian Rank: Brigadier-General	IRGC deputy commander for political affairs. Has made numerous attempts to suppress free speech and free discourse through his public statements supporting the arrest and punishment of protesters and dissenters. One of the first high-ranking officials to demand in 2009 the arrest of Moussavi, Karroubi and Khatami. Has supported the use of techniques that breach rights to a fair trial, including public confessions, and he has released the contents of interrogations before trial. Evidence also indicates that he has condoned the use of violence against protesters and as an integral member of the IRGC he is highly likely to have been aware of the use of harsh interrogation techniques to force confessions.	10.10.2011

	Name	Identifying information	Reasons	Date of listing
57.	HAJMOHAM-MADI Aziz (a.k.a. Aziz Hajmohammadi, Noorollah Azizmohammadi)	POB: Tehran (Iran) DOB: 1948 Gender: male	Judge at branch 71 of the Tehran Provincial Criminal Court. Working for the judiciary since 1971, he has been involved in several trials of demonstrators, inter alia, that of Abdol-Reza Ghanbari, a teacher arrested in January 2010 and sentenced to death for his political activities.	10.10.2011
58.	BAGHERI Mohammad-Bagher	Gender: male	In 2019, Mohammad-Bagher Bagheri was appointed Deputy Head of the Judiciary for International Affairs and Secretary of the Human Rights Staff replacing Mohammad Javad Larijani in this position by a decree of Ebrahim Raisi. He was judge at the Supreme court between December 2015 and 2019. Former vice-chairman of the judiciary administration of South Khorasan province, in charge of crime prevention. In addition to his acknowledging, in June 2011, 140 executions for capital offences between March 2010 and March 2011, about 100 other executions are reported to have taken place in the same period and in the same province of South Khorasan without either the families or the lawyers being notified. He was, therefore, complicit in a grave violation of the right to due process, contributing to a high number of death sentences.	10.10.2011
60.	HOSSEINI Dr Seyyed Mohammad (a.k.a. HOSSEYNI Dr Seyyed Mohammad; Seyed, Sayyed and Sayyid) دکتر سید محمد حسینی	POB: Rafsanjan, Kerman (Iran) DOB: 23.7.1961 Gender: male	Vice-president for parliamentary affairs under President Raisi since August 2021. Former advisor to President Mahmoud Ahmadinejad and spokesperson for YEKTA, a hard-line political faction. Minister of Culture and Islamic Guidance (2009-2013). Former Deputy Director of Islamic Republic of Iran Broadcasting (IRIB). Former advisor to the Director of Islamic Culture and Relations Organisation (ICRO). Ex-IRGC, he was complicit in the repression of journalists.	10.10.2011
66.	MIRHEJAZI Ali Ashgar	DOB: 8 September 1946 POB: Isfahan Nationality: Iranian Gender: male	Intelligence advisor to the Supreme Leader. Part of the Supreme Leader's inner circle, one of those responsible for planning the suppression of protests, which has been implemented since 2009, and associated with those responsible for suppressing the protests.  He was also responsible for planning the suppression of public unrest in December 2017/2018 and November 2019.	23.3.2012

	Name	Identifying information	Reasons	Date of listing
69.	MORTAZAVI Seyyed Solat	POB: Farsan, Tchar Mahal-o-Bakhtiari (South) – (Iran) DOB: 1967 Gender: male	Since 19 October 2022 (acting) Minister of Cooperatives, Labour and Social Welfare. From September 2021 until October 2022, Vice-President for Executive Affairs of Iran and Head of the Presidential Office. Head of the real estate branch of the Mostazafan Foundation, which was directly run by Supreme Leader Khamenei from 16 September 2019 until September 2021. Until November 2019, Director of the Tehran branch of the Foundation Astan Qods Razavi. Former mayor of the second largest city of Iran, Mashhad, where public executions are regularly carried out. Former Deputy Interior Minister for Political Affairs, appointed in 2009. In that capacity, he was responsible for directing the repression of persons who spoke up in defence of their legitimate rights, including freedom of expression. Later appointed as Head of the Iranian Election Committee for the parliamentary elections in 2012 and for the presidential elections in 2013.	23.3.2012
77.	JAFARI Reza	DOB: 1967 Gender: male	Former advisor to the Disciplinary Court for Judges (2012-2022). Member of the “Committee for Determining Criminal Web Content”, a body responsible for the censorship of websites and social media. Former Head of special prosecution of cybercrime between 2007 and 2012. Was responsible for the repression of freedom of expression, including through the arrest, detention and prosecution of bloggers and journalists. Persons arrested on suspicion of cybercrime were mistreated and subjected to an unfair judicial process.	23.3.2012
81.	MOUSSAVI Seyed Mohammad Bagher (a.k.a. MOUSAVI Sayed Mohammed Baqir) محمدباقر موسوی	Gender: male	Ahwaz Revolutionary Court judge, Branch 2 (2011-2015), imposed death sentences on a number of people, including five Ahwazi Arabs, Mohammad Ali Amouri, Hashem Sha'bani Amouri, Hadi Rashedi, Sayed Jaber Alboshoka, Sayed Mokhtar Alboshoka, on 17 March 2012 for “activities against national security” and “enmity against God”. The sentences were upheld by Iran’s Supreme Court on 9 January 2013. The five were arrested without charge for over a year, tortured and sentenced without due process. Hadi Rashedi and Hashem Sha'bani Amouri were executed in 2014.	12.3.2013



	Name	Identifying information	Reasons	Date of listing
83.	JAFARI Asadollah	Gender: male	<p>Currently Attorney General in Isfahan. In this position, he ordered violent reactions against protesters who took to the streets in November 2021 to protest against water shortages. According to some reports, Asadollah Jafari has announced the formation of a special office to investigate the arrested protesters.</p> <p>From 2017 to 2021, he held the position of Attorney General in North Khorasan Province.</p> <p>As former Prosecutor of Mazandaran Province (2006-2017), Jafari recommended the imposition of the death penalty in cases he prosecuted, which has resulted in many executions including public executions, and in circumstances where the imposition of the death penalty is contrary to international human rights, including by being disproportionate and excessive punishment. Jafari has also been responsible for illegal arrests and violations of the rights of Baha'i detainees from initial arrest to keeping them in solitary confinement in the Intelligence Detention Centre.</p>	12.3.2013
84.	EMADI Hamid Reza (a.k.a. Hamidreza Emadi)	<p>POB: Hamedan (Iran)</p> <p>DOB: circa 1973</p> <p>Place of residence: Tehran</p> <p>Place of work: Press TV HQ, Tehran</p> <p>Gender: male</p>	<p>Former Press TV Newsroom Director. Former Press TV Senior Producer.</p> <p>Responsible for producing and broadcasting the forced confessions of detainees, including journalists, political activists and persons belonging to Kurdish and Arab minorities, violating internationally recognised rights to a fair trial and due process. Independent broadcast regulator OFCOM fined Press TV in the UK GBP 100 000 for broadcasting the forced confession of Iranian-Canadian journalist and film-maker Maziar Bahari in 2011, which was filmed in prison whilst Bahari was under duress. NGOs have reported further instances of forced televised confessions by Press TV. Emadi is therefore associated with violating the right to due process and fair trial.</p> <p>In 2016, he underwent disciplinary proceedings for sexual harassment against his colleague Sheena Shirani, which led to his suspension from the service.</p>	12.3.2013

	Name	Identifying information	Reasons	Date of listing
92.	ASHTARI Hossein	POB: Isfahan (a.k.a. Esfahan, Ispahan) Nationality: Iranian Gender: male Position: Commander in Chief of the Iranian police force	Hossein Ashtari was Commander in Chief of the Iranian police force from March 2015 to January 2023 and is a member of the National Security Council. The police force includes the Emdad Units and the Special Units. Iran's ordinary police force, the Emdad Units and the Special Units used lethal force to suppress the November 2019 protests in Iran, causing the deaths of and injuries to unarmed protesters and other civilians in many cities across the country. As a member of the National Security Council, Ashtari took part in the sessions that resulted in the orders to use lethal force to suppress the November 2019 protests. Ashtari therefore bears responsibility for serious human rights violations in Iran.	12.4.2021
95.	VASEGHI Leyla (a.k.a. VASEQI Layla, VASEGHI Leila, VASEGHI Layla)	POB: Sari, Mazandaran Province (Iran) DOB: 1352 (Iranian Hijri calendar), 1972 or 1973 (Gregorian calendar) Gender: female Position: Former governor of Shahr-e Qods and Head of the City Security Council	As the governor of Shahr-e Qods and Head of the City Security Council from September 2019 until November 2021, Leyla Vaseghi ordered the police and other armed forces to use lethal means during the November 2019 protests, causing the deaths of and injuries to unarmed protesters and other civilians. As the governor of Shahr-e Qods and Head of the City Security Council, Vaseghi bears responsibility for serious human rights violations in Iran. In the context of the 2022/2023 protests, she is still remembered by Iranians as having one of the leading roles in violent repression, with a parallel made between her public words and the current repression.	12.4.2021
137.	REZVANI Ali (a.k.a. REZWANI Ali) رضوانی علی	DOB: 1984 Nationality: Iranian Gender: male Function: Islamic Republic of Iran Broadcasting (IRIB) reporter and news anchor/presenter on political and security affairs	Ali Rezvani is a reporter for Islamic Republic of Iran Broadcasting (IRIB) and news anchor/presenter on IRIB's nightly 20.30 news programme.  IRIB is a state-controlled Iranian media organisation and tasked with spreading government information. IRIB's nightly 20.30 news broadcast, which airs on Channel 2, is the country's leading news programme and considered to be IRIB's primary platform for implementing the agendas of security forces, including the Ministry of Intelligence (MOIS) and the Islamic Revolutionary Guard Corps (IRGC). Documented cases show that the 20.30 news airs forced confessions.  In his capacity as IRIB reporter, Ali Rezvani participates in interrogations leading to forced confessions, thereby directly engaging in and facilitating serious human rights violations. In his capacity as news anchor of the 20.30 news, Rezvani promotes the Iranian security forces' agenda, which condones serious human rights violations such as torture and arbitrary arrests and detention. Rezvani also peddles propaganda against critics in order to intimidate them and to justify and encourage their ill-treatment, thereby violating their right to free expression.  He is therefore responsible for serious human rights violations in Iran.	12.12.2022

	Name	Identifying information	Reasons	Date of listing
142.	BORMAHANI Mohsen (a.k.a. BARMAHANI Mohsen) محسن برمهانی	DOB: 24.5.1979 POB: Neishabur, Iran Nationality: Iranian Gender: male Passport no: A54062245 (Iran), expires 12.7.2026 National ID no: 1063893488 (Iran) Function: Deputy Director of Islamic Republic of Iran Broadcasting (IRIB)	Mohsen Bormahani is the Deputy Director of Islamic Republic of Iran Broadcasting (IRIB), which acts as a regime mouthpiece.  In his position, Bormahani holds responsibility for IRIB content. IRIB severely restricts and denies the free flow of information to the Iranian people. Furthermore, IRIB is actively involved in organising and broadcasting forced “confessions” of regime critics, obtained through intimidation and severe violence. These “confessions” are often aired following public protests, or prior to an execution as a means of reducing public backlash.  Whereas several high-profile state broadcasting personnel have resigned recently and disavowed the Iranian regime’s violent response to the 2022 protests in Iran, Bormahani continues to act in his position as Deputy Director and in recent statements has defended the regime.  He is therefore responsible for serious human rights violations in Iran.	12.12.2022’

(3) the entries for the following three entities are replaced by the following:

#### Entities

	Name	Identifying information	Reasons	Date of listing
‘2.	Evin Prison	Address: Tehran Province, Tehran, District 2, Dasht-e Behesht (Iran)	Evin Prison is a detention centre where political prisoners have been held and severe human rights abuses, including torture, have repeatedly taken place over the past years and decades.  November 2019 protesters were, and at least to some extent still are, detained in Evin Prison as political prisoners. Prisoners in Evin Prison are being deprived of basic procedural rights, and are sometimes held in solitary confinement or overcrowded cells with poor hygienic conditions. There are detailed reports of physical and psychological torture. Detainees are denied contact with family and lawyers as well as adequate health treatment.  In the context of the 2022/2023 protests, cases of torture are still being reported. The cause of the fire that led to several deaths and injuries in October 2022 has not been made public and the prison refuses any international inquiries. In the context of the fire, it also became clear that the prison uses internationally condemned landmines to prevent prison escapes. Several third-state nationals have been arbitrarily detained in Evin Prison.	12.4.2021

	Name	Identifying information	Reasons	Date of listing
3.	Fashafouyeh Prison (a.k.a. Greater Tehran Central Penitentiary, Hasanabad-e Qom Prison, Greater Tehran Prison)	Address: Tehran Province, Hasanabad, Bijin Industrial Zone, Tehran, Qom Old Road (Iran) Telephone: +98 21 5625 8050	<p>Fashafouyeh Prison is a detention centre designated originally to detain offenders of drug-related crimes, recently also holding political prisoners and, in some cases, forcing them to share cells with drug addicts. The living and hygienic conditions are very poor, lacking basic needs like clean drinking water.</p> <p>During the November 2019 protests, several protesters were detained in Fashafouyeh Prison, including minors. Reports indicate that November 2019 protesters were subjected to torture and inhumane treatment at Fashafouyeh Prison, for example by deliberately wounding them with boiling water and through denial of medical treatment. According to an Amnesty International report on the crackdown of the November 2019 protests, children as young as 15 have been detained alongside adults in Fashafouyeh Prison. Three November 2019 protesters who are currently being held in Fashafouyeh Prison were sentenced to death by a court in Tehran.</p> <p>Since the beginning of the 2022/2023 protests, it has been reported that 3 000 persons were transferred to Fashafouyeh prison and that 835 are currently still there. Several cases of torture and forced confessions have been reported.</p>	12.4.2021
4.	Rajae Shahr Prison (a.k.a. Rajai Shahr Prison, Rajaishahr, Raja'i Shahr, Reja'i Shahr, Rajayi Shahr, Gorhardasht Prison, Gohar Dasht Prison)	Address: Alborz Province, Karaj, Gohardasht, Moazzen Blvd (Iran) Telephone: +98 26 3448 9826	<p>Rajae Shahr Prison has been known for the deprivation of human rights, including severe physical and psychological torture of political prisoners and prisoners of conscience as well as mass executions without fair trial, ever since the Islamic Revolution in 1979.</p> <p>Hundreds of detainees, including children, were severely mistreated in Rajae Shahr Prison in the aftermath of the November 2019 protests. There are credible reports about numerous cases of torture and other forms of cruel punishment, including cases involving minors.</p> <p>Since the beginning of the 2022/2023 protests, numerous opponents have been arbitrarily jailed there in conditions that some inmate journalists have described as dangerous and hardly liveable.</p>	12.4.2021'

**COUNCIL IMPLEMENTING REGULATION (EU) 2023/722**  
**of 31 March 2023**

**implementing Regulation (EU) 2023/427 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2023/427 of 25 February 2023 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine <sup>(1)</sup>, and in particular Article 1, point (20), thereof,

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

Whereas:

- (1) On 25 February 2023, the Council adopted Regulation (EU) 2023/427, which amended Council Regulation (EU) No 833/2014 <sup>(2)</sup> and introduced further restrictive measures to suspend the broadcasting activities in the Union, or directed at the Union, of certain media outlets. Those outlets are set out in Annex V to Regulation (EU) 2023/427. Pursuant to Article 1, point (20), of Regulation (EU) 2023/427, the applicability of such measures in respect of one or several of those media outlets is subject to the adoption of implementing acts by the Council.
- (2) Having examined the respective cases, the Council has concluded that the restrictive measures referred to in Article 2f of Regulation (EU) No 833/2014 should apply from 10 April 2023 in respect of the entities set out in Annex V to Regulation (EU) 2023/427,

HAS ADOPTED THIS REGULATION:

*Article 1*

The measures referred to in Article 2f of Regulation (EU) No 833/2014 shall apply from 10 April 2023 in respect of the entities set out in Annex V to Regulation (EU) 2023/427.

*Article 2*

This Regulation shall enter into force on the day following that 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, 31 March 2023.

*For the Council*  
*The President*  
J. ROSWALL

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<sup>(1)</sup> OJ L 59 I, 25.2.2023, p. 6.

<sup>(2)</sup> Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 1).

**COMMISSION IMPLEMENTING REGULATION (EU) 2023/723****of 30 March 2023****amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1210/2003 of 7 July 2003 concerning certain specific restrictions on economic and financial relations with Iraq and repealing Regulation (EC) No 2465/96 <sup>(1)</sup>, and in particular Article 11(b) thereof,

Whereas:

- (1) Annex IV to Regulation (EC) No 1210/2003 lists natural and legal persons, bodies or entities associated with the regime of former President Saddam Hussein covered by the freezing of funds and economic resources and by a prohibition to make funds or economic resources available.
- (2) On 27 March 2023, the Sanctions Committee of the United Nations Security Council decided to remove one natural person from the list of persons and entities to whom the assets freeze should apply.
- (3) Annex IV to Regulation (EC) No 1210/2003 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex IV to Regulation (EC) No 1210/2003 is amended as set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day following that 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, 30 March 2023.

*For the Commission,  
On behalf of the President,  
Director-General  
Directorate-General for Financial Stability,  
Financial Services and Capital Markets Union*

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<sup>(1)</sup> OJ L 169, 8.7.2003, p. 6.

## ANNEX

In Annex IV to Regulation (EC) No 1210/2003, the following entry is deleted:

'32. NAME: **Amir Hamudi Hassan Al-Sa'di**

DATE OF BIRTH/PLACE OF BIRTH: 5 April 1938, Baghdad

NATIONALITY: Iraq

UNSC RESOLUTION 1483 BASIS:

Presidential Scientific Advisor;

Senior Deputy, Organisation of Military Industrialisation, 1988 to 1991;

Former President, Technical Corps for Special Projects;

PASSPORTS: ?No 33301/862

Issued: 17 October 1997

Expires: 1 October 2005

?M0003264580

Issued: Unknown

Expires: Unknown

?H0100009

Issued: May 2001

Expires: Unknown'

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**COMMISSION IMPLEMENTING REGULATION (EU) 2023/724****of 31 March 2023****accepting a request for new exporting producer treatment with regard to the definitive anti-dumping measures imposed on imports of ceramic tableware and kitchenware originating in the People's Republic of China, and amending Implementing Regulation (EU) 2019/1198**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union <sup>(1)</sup> ('the basic Regulation'),

Having regard to Commission Implementing Regulation (EU) 2019/1198 of 12 July 2019 imposing a definitive anti-dumping duty on imports of ceramic tableware and kitchenware originating in the People's Republic of China <sup>(2)</sup>, and, in particular, Article 2 thereof,

Whereas,

**A. MEASURES IN FORCE**

- (1) On 13 May 2013, the Council imposed a definitive anti-dumping duty on imports into the Union of ceramic tableware and kitchenware originating in the People's Republic of China ('the product concerned') by Council Implementing Regulation (EU) No 412/2013 ('the original Regulation') <sup>(3)</sup>.
- (2) On 12 July 2019, following an expiry review pursuant to Article 11(2) of the basic Regulation, the Commission extended the measures of the original Regulation for another five years by Implementing Regulation (EU) 2019/1198.
- (3) On 28 November 2019, following an anti-circumvention investigation pursuant to Articles 13(3) of the basic Regulation, the Commission amended Implementing Regulation (EU) 2019/1198 by Implementing Regulation (EU) 2019/2131 <sup>(4)</sup>.
- (4) In the original investigation, sampling was applied for investigating the exporting producers in the People's Republic of China ('the PRC') in accordance with Article 17 of the basic Regulation.
- (5) The Commission imposed individual anti-dumping duty rates ranging from 13,1 % to 23,4 % on imports of the product concerned for the sampled exporting producers from the PRC. For the cooperating exporting producers that were not included in the sample, a duty rate of 17,9 % was imposed. The cooperating exporting producers not included in the sample are listed in Annex I to Implementing Regulation (EU) 2019/1198, as replaced by Annex 1 to Implementing Regulation (EU) 2019/2131. Furthermore, a country-wide duty rate of 36,1 % was imposed on the product concerned from companies in the PRC which either did not make themselves known or did not cooperate with the investigation.
- (6) Pursuant to Article 2 of Implementing Regulation (EU) 2019/1198, Annex I of that Regulation can be amended by granting a new exporting producer the duty rate applicable to the cooperating companies not included in the sample, namely the weighted average duty rate of 17,9 %, where that new exporting producer in the PRC provides sufficient evidence to the Commission that:
  - (a) it did not export to the Union the product concerned during the period of investigation on which the measures are based, that is from 1 January 2011 to 31 December 2011 ('the original investigation period');

<sup>(1)</sup> OJ L 176, 30.6.2016, p. 21.

<sup>(2)</sup> OJ L 189, 15.7.2019, p. 8.

<sup>(3)</sup> OJ L 131, 15.5.2013, p. 1.

<sup>(4)</sup> OJ L 321, 12.12.2019, p. 139.



- (b) it is not related to any of the exporters or producers in the PRC which are subject to the anti-dumping measures imposed by the original Regulation that has or could have cooperated in the original investigation; and
- (c) it has actually exported to the Union the product concerned after the end of the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity to the Union.

#### B. REQUEST FOR NEW EXPORTING PRODUCER TREATMENT

- (7) On 17 December 2021, the company Fujian Dehua Longnan Ceramics Co., Ltd ('the applicant') submitted a request to the Commission to be granted new exporting producer treatment ('NEPT') and hence be subject to the duty rate applicable to the cooperating companies in the PRC not included in the sample, which is 17,9 %. The applicant claimed that it met all three conditions set out in Article 2 of Implementing Regulation (EU) 2019/1198 ('the NEPT conditions').
- (8) In order to determine whether the applicant fulfilled the conditions for being granted NEPT, as set out in Article 2 of Implementing Regulation (EU) 2019/1198, the Commission first sent a questionnaire to the applicant requesting evidence showing that it met the NEPT conditions.
- (9) Following the analysis of the questionnaire reply, the Commission requested further information and supporting evidence, which was submitted by the applicant.
- (10) The Commission sought to verify all information it deemed necessary for the purpose of determining whether the applicant met the NEPT conditions. To this end, the Commission analysed the evidence submitted by the applicant and consulted various online databases including Orbis <sup>(5)</sup> and Qichacha <sup>(6)</sup>. In parallel, the Commission informed the Union industry about the applicant's request and invited it to provide any comments, if needed. The Union industry submitted comments with regard to the applicant's compliance with the condition set out in Article 2(a) of Implementing Regulation (EU) 2019/1198.

#### C. ANALYSIS OF THE REQUEST

- (11) With regard to the condition set out in Article 2(a) of Implementing Regulation (EU) 2019/1198 that the applicant did not export the product concerned to the Union during the original investigation period, the applicant showed that indeed it did not export to the Union during that period. Fujian Dehua Longnan Ceramics Co., Ltd was founded in 1999 and it started exporting in 2006 modern porcelain products such as ceramic wares, but not the product concerned. Its sales ledger for the original investigation period, which was found to be in line with the financial statements provided, showed no record of export transactions to the Union of the product concerned. All the export transactions during the original investigation period were verified and there was no information found pointing to possible exports of the product concerned to the Union. Among those transactions, there was one of the product concerned, which was however not destined for the Union, and four transactions made to Germany, France and Finland, but not of the product concerned. The Union industry claimed that, according to its website and the export license date, the applicant had been involved in the export activities of ceramic tableware since the very outset of the company. In addition to that, in 2006 the applicant has applied for the registration of its trademark containing transliteration of the Chinese name. However, the Union industry did not provide any evidence showing that the applicant was not in compliance with the condition set out in Article 2(a) of Regulation (EU) 2019/1198. Consequently, the Commission concluded that the applicant complies with the condition set out in Article 2(a) of Implementing Regulation (EU) 2019/1198.

<sup>(5)</sup> Orbis is a global data provider of corporate information covering more than 220 million companies across the globe. It mainly provides standardised information on private companies and corporate structures.

<sup>(6)</sup> Qichacha is a private, for-profit Chinese-owned database that delivers business data, credit information, and analytics on China-based private and public companies to consumers/professionals.

- (12) With regard to the condition set out in Article 2(b) of Implementing Regulation (EU) 2019/1198 that the applicant is not related to any exporters or producers which are subject to the anti-dumping measures imposed by Implementing Regulation (EU) 2019/1198 that has or could have cooperated in the original investigation, the applicant showed that it was not related to any of the Chinese exporting producers which are subject to the anti-dumping measures. The applicant has two shareholders, holding 80 % and 20 % respectively. According to the Qichacha database, the applicant's shareholders held shares in several other companies, which were however not related to the product concerned and were already deregistered. Fujian Dehua Longdong Ceramics Co., Ltd, the applicant's related company established during the original investigation period with the same shareholders, only sold products on the domestic market. According to the VAT statements of the related company that were provided, no export sales were realised. Therefore, the applicant fulfilled this condition.
- (13) With regard to the condition set out in Article 2(c) of Implementing Regulation (EU) 2019/1198, that the applicant has actually exported the product concerned to the Union after the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity to the Union, during the investigation the Commission established that the applicant exported the product concerned to the Union in 2020, therefore after the original investigation period. The applicant submitted an invoice, purchase order, customs clearance documents, a bill of lading and a receipt of payment for an order placed in 2019 by a company in Spain. In addition, according to the sales ledger that was reconciled with the financial statements, in 2020 there were other shipments of the product concerned to the Union. Therefore, the applicant fulfilled this condition.
- (14) Accordingly, the applicant fulfils all three conditions to be granted NEPT, as set out in Article 2 of Implementing Regulation (EU) 2019/1198 and the request should therefore be accepted. Consequently, the applicant should be subject to an anti-dumping duty of 17,9 % for cooperating companies not included in the sample of the original investigation.

#### D. DISCLOSURE

- (15) The applicant and the Union industry were informed of the essential facts and considerations based on which it was considered appropriate to grant the anti-dumping duty rate applicable to the cooperating companies not included in the sample of the original investigation to Fujian Dehua Longnan Ceramics Co., Ltd.
- (16) The parties were granted the possibility to submit comments and the Union industry provided comments.
- (17) Following disclosure, the Union industry claimed that Fujian Dehua Longdong Ceramics Co., Ltd, the applicant's related company, has registered a representative for import-export activities at the customs office of Quanzhou on 18 November 2013. The Union industry thereby argued that the related company did realise export sales.
- (18) The Commission noted that the date of registration of the representative of Fujian Dehua Longdong Ceramics Co., Ltd (18 November 2013) falls after the original investigation period, which ended on 31 December 2011. Moreover, as explained in recital (12), based on the VAT statements provided for the original investigation period, the Commission established that Fujian Dehua Longdong Ceramics Co., Ltd did not export the product concerned to the Union during the original investigation period. No evidence contradicting this finding was submitted or found by the Commission. Therefore, the Commission concluded that the Applicant met the condition set out in Article 2(b) of Implementing Regulation (EU) 2019/1198 and the claim was rejected.
- (19) The present Regulation is in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EU) 2016/1036,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following company is added to Annex I of Implementing Regulation (EU) 2019/1198 as replaced by Annex 1 of Implementing Regulation (EU) 2019/2131 containing the list of cooperating companies not included in the sample:

Company	TARIC additional code
Fujian Dehua Longnan Ceramics Co., Ltd	899D

*Article 2*

This Regulation shall enter into force on the day following that 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, 31 March 2023.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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**COMMISSION IMPLEMENTING REGULATION (EU) 2023/725****of 31 March 2023****amending Annexes V, XIV and XV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada, Chile, the United Kingdom and the United States in the lists of third countries authorised for the entry into the Union of consignments of poultry and germinal products of poultry and fresh meat of poultry and game birds and meat products from ungulates, poultry and game birds****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law')<sup>(1)</sup>, and in particular Articles 230(1) and 232(1) and (3) thereof.

Whereas:

- (1) Regulation (EU) 2016/429 provides that consignments of animals, germinal products and products of animal origin must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation in order to enter the Union.
- (2) Commission Delegated Regulation (EU) 2020/692<sup>(2)</sup> lays down the animal health requirements that consignments of certain species and categories of animals, germinal products and products of animal origin, from third countries or territories, or zones thereof, or compartments thereof in the case of aquaculture animals, must comply with in order to enter the Union.
- (3) Commission Implementing Regulation (EU) 2021/404<sup>(3)</sup> establishes the lists of third countries, or territories, or zones or compartments thereof, from which the entry into the Union of the species and categories of animals, germinal products and products of animal origin falling within the scope of Delegated Regulation (EU) 2020/692 is permitted.
- (4) More particularly, Annexes V, XIV and XV to Implementing Regulation (EU) 2021/404 set out the lists of third countries, or territories, or zones thereof authorised for the entry into the Union, respectively, of consignments of poultry, germinal products of poultry, of fresh meat from poultry and game birds and of meat products from ungulates, poultry and game birds.
- (5) Canada has notified the Commission of three outbreaks of highly pathogenic avian influenza in poultry in the provinces of Nova Scotia (1) and Ontario (2), Canada, which were confirmed between 3 March 2023 and on 14 March 2023 by laboratory analysis (RT-PCR).
- (6) Chile has notified the Commission of an outbreak of highly pathogenic avian influenza in poultry in the Region of O'Higgins, Chile, which was confirmed on 12 March 2023 by laboratory analysis (RT-PCR).

<sup>(1)</sup> OJ L 84, 31.3.2016, p. 1.

<sup>(2)</sup> Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

<sup>(3)</sup> Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 1).

- (7) Moreover, the United Kingdom has notified the Commission of an outbreak of highly pathogenic avian influenza in poultry in the county of Cumbria in England, United Kingdom which was confirmed on 10 March 2023 by laboratory analysis (RT-PCR).
- (8) Additionally, the United States has notified the Commission of 22 outbreaks of highly pathogenic avian influenza in poultry in the states of Florida (1), Pennsylvania (20) and South Dakota (1), United States, which were confirmed between 3 March 2023 and 23 March 2023 by laboratory analysis (RT-PCR).
- (9) Following those recent outbreaks of highly pathogenic avian influenza, the veterinary authorities of Canada, Chile, the United Kingdom and the United States established control zones of at least 10 km around the affected establishments and implemented a stamping-out policy in order to control the presence of highly pathogenic avian influenza and limit the spread of that disease.
- (10) Canada, Chile, the United Kingdom and the United States have submitted information to the Commission on the epidemiological situation on their territory and the measures they have taken to prevent the further spread of highly pathogenic avian influenza. That information has been evaluated by the Commission. On the basis of that evaluation and in order to protect the animal health status of the Union, the entry into the Union of consignments of poultry and germinal products of poultry, and fresh meat of poultry and game birds from the areas under restrictions established by the veterinary authorities of Canada, Chile, the United Kingdom and the United States due to the recent outbreaks of highly pathogenic avian influenza should no longer be authorised.
- (11) In addition, the risk mitigating treatment D, in accordance with Annex XXVI to Delegated Regulation (EU) 2020/692, should be required for the entry into the Union of consignments of meat products from poultry and game birds from affected zones of Chile defined under 'CL-2' in Part 2 of Annex XV of Implementing Regulation (EU) 2021/404.
- (12) Furthermore, Canada has submitted updated information on the epidemiological situation on its territory in relation to eight outbreaks of highly pathogenic avian influenza in poultry establishments in the provinces British Columbia (6), Ontario (1) and Saskatchewan (1), Canada which were confirmed between 27 October 2022 and 6 January 2023.
- (13) In addition, the United Kingdom has submitted updated information on the epidemiological situation on its territory in relation to fourteen outbreaks of highly pathogenic avian influenza in poultry establishments in the counties of Cambridgeshire, (1), Essex (1), Norfolk (2) North Yorkshire (4) Suffolk (1) and Yorkshire (2) in England, United Kingdom, and in the council areas of Dumfries and Galloway (1) Moray (1) and Perth and Kinross (1) in Scotland, United Kingdom, which were confirmed between 21 August 2022 and 27 January 2023.
- (14) Moreover, the United States has submitted updated information on the epidemiological situation on its territory in relation to 22 outbreaks of highly pathogenic avian influenza in poultry establishments in the states of California (2), Colorado (2), Indiana (1), Iowa (4), Kansas (3), Maryland (1), Minnesota (2), Missouri (2), South Dakota (2), Texas (1) Washington (1) and Wisconsin (1), United States, which were confirmed between 1 September 2022 and 8 February 2023.
- (15) Canada, the United Kingdom and the United States have also submitted information on the measures they have taken to prevent the further spread of highly pathogenic avian influenza. In particular, following those outbreaks of that disease, Canada, the United Kingdom and the United States have implemented a stamping out policy in order to control and limit the spread of that disease, and they have also completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishments on their territories.
- (16) The Commission has evaluated the information submitted by Canada, the United Kingdom and the United States and concluded that the outbreaks of highly pathogenic avian influenza in poultry establishments have been cleared and that there is no longer a risk associated with the entry into the Union of poultry commodities from the zones of Canada, the United Kingdom and the United States from which the entry into the Union of poultry commodities was suspended following those outbreaks.

- (17) Annexes V, XIV and XV to Implementing Regulation (EU) 2021/404 should be therefore amended to take account of the current epidemiological situation as regards highly pathogenic avian influenza in Canada, in the United Kingdom and in the United States.
- (18) Taking into account the current epidemiological situation in Canada, Chile, the United Kingdom and the United States as regards highly pathogenic avian influenza and the serious risk of its introduction into the Union, the amendments to be made to Annexes V, XIV and XV to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.
- (19) Commission Implementing Regulation (EU) 2023/462 (\*) amended Annex V and Annex XIV to Implementing Regulation (EU) 2021/404 by adding an opening date to the row US-2.251 in the entry for the United States in Annex V and in Annex XIV. As one error has been detected concerning the zone to be opened, the row for the zone US-2.251 in Annex V and XIV should be corrected accordingly. This correction should apply from the date of application of Implementing Regulation (EU) 2023/426.
- (20) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes V, XIV and XV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

*Article 2*

**Correction to Implementing Regulation (EU) 2021/404**

1. In Annex V, in Section B of Part 1, in the entry for the United States, the row for the zone US-2.251 is replaced by the following:

<b>US</b> United States	US-2.251	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		2.9.2022'	
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2. In Annex XIV, in Section B of Part 1, in the entry for the United States, the rows for the zones US-2.251 are replaced by the following:

<b>US</b> United States	US-2.251	POU, RAT	N, P1		2.9.2022	
		GBM	P1		2.9.2022'	

(\*) Commission Implementing Regulation (EU) 2023/462 of 2 March 2023 amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada, the United Kingdom and the United States in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry and fresh meat of poultry and game birds (OJ L 68, 6.3.2023, p. 4).

*Article 3*

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

However, Article 2 shall apply from 7 March 2023.

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

Done at Brussels, 31 March 2023.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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## ANNEX

Annexes V, XIV and XV to Implementing Regulation (EU) 2021/404 are amended as follows:

(1) Annex V is amended as follows:

(a) Section B of Part 1 is amended as follows:

(i) in the entry for Canada, the row for the zone CA-2.139 is replaced by the following:

'CA Canada	CA-2.139	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		27.10.2022	13.3.2023'
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(ii) in the entry for Canada, the row for the zone CA-2.149 is replaced by the following:

'CA Canada	CA-2.149	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		16.11.2022	3.3.2023'
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(iii) in the entry for Canada, the rows for the zones CA-2.151 and CA-2.152 are replaced by the following:

'CA Canada	CA-2.151	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		18.11.2022	3.3.2023
	CA-2.152		N, P1		19.11.2022	3.3.2023'

(iv) in the entry for Canada, the row for the zone CA-2.154 is replaced by the following:

'CA Canada	CA-2.154	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		21.11.2022	3.3.2023'
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(v) in the entry for Canada, the row for the zone CA-2.164 is replaced by the following:

'CA Canada	CA-2.164	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		6.12.2022	6.3.2023'
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(vi) in the entry for Canada, the row for the zone CA-2.167 is replaced by the following:

'CA Canada	CA-2.167	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		21.12.2022	8.3.2023'
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(vii) in the entry for Canada, the row for the zone CA-2.171 is replaced by the following:

'CA Canada	CA-2.171	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		6.1.2023	5.3.2023'
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- (viii) in the entry for Canada, the following rows for the zones CA-2.175 to CA-2.177 are added after the row for the zone CA-2.174:

'CA Canada	CA-2.175	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		3.3.2023	
	CA-2.176		N, P1		10.3.2023	
	CA-2.177		N, P1		14.3.2023'	

- (ix) the entry for Chile is replaced by the following:

'CL Chile	CL-0	SPF				
	CL-1	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N			
	CL-2					
	CL-2.1	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		12.3.2023'	

- (x) in the entry for the United Kingdom, the row for the zone GB-2.133 is replaced by the following:

'GB United King- dom	GB-2.133	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		21.8.2022	21.3.2023'
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- (xi) in the entry for the United Kingdom, the row for the zone GB-2.146 is replaced by the following:

'GB United King- dom	GB-2.146	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		18.9.2022	15.3.2023'
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- (xii) in the entry for the United Kingdom, the row for the zone GB-2.151 is replaced by the following:

'GB United King- dom	GB-2.151	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		22.9.2022	16.3.2023'
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- (xiii) in the entry for the United Kingdom, the rows for the zones GB-2.156 and GB-2.157 are replaced by the following:

'GB United King- dom	GB-2.156	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		28.9.2022	6.3.2023
	GB-2.157		N, P1		29.9.2022	7.3.2023'

(xiv) in the entry for the United Kingdom, the row for the zone GB-2.175 is replaced by the following:

<b>'GB</b> United King- dom	GB-2.175	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		11.10.2022	19.3.2023'
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(xv) in the entry for the United Kingdom, the row for the zone GB-2.202 is replaced by the following:

<b>'GB</b> United King- dom	GB-2.202	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		19.10.2022	23.3.2023'
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(xvi) in the entry for the United Kingdom, the row for the zone GB-2.209 is replaced by the following:

<b>'GB</b> United King- dom	GB-2.209	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		22.10.2022	22.3.2023'
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(xvii) in the entry for the United Kingdom, the row for the zone GB-2.232 is replaced by the following:

<b>'GB</b> United King- dom	GB-2.232	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		31.10.2022	18.3.2023'
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(xviii) in the entry for the United Kingdom, the row for the zone GB-2.235 is replaced by the following:

<b>'GB</b> United King- dom	GB-2.235	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		1.11.2023	16.3.2023'
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(xix) in the entry for the United Kingdom, the row for the zone GB-2.251 is replaced by the following:

<b>'GB</b> United King- dom	GB-2.251	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		10.11.2022	16.3.2023'
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(xx) in the entry for the United Kingdom, the row for the zone GB-2.277 is replaced by the following:

<b>'GB</b> United King- dom	GB-2.277	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		14.12.2022	15.3.2023'
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(xxi) in the entry for the United Kingdom, the row for the zone GB-2.280 is replaced by the following:

<b>'GB</b> United Kingdom	GB-2.280	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		17.12.2022	9.3.2023'
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(xxii) in the entry for the United Kingdom, the row for the zone GB-2.292 is replaced by the following:

<b>'GB</b> United Kingdom	GB-2.292	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		27.1.2023	23.3.2023'
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(xxiii) in the entry for the United Kingdom, the following row for the zone GB-2.296 is added after the row for the zone GB-2.295:

<b>'GB</b> United Kingdom	GB-2.296	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		10.3.2023'	
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(xxiv) in the entry for the United States, the rows for the zones US-2.250 and US-2.251 are replaced by the following:

<b>'US</b> United States	US-2.250	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		1.9.2022	28.2.2023
	US-2.251		N, P1		2.9.2022	1.3.2023'

(xxv) in the entry for the United States, the row for the zone US-2.274 is replaced by the following:

<b>'US</b> United States	US-2.274	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		21.9.2022	19.2.2023'
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(xxvi) in the entry for the United States, the row for the zone US-2.299 is replaced by the following:

<b>'US</b> United States	US-2.299	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		7.10.2022	11.3.2023'
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(xxvii) in the entry for the United States, the row for the zone US-2.307 is replaced by the following:

<b>'US</b> United States	US-2.307	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		7.10.2022	6.3.2023'
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(xxviii) in the entry for the United States, the row for the zone US-2.349 is replaced by the following:

'US United States	US-2.349	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		16.11.2022	15.2.2023'
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(xxix) in the entry for the United States, the row for the zone US-2.360 is replaced by the following:

'US United States	US-2.360	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		28.11.2022	9.2.2023'
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(xxx) in the entry for the United States, the row for the zone US-2.362 is replaced by the following:

'US United States	US-2.362	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		29.11.2022	19.1.2023'
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(xxxii) in the entry for the United States, the row for the zone US-2.369 is replaced by the following:

'US United States	US-2.369	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		5.12.2022	20.2.2023'
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(xxxiii) in the entry for the United States, the row for the zone US-2.373 is replaced by the following:

'US United States	US-2.373	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		7.12.2022	13.3.2023'
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(xxxiii) in the entry for the United States, the rows for the zones US-2.376 and US-2.377 are replaced by the following:

'US United States	US-2.376	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		12.12.2022	26.2.2023
	US-2.377		N, P1		12.12.2022	8.3.2023'

(xxxiv) in the entry for the United States, the row for the zone US-2.380 is replaced by the following:

'US United States	US-2.380	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		12.12.2022	2.3.2023'
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(xxxv) in the entry for the United States, the rows for the zones US-2.382 and US-2.383 are replaced by the following:

'US United States	US-2.382	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		9.12.2022	20.2.2023
	US-2.383		N, P1		12.12.2022	12.2.2023'

(xxxvi) in the entry for the United States, the row for the zone US-2.386 is replaced by the following:

'US United States	US-2.386	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		14.12.2022	11.2.2023'
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(xxxvii) in the entry for the United States, the rows for the zones US-2.389 and US-2.390 are replaced by the following:

'US United States	US-2.389	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		14.12.2022	9.3.2023
	US-2.390		N, P1		16.12.2022	12.3.2023'

(xxxviii) in the entry for the United States, the rows for the zones US-2.400 and US-2.401 are replaced by the following:

'US United States	US-2.400	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		12.1.2023	26.2.2023
	US-2.401		N, P1		18.1.2023	20.2.2023'

(xxxix) in the entry for the United States, the row for the zone US-2.404 is replaced by the following:

'US United States	US-2.404	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		17.1.2023	28.2.2023'
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(xl) in the entry for the United States, the row for the zone US-2.411 is replaced by the following:

'US United States	US-2.411	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		8.2.2023	4.3.2023'
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(xli) in the entry for the United States, the following rows for the zones US-2.425 to US-2.446 are added after the row for the zone US-2.424:

'US United States	US-2.425	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		3.3.2023	
	US-2.426		N, P1		3.3.2023	
	US-2.427		N, P1		3.3.2023	
	US-2.428		N, P1		3.3.2023	
	US-2.429		N, P1		3.3.2023	
	US-2.430		N, P1		3.3.2023	
	US-2.431		N, P1		6.3.2023	
	US-2.432		N, P1		6.3.2023	
	US-2.433		N, P1		6.3.2023	
	US-2.434		N, P1		6.3.2023	
	US-2.435		N, P1		13.3.2023	
	US-2.436		N, P1		14.3.2023	

	US-2.437		N, P1		14.3.2023	
	US-2.438		N, P1		14.3.2023	
	US-2.439		N, P1		14.3.2023	
	US-2.440		N, P1		14.3.2023	
	US-2.441		N, P1		15.3.2023	
	US-2.442		N, P1		16.3.2023	
	US-2.443		N, P1		16.3.2023	
	US-2.444		N, P1		16.3.2023	
	US-2.445		N, P1		22.3.2023	
	US-2.446		N, P1		21.3.2023'	

(b) Part 2 is amended as follows:

- (i) in the entry for Canada, the following descriptions of the zones CA-2.175 to CA-2.177 are added after the description of the zone CA-2.174:

'Canada	CA-2.175	Nova Scotia - Latitude 43.98, Longitude -66.14 The municipalities involved are: 3km PZ: Darlings Lake, Port Maitland, and Yarmouth. 10km SZ: Beaver River, Brenton, Cedar Lake, Darlings Lake, Lake George, Port Maitland, Salmon River, Sandford, South Ohio, Springdale, and Yarmouth
	CA-2.176	Ontario- Latitude 42.31, Longitude -82.06 The municipalities involved are: 3km PZ: Blenheim and Charing Cross 10km SZ: Blenheim, Charing Cross, Cedar Springs, Chatham, and Merlin
	CA-2.177	Ontario- Latitude 43.03, Longitude -79.5 The municipalities involved are: 3km PZ: Wellandport 10km SZ: Dunnville, Fenwick, Lowbanks, Saint Anns, Smithville, Wainfleet, and Wellandport'

- (ii) the following entries for Chile are inserted between the entries for Canada and the entries for the United Kingdom:

'Chile	CL-1	The whole country of Chile, excluding area CL-2
	CL-2	The territory of Chile corresponding to:
	CL-2.1	Región de O'Higgins, Provincia Cachapoal, Comuna de Rancagua- Latitude -34.1121 , Longitude -70.8475 Communities in the Protection Zone: La Rubiana, La Ramirana, Los Maitenes, Santa Elena, Los Huertos, Chancón, El Carmen Communities in the Surveillance Zone: El Inglés, La Chica, Santa Amelia, San Ramón, Las Mercedes, La Moranina, La Gonzalina, Punta de Cortés'

- (iii) in the entry for the United Kingdom, the following description of the zone GB-2.296 is added after the description of the zone GB-2.295:

'United Kingdom	GB-2.296	near Southwaite, Eden, Cumbria, England, GB The area contained with a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N54.82 and Long: W2.90'
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- (iv) in the entry for the United States, the following description of the zones US-2.425 to US-2.446 are added after the description of the zone US-2.424:

'United States	US-2.425	State of Pennsylvania - Chester 02 Chester County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0040060°W 39.8915913°N)
	US-2.426	State of Pennsylvania - Chester 03 Chester County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0054897°W 39.8865517°N)
	US-2.427	State of Pennsylvania - Lancaster 18 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 75.9969849°W 40.2793739°N)
	US-2.428	State of Pennsylvania - Lancaster 19 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0098437°W 40.2993763°N)
	US-2.429	State of Pennsylvania - Lancaster 20 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 75.9248100°W 40.2353390°N)
	US-2.430	State of Pennsylvania - Northumberland 01 Northumberland County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.7998841°W 40.7447856°N)
	US-2.431	State of Pennsylvania - Bucks 01 Bucks County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 74.9234997°W 40.3581763°N)
	US-2.432	State of Pennsylvania - Lancaster 21 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0342007°W 40.2826818°N)
	US-2.433	State of Pennsylvania - Lancaster 22 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 75.9893114°W 40.2625025°N)
	US-2.434	State of Pennsylvania - Lancaster 23 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0211114°W 40.2357397°N)

US-2.435	State of Pennsylvania - Lancaster 24 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 75.9775070°W 40.2611400°N)
US-2.436	State of Pennsylvania - Lancaster 25 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0340922°W 40.2780718°N)
US-2.437	State of Pennsylvania - Lancaster 26 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0334251°W 40.2950514°N)
US-2.438	State of Pennsylvania - Lancaster 27 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0411211°W 40.2780333°N)
US-2.439	State of Pennsylvania - Lancaster 28 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0448456°W 40.2785541°N)
US-2.440	State of Pennsylvania - Lancaster 29 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0396799°W 40.2765231°N)
US-2.441	State of Pennsylvania - Lancaster 32 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0159178°W 40.2821179°N)
US-2.442	State of Pennsylvania - Chester 04 Chester County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 75.8553223°W 40.2083044°N)
US-2.443	State of Pennsylvania - Lancaster 30 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0468740°W 40.2899244°N)
US-2.444	State of Pennsylvania - Lancaster 31 Lancaster County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 75.9373184°W 40.2281018°N)
US-2.445	State of South Dakota- Spink 08 Spink County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 98.6589807°W 45.1560533°N)
US-2.446	State of Florida - Hillsborough 04 Hillsborough County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 82.3783495°W 28.0936128°N)



(2) Annex XIV is amended as follows:

(a) Section B of Part 1 is amended as follows:

(i) in the entry for Canada, the rows for the zone CA-2.139 are replaced by the following:

'CA Canada	CA-2.139	POU, RAT	N, P1		27.10.2022	13.3.2023
		GBM	P1		27.10.2022	13.3.2023'

(ii) in the entry for Canada, the rows for the zone CA-2.149 are replaced by the following:

'CA Canada	CA-2.149	POU, RAT	N, P1		16.11.2022	3.3.2023
		GBM	P1		16.11.2022	3.3.2023'

(iii) in the entry for Canada, the rows for the zones CA-2.151 and CA-2.152 are replaced by the following:

'CA Canada	CA-2.151	POU, RAT	N, P1		18.11.2022	3.3.2023
		GBM	P1		18.11.2022	3.3.2023
	CA-2.152	POU, RAT	N, P1		19.11.2022	3.3.2023
		GBM	P1		19.11.2022	3.3.2023'

(iv) in the entry for Canada, the rows for the zone CA-2.154 are replaced by the following:

'CA Canada	CA-2.154	POU, RAT	N, P1		21.11.2022	3.3.2023
		GBM	P1		21.11.2022	3.3.2023'

(v) in the entry for Canada, the rows for the zone CA-2.164 are replaced by the following:

'CA Canada	CA-2.164	POU, RAT	N, P1		6.12.2022	6.3.2023
		GBM	P1		6.12.2022	6.3.2023'

(vi) in the entry for Canada, the rows for the zone CA-2.167 are replaced by the following:

'CA Canada	CA-2.167	POU, RAT	N, P1		21.12.2022	8.3.2023
		GBM	P1		21.12.2022	8.3.2023'

(vii) in the entry for Canada, the rows for the zone CA-2.171 are replaced by the following:

'CA Canada	CA-2.171	POU, RAT	N, P1		6.1.2023	5.3.2023
		GBM	P1		6.1.2023	5.3.2023'

- (viii) in the entry for Canada, the following rows for the zones CA-2.175 to CA-2.177 are added after the rows for the zone CA-2.174:

<b>'CA</b> Canada	CA-2.175	POU, RAT	N, P1		3.3.2023	
		GBM	P1		3.3.2023	
	CA-2.176	POU, RAT	N, P1		10.3.2023	
		GBM	P1		10.3.2023	
	CA-2.177	POU, RAT	N, P1		14.3.2023	
		GBM	P1		14.3.2023'	

- (ix) the entry for Chile is replaced by the following:

<b>'CL</b> Chile	CL-0	-				
	CL-1	POU, RAT	N			
		GBM				
	CL-2					
	CL-2.1	POU, RAT	N, P1		12.3.2023	
		GBM	P1		12.3.2023'	

- (x) in the entry for the United Kingdom, the rows for the zone GB-2.133 are replaced by the following:

<b>'GB</b> United Kingdom	GB-2.133	POU, RAT	N, P1		21.8.2022	21.3.2023
		GBM	P1		21.8.2022	21.3.2023'

- (xi) in the entry for the United Kingdom, the rows for the zone GB-2.146 are replaced by the following:

<b>'GB</b> United Kingdom	GB-2.146	POU, RAT	N, P1		18.9.2022	15.3.2023
		GBM	P1		18.9.2022	15.3.2023'

- (xii) in the entry for the United Kingdom, the rows for the zone GB-2.151 are replaced by the following:

<b>'GB</b> United Kingdom	GB-2.151	POU, RAT	N, P1		22.9.2022	16.3.2023
		GBM	P1		22.9.2022	16.3.2023'

- (xiii) in the entry for the United Kingdom, the rows for the zones GB-2.156 and GB-2.157 are replaced by the following:

<b>'GB</b> United King- dom	GB-2.156	POU, RAT	N, P1		28.9.2022	6.3.2023
		GBM	P1		28.9.2022	6.3.2023
	GB-2.157	POU, RAT	N, P1		29.9.2022	7.3.2023
		GBM	P1		29.9.2022	7.3.2023'

- (xiv) in the entry for the United Kingdom, the rows for the zone GB-2.175 are replaced by the following:

<b>'GB</b> United King- dom	GB-2.175	POU, RAT	N, P1		11.10.2022	19.3.2023
		GBM	P1		11.10.2022	19.3.2023'

- (xv) in the entry for the United Kingdom, the rows for the zone GB-2.202 are replaced by the following:

<b>'GB</b> United King- dom	GB-2.202	POU, RAT	N, P1		19.10.2022	23.3.2023
		GBM	P1		19.10.2022	23.3.2023'

- (xvi) in the entry for the United Kingdom, the rows for the zone GB-2.209 are replaced by the following:

<b>'GB</b> United King- dom	GB-2.209	POU, RAT	N, P1		22.10.2022	22.3.2023
		GBM	P1		22.10.2022	22.3.2023'

- (xvii) in the entry for the United Kingdom, the rows for the zone GB-2.232 are replaced by the following:

<b>'GB</b> United King- dom	GB-2.232	POU, RAT	N, P1		31.10.2022	18.3.2023
		GBM	P1		31.10.2022	18.3.2023'

- (xviii) in the entry for the United Kingdom, the rows for the zone GB-2.235 are replaced by the following:

<b>'GB</b> United King- dom	GB-2.235	POU, RAT	N, P1		1.11.2022	16.3.2023
		GBM	P1		1.11.2023	16.3.2023'

(xix) in the entry for the United Kingdom, the rows for the zone GB-2.251 are replaced by the following:

'GB United Kingdom	GB-2.251	POU, RAT	N, P1		10.11.2022	16.3.2023
		GBM	P1		10.11.2022	16.3.2023'

(xx) in the entry for the United Kingdom, the rows for the zone GB-2.277 are replaced by the following:

'GB United Kingdom	GB-2.277	POU, RAT	N, P1		14.12.2022	15.3.2023
		GBM	P1		14.12.2022	15.3.2023'

(xxi) in the entry for the United Kingdom, the rows for the zone GB-2.280 are replaced by the following:

'GB United Kingdom	GB-2.280	POU, RAT	N, P1		17.12.2022	9.3.2023
		GBM	P1		17.12.2022	9.3.2023'

(xxii) in the entry for the United Kingdom, the rows for the zone GB-2.292 are replaced by the following:

'GB United Kingdom	GB-2.292	POU, RAT	N, P1		27.1.2023	23.3.2023
		GBM	P1		27.1.2023	23.3.2023'

(xxiii) in the entry for the United Kingdom, the following rows for the zone GB-2.296 are added after the rows for the zone GB-2.295:

'GB United Kingdom	GB-2.296	POU, RAT	N, P1		10.3.2023	
		GBM	P1		10.3.2023'	

(xxiv) in the entry for the United States, the rows for the zones US-2.250 and US-2.251 are replaced by the following:

'US United States	US-2.250	POU, RAT	N, P1		1.9.2022	28.2.2023
		GBM	P1		1.9.2022	28.2.2023
	US-2.251	POU, RAT	N, P1		2.9.2022	1.3.2023
		GBM	P1		2.9.2022	1.3.2023'

(xxv) in the entry for the United States, the rows for the zone US-2.274 are replaced by the following:

‘US United States	US-2.274	POU, RAT	N, P1		21.9.2022	19.2.2023
		GBM	P1		21.9.2022	19.2.2023’

(xxvi) in the entry for the United States, the rows for the zone US-2.299 are replaced by the following:

‘US United States	US-2.299	POU, RAT	N, P1		7.10.2022	11.3.2023
		GBM	P1		7.10.2022	11.3.2023’

(xxvii) in the entry for the United States, the rows for the zone US-2.307 are replaced by the following:

‘US United States	US-2.307	POU, RAT	N, P1		7.10.2022	6.3.2023
		GBM	P1		7.10.2022	6.3.2023’

(xxviii) in the entry for the United States, the rows for the zone US-2.349 are replaced by the following:

‘US United States	US-2.349	POU, RAT	N, P1		16.11.2022	15.2.2023
		GBM	P1		16.11.2022	15.2.2023’

(xxix) in the entry for the United States, the rows for the zone US-2.360 are replaced by the following:

‘US United States	US-2.360	POU, RAT	N, P1		28.11.2022	9.2.2023
		GBM	P1		28.11.2022	9.2.2023’

(xxx) in the entry for the United States, the rows for the zone US-2.362 are replaced by the following:

‘US United States	US-2.362	POU, RAT	N, P1		29.11.2022	19.1.2023
		GBM	P1		29.11.2022	19.1.2023’

(xxxi) in the entry for the United States, the rows for the zone US-2.369 are replaced by the following:

‘US United States	US-2.369	POU, RAT	N, P1		5.12.2022	20.2.2023
		GBM	P1		5.12.2022	20.2.2023’

(xxxii) in the entry for the United States, the rows for the zone US-2.373 are replaced by the following:

'US United States	US-2.373	POU, RAT	N, P1		7.12.2022	13.3.2023
		GBM	P1		7.12.2022	13.3.2023'

(xxxiii) in the entry for the United States, the rows for the zones US-2.376 and US-2.377 are replaced by the following:

'US United States	US-2.376	POU, RAT	N, P1		12.12.2022	26.2.2023
		GBM	P1		12.12.2022	26.2.2023
	US-2.377	POU, RAT	N, P1		12.12.2022	8.3.2023
		GBM	P1		12.12.2022	8.3.2023'

(xxxiv) in the entry for the United States, the rows for the zone US-2.380 are replaced by the following:

'US United States	US-2.380	POU, RAT	N, P1		12.12.2022	2.3.2023
		GBM	P1		12.12.2022	2.3.2023'

(xxxv) in the entry for the United States, the rows for the zones US-2.382 and US-2.383 are replaced by the following:

'US United States	US-2.382	POU, RAT	N, P1		9.12.2022	20.2.2023
		GBM	P1		9.12.2022	20.2.2023
	US-2.383	POU, RAT	N, P1		12.12.2022	12.2.2023
		GBM	P1		12.12.2022	12.2.2023'

(xxxvi) in the entry for the United States, the rows for the zone US-2.386 are replaced by the following:

'US United States	US-2.386	POU, RAT	N, P1		14.12.2022	11.2.2023
		GBM	P1		14.12.2022	11.2.2023'

(xxxvii) in the entry for the United States, the rows for the zones US-2.389 and US-2.390 are replaced by the following:

'US United States	US-2.389	POU, RAT	N, P1		14.12.2022	9.3.2023
		GBM	P1		14.12.2022	9.3.2023
	US-2.390	POU, RAT	N, P1		16.12.2022	12.3.2023
		GBM	P1		16.12.2022	12.3.2023'

(xxxviii) in the entry for the United States, the rows for the zones US-2.400 and US-2.401 are replaced by the following:

<b>'US</b> United States	US-2.400	POU, RAT	N, P1		12.1.2023	26.2.2023
		GBM	P1		12.1.2023	26.2.2023
	US-2.401	POU, RAT	N, P1		18.1.2023	20.2.2023
		GBM	P1		18.1.2023	20.2.2023'

(xxxix) in the entry for the United States, the rows for the zone US-2.404 are replaced by the following:

<b>'US</b> United States	US-2.404	POU, RAT	N, P1		17.1.2023	28.2.2023
		GBM	P1		17.1.2023	28.2.2023'

(xl) in the entry for the United States, the rows for the zone US-2.411 are replaced by the following:

<b>'US</b> United States	US-2.411	POU, RAT	N, P1		8.2.2023	4.3.2023
		GBM	P1		8.2.2023	4.3.2023'

(xli) in the entry for the United States, the following rows for the zones US-2.425 to US-2.446 are added after the rows for the zone US-2.424:

<b>'US</b> United States	US-2.425	POU, RAT	N, P1		3.3.2023	
		GBM	P1		3.3.2023	
	US-2.426	POU, RAT	N, P1		3.3.2023	
		GBM	P1		3.3.2023	
	US-2.427	POU, RAT	N, P1		3.3.2023	
		GBM	P1		3.3.2023	
	US-2.428	POU, RAT	N, P1		3.3.2023	
		GBM	P1		3.3.2023	
	US-2.429	POU, RAT	N, P1		3.3.2023	
		GBM	P1		3.3.2023	
	US-2.430	POU, RAT	N, P1		3.3.2023	
		GBM	P1		3.3.2023	
	US-2.431	POU, RAT	N, P1		6.3.2023	
		GBM	P1		6.3.2023	
	US-2.432	POU, RAT	N, P1		6.3.2023	
		GBM	P1		6.3.2023	
	US-2.433	POU, RAT	N, P1		6.3.2023	
		GBM	P1		6.3.2023	

US-2.434	POU, RAT	N, P1		6.3.2023	
	GBM	P1		6.3.2023	
US-2.435	POU, RAT	N, P1		13.3.2023	
	GBM	P1		13.3.2023	
US-2.436	POU, RAT	N, P1		14.3.2023	
	GBM	P1		14.3.2023	
US-2.437	POU, RAT	N, P1		14.3.2023	
	GBM	P1		14.3.2023	
US-2.438	POU, RAT	N, P1		14.3.2023	
	GBM	P1		14.3.2023	
US-2.439	POU, RAT	N, P1		14.3.2023	
	GBM	P1		14.3.2023	
US-2.440	POU, RAT	N, P1		14.3.2023	
	GBM	P1		14.3.2023	
US-2.441	POU, RAT	N, P1		15.3.2023	
	GBM	P1		15.3.2023	
US-2.442	POU, RAT	N, P1		16.3.2023	
	GBM	P1		16.3.2023	
US-2.443	POU, RAT	N, P1		16.3.2023	
	GBM	P1		16.3.2023	
US-2.444	POU, RAT	N, P1		16.3.2023	
	GBM	P1		16.3.2023	
US-2.445	POU, RAT	N, P1		22.3.2023	
	GBM	P1		22.3.2023	
US-2.446	POU, RAT	N, P1		21.3.2023	
	GBM	P1		21.3.2023'	

(b) Part 2 is amended as follows:

(i) the entry for Canada is replaced by the following:

'Canada	CA-1	Whole country of Canada, excluding the area CA-2
	CA-2	The zones of Canada described under CA-2 in Part 2 of annex V'

(ii) the following entry for Chile is inserted between the entry for Canada and the entry for China:

'Chile	CL-1	Whole country of Chile, excluding the area CL-2
	CL-2	The zones of Chile described under CL-2 in Part 2 of annex V'



(3) Annex XV is amended as follows

(a) in Section A of Part 1, the entries for Chile are replaced by the following:

‘CL Chile	CL-0	A	A	A	A	A	B	B	Not authorised	Not authorised	Not authorised	MPNT <sup>(*)</sup> MPST	
	CL-1	A	A	A	A	A	B	B	A	A	A	MPNT <sup>(*)</sup> MPST	
	CL-2	A	A	A	A	A	B	B	D	D	D	MPNT <sup>(*)</sup> MPST	

(b) Part 2 of Annex XV is amended as follows:

(i) the entries for Canada are replaced by the following:

‘Canada	CA-1	Whole country of Canada, excluding the area CA-2
	CA-2	The zones of Canada described under CA-2 in Part 2 of annex XIV subject to the dates referred to in column 6 and 7 of the table in section B of Part 1 of that Annex’

(ii) the following entries for Chile are inserted between the entries for Canada and the entry for China

‘Chile	CL-1	Whole country of Chile, excluding the area CL-2
	CL-2	The zones of Chile described under CL-2 in Part 2 of annex XIV subject to the dates referred to in column 6 and 7 of the table in section B of Part 1 of that Annex’

(iii) the entries for the United Kingdom are replaced by the following:

‘United Kingdom	GB-1	Whole country of the United Kingdom, excluding the area GB-2
	GB-2	The zones of the United Kingdom described under GB-2 in Part 2 of annex XIV subject to the dates referred to in column 6 and 7 of the table in section B of Part 1 of that Annex’

(iv) the entries for the United States are replaced by the following:

‘United States	US-1	Whole country of the United States, excluding the area US-2
	US-2	The zones of the United States described under US-2 in Part 2 of annex V subject to the dates referred to in column 6 and 7 of the table in section B of Part 1 of that Annex’

# DECISIONS

## COUNCIL DECISION (CFSP) 2023/726

of 31 March 2023

### **amending certain Council Decisions concerning restrictive measures in order to insert provisions on a humanitarian exemption**

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 9 December 2022, the United Nations Security Council (UNSC) adopted United Nations Security Council Resolution (UNSCR) 2664 (2022), recalling its previous resolutions imposing sanctions measures in response to threats to international peace and security, and emphasising that measures taken by United Nations Member States to implement sanctions comply with their obligations under international law and are not intended to have adverse humanitarian consequences for civilian populations or adverse consequences for humanitarian activities or those carrying them out.
- (2) Expressing its readiness to review, adjust and terminate, when appropriate, its sanctions regimes taking into account the evolution of situations on the ground and the need to minimise unintended adverse humanitarian effects, the UNSC decided, in paragraph 1 of UNSCR 2664 (2022) that the provision, processing or payment of funds, other financial assets or economic resources or the provision of goods and services necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs are permitted and are not a violation of the asset freezes imposed by the UNSC or its Sanctions Committees. For the purposes of this Decision, paragraph 1 of UNSCR 2664 (2022) is termed the 'humanitarian exemption'. The humanitarian exemption is applicable to certain actors as set out in that Resolution.
- (3) UNSCR 2664 (2022) requires that the humanitarian exemption to the asset freeze measures apply to the 1267/1989/2253 ISIL (Da'esh) and Al-Qaida sanctions regime for a period of two years from the date of the adoption of UNSCR 2664 (2022), and states that the UNSC intends to decide on an extension of the application of UNSCR 2664 (2022) prior to the date on which the application of that exemption would otherwise expire.
- (4) UNSCR 2664 (2022) emphasises that where the humanitarian exemption conflicts with previous resolutions, it is to supersede such previous resolutions to the extent of such conflict. However, UNSCR 2664 (2022) clarifies that paragraph 1 of UNSCR 2615 (2021) remains in effect.
- (5) UNSCR 2664 (2022) requests that providers relying on the humanitarian exemption make reasonable efforts to minimise the accrual of any benefits prohibited by sanctions, whether as a result of direct or indirect provision or diversion to designated individuals or entities, including by strengthening the providers' risk management and due diligence strategies and processes.
- (6) The Council considers that the humanitarian exemption to the asset freeze measures pursuant to UNSCR 2664 (2022) should also apply in cases where the Union decides to adopt complementary measures concerning the freezing of funds and economic resources in addition to those decided upon by the UNSC or its Sanctions Committees.

- (7) It is therefore necessary to amend accordingly Council Decisions 2010/413/CFSP <sup>(1)</sup>, 2010/788/CFSP <sup>(2)</sup>, 2014/450/CFSP <sup>(3)</sup>, (CFSP) 2015/740 <sup>(4)</sup>, (CFSP) 2015/1333 <sup>(5)</sup>, (CFSP) 2016/849 <sup>(6)</sup>, (CFSP) 2016/1693 <sup>(7)</sup> and (CFSP) 2017/1775 <sup>(8)</sup>.
- (8) Further action by the Union is necessary to implement certain measures in this Decision,

HAS ADOPTED THIS DECISION:

#### Article 1

Decision (CFSP) 2016/849 is amended as follows:

- (1) in Article 27, paragraph 7 is replaced by the following:

- ‘7. Without prejudice to paragraph 8, the prohibition in paragraphs 1(a) and (2) shall not apply:
- (a) where the Sanctions Committee has determined, on a case-by-case basis, that an exemption is necessary to facilitate the work of international and non-governmental organisations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population;
  - (b) with respect to financial transactions with the Foreign Trade Bank or the Korean National Insurance Company (KNIC) if such transactions are solely for the operation of diplomatic missions in the DPRK or humanitarian activities that are undertaken by, or in coordination with, the United Nations.’;

- (2) in Article 27, the following paragraph is added:

- ‘8. Paragraphs 1 and 2 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:
- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
  - (b) international organisations;
  - (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
  - (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
  - (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,

<sup>(1)</sup> Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP (OJ L 195, 27.7.2010, p. 39).

<sup>(2)</sup> Council Decision 2010/788/CFSP of 20 December 2010 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo (OJ L 336, 21.12.2010, p. 30).

<sup>(3)</sup> Council Decision 2014/450/CFSP of 10 July 2014 concerning restrictive measures in view of the situation in Sudan and repealing Decision 2011/423/CFSP (OJ L 203, 11.7.2014, p. 106).

<sup>(4)</sup> Council Decision (CFSP) 2015/740 of 7 May 2015 concerning restrictive measures in view of the situation in South Sudan and repealing Decision 2014/449/CFSP (OJ L 117, 8.5.2015, p. 52).

<sup>(5)</sup> Council Decision (CFSP) 2015/1333 of 31 July 2015 concerning restrictive measures in view of the situation in Libya, and repealing Decision 2011/137/CFSP (OJ L 206, 1.8.2015, p. 34).

<sup>(6)</sup> Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP (OJ L 141, 28.5.2016, p. 79).

<sup>(7)</sup> Council Decision (CFSP) 2016/1693 of 20 September 2016 concerning restrictive measures against ISIL (Da'esh) and Al-Qaeda and persons, groups, undertakings and entities associated with them and repealing Common Position 2002/402/CFSP (OJ L 255, 21.9.2016, p. 25).

<sup>(8)</sup> Council Decision (CFSP) 2017/1775 of 28 September 2017 concerning restrictive measures in view of the situation in Mali (OJ L 251, 29.9.2017, p. 23).

- (f) appropriate other actors as determined by the Sanctions Committee as regards paragraph 1(a), and paragraph 2 in so far as it refers to persons and entities covered by paragraph 1(a), and by the Council as regards paragraphs 1(b), 1(c) and 1(d), and paragraph 2 in so far as it refers to persons and entities covered by paragraphs 1(b), 1(c) and 1(d).';

- (3) Article 28 is replaced by the following:

*'Article 28*

Without prejudice to Article 27(8), Article 27(1)(d), and Article 27(2) in so far as it refers to the persons and entities covered by Article 27(1)(d), shall not apply with respect to funds, other financial assets or economic resources that are required to carry out the activities of the DPRK's missions to the UN and its specialised agencies and related organisations or other diplomatic and consular missions of the DPRK, or to any funds, other financial assets or economic resources that the Sanctions Committee determines in advance on a case-by-case basis are required for the delivery of humanitarian assistance, denuclearisation or any other purpose consistent with the objectives of UNSCR 2270 (2016).';

- (4) in Article 36, the following paragraph is added:

'3. The exemption referred to in Article 27(8) as regards Article 27(1), points (b), (c) and (d), and Article 27(2) insofar as it refers to persons and entities covered by points (b), (c) and (d) of Article 27(1), shall be reviewed at regular intervals and at least every 12 months.'

*Article 2*

Decision 2010/788/CFSP is amended as follows:

- (1) in Article 5, the following paragraph is added:

'10. Paragraphs 1 and 2 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee with regard to persons and entities referred to in Article 3(1), and by the Council with regard to persons and entities referred to in Article 3(2).';

- (2) in Article 5, paragraph 7 is replaced by the following:

'7. Without prejudice to Article 5(10), with regard to persons and entities listed in Annex II, exemptions may also be made for funds and economic resources which are necessary for humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies and food, or the transfer of humanitarian workers and related assistance or for evacuations from DRC.'

*Article 3*

Decision 2010/413/CFSP is amended as follows:

(1) in Article 20, the following paragraph is added:

'15. Paragraphs 1 and 2 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Committee as regards paragraphs 1(a) and 1(d), and paragraph 2 in so far as it refers to persons and entities covered by paragraphs 1(a) and 1(d), and by the Council as regards paragraphs 1(b), 1(c) and 1(e), and paragraph 2 in so far as it refers to persons and entities covered by paragraphs 1(b), 1(c) and 1(e).';

(2) in Article 26, the following paragraph is added:

'6. The exemption referred to in Article 20(15) as regards Article 20(1), points (b), (c) and (e), and Article 20(2) insofar as it refers to persons and entities covered by points (b), (c) and (e) of Article 20(1), shall be reviewed at regular intervals and at least every 12 months.'

*Article 4*

Decision (CFSP) 2016/1693 is amended as follows:

(1) in Article 3, the following paragraph is added:

'10. Paragraphs 1, 2, 3 and 4 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Committee as regards paragraphs 1 and 2, and by the Council as regards paragraphs 3 and 4.';

(2) Article 6 is replaced by the following:

*Article 6*

1. This Decision shall be reviewed, amended or repealed as appropriate, in particular in the light of relevant decisions by the UNSC or by the Committee.
2. Article 3(10) shall apply until 9 December 2024, unless the UNSC decides to extend the application of UNSCR 2664 (2022) beyond that date.
3. The measures referred to in Article 2(2) and Article 3(3) and (4) shall be reviewed at regular intervals and at least every 12 months.
4. Where observations are submitted by a person or entity designated in accordance with Article 2(2) or Article 3(3) and (4), the Council shall review the designation in light of those observations and the measures shall cease to apply if the Council determines, in accordance with the procedure referred to in Article 5, that the conditions for their application are no longer met.
5. If a further request is made, based on substantial new evidence, to remove a person or entity from the Annex, the Council shall conduct a further review in accordance with paragraph 3.
6. The measures referred to in Article 2(2) and Article 3(3) and (4) shall apply until 31 October 2023.

*Article 5*

Decision (CFSP) 2015/1333 is amended as follows:

(1) in Article 9, the following paragraph is added:

- ‘14. Paragraphs 1, 2 and 4 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:
- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
  - (b) international organisations;
  - (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
  - (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
  - (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
  - (f) appropriate other actors as determined by the Committee as regards paragraph 1, and paragraph 4 in so far as it refers to the persons and entities covered by paragraph 1, and by the Council as regards paragraph 2, and paragraph 4 in so far as it refers to the persons and entities covered by paragraph 2.’;

(2) in Article 9, paragraph 8 is replaced by the following:

- ‘8. Without prejudice to Article 9(14), with regard to persons and entities listed in Annex IV, exemptions may also be made for funds and economic resources which are necessary for humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies, food, the provision of electricity, humanitarian workers and related assistance, or evacuating foreign nationals from Libya.’;

(3) in Article 9, paragraph 9 is replaced by the following:

'9. Without prejudice to Article 9(14), with regard to entities referred to in paragraph 3, exemptions may also be made for funds, financial assets and economic resources provided that:

- (a) the Member State concerned has provided notice to the Committee of its intent to authorise access to funds, other financial assets, or economic resources, for one or more of the following purposes and in the absence of a negative decision by the Committee within five working days of such a notification:
  - (i) humanitarian needs;
  - (ii) fuel, electricity and water for strictly civilian uses;
  - (iii) resuming Libyan production and sale of hydrocarbons;
  - (iv) establishing, operating, or strengthening institutions of civilian government and civilian public infrastructure; or,
  - (v) facilitating the resumption of banking sector operations, including to support or facilitate international trade with Libya;
- (b) the Member State concerned has notified the Committee that those funds, other financial assets or economic resources are not to be made available to or for the benefit of the persons referred to in paragraphs 1, 2 and 3;
- (c) the Member State concerned has consulted in advance the Libyan authorities about the use of such funds, other financial assets, or economic resources; and
- (d) the Member State concerned has shared with the Libyan authorities the notification submitted pursuant to this paragraph and the Libyan authorities have not objected within five working days to the release of such funds, other financial assets, or economic resources.'

#### Article 6

Decision (CFSP) 2017/1775 is amended as follows:

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

'8. Paragraphs 1 and 2 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee.'

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

'8. Paragraphs 1 and 2 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;

- (b) international organisations;
  - (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
  - (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
  - (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
  - (f) appropriate other actors as determined by the Council.;
- (3) in Article 2a, paragraph 7 is replaced by the following:

‘7. Without prejudice to paragraph 8, by way of derogation from paragraphs 1 and 2, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, after having determined that the provision of such funds or economic resources is necessary for humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies, food, or the transfer of humanitarian workers and related assistance or for evacuations from Mali. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under this Article within two weeks of the authorisation.’

#### *Article 7*

Decision (CFSP) 2015/740 is amended as follows:

- (1) in Article 7, the following paragraph is added:

‘7. Article 6 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Committee.;

- (2) in Article 8, the following paragraph is added:

‘6. Article 6 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;



- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Council.’

*Article 8*

In Article 5 of Decision 2014/450/CFSP, the following paragraph is added:

‘5. Paragraphs 1 and 2 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA);
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities; or by,
- (f) appropriate other actors as determined by the Sanctions Committee.’

*Article 9*

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

Done at Brussels, 31 March 2023.

*For the Council*  
*The President*  
J. ROSWALL

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**COUNCIL DECISION (CFSP) 2023/727****of 31 March 2023****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 <sup>(1)</sup>.
- (2) On the basis of a review of Decision 2011/235/CFSP, the Council considers that the restrictive measures set out therein should be renewed until 13 April 2024.
- (3) The entry concerning one person designated in the Annex to Decision 2011/235/CFSP should be removed from that Annex. The entries concerning 18 persons and three entities included in the Annex to Decision 2011/235/CFSP should be updated.
- (4) 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 6, paragraph 2 is replaced by the following:  
'2. This Decision shall apply until 13 April 2024. It shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.';
- (2) the Annex is amended in accordance with the Annex to this Decision.

*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 Brussels, 31 March 2023.

*For the Council*  
*The President*  
J. ROSWALL

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<sup>(1)</sup> 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).

The Annex to Decision 2011/235/CFSP ('List of persons and entities referred to in Articles 1 and 2') is amended as follows:

(1) entry 82 (concerning SARAFRAZ Mohammad (Dr.)) in the list headed 'Persons' is deleted;

(2) the entries for the following 18 persons are replaced by the following:

Persons

	Name	Identifying information	Reasons	Date of listing
'17.	SOLTANI Hodjatoleslam Seyed Mohammad	Gender: male	Since 2018, Hodjatoleslam Seyed Mohammad Soltani serves as deputy prosecutor in the Revolutionary Prosecution Office, Mashhad. Head of the Organisation for Islamic Propaganda in the province of Khorasan-Razavi. Former Judge, Mashhad Revolutionary Court (2013-2019). Trials under his jurisdiction have been conducted summarily and inside closed session, without adherence to basic rights of the accused. As execution rulings were issued en masse, death sentences were issued without proper observance of fair hearing procedures. He is responsible for issuing heavy prison sentences to citizens of the Baha'is minority, due to their religious beliefs, through unfair trials with lack of due process, and the use of extrajudicial procedures.	12.4.2011
19.	JAFARI-DOLATABADI Abbas	POB: Yazd (Iran) DOB: 1953 Gender: male	Former advisor to the Supreme Disciplinary Court of judges (29 April 2019-at least 2020). Former Prosecutor General of Tehran (August 2009-April 2019). Abbas Jafari-Dolatabadi's office indicted a large number of protesters, including individuals who took part in the December 2009 Ashura Day protests. He ordered the closure of Karroubi's office in September 2009 and the arrest of several reformist politicians, and he banned two reformist political parties in June 2010. His office charged protesters with "Muharebeh", or "enmity against God", which carries the death penalty, and denied due process to those facing the death penalty. His office also targeted and arrested reformists, human rights activists and members of the media, as part of a broad crackdown on the political opposition.  In October 2018, he announced to the media that four detained Iranian environmental activists were to be charged with "sowing corruption on earth", a charge which carries the death penalty.	12.4.2011

	Name	Identifying information	Reasons	Date of listing
21.	MOHSENI-EJEI Gholam-Hossein	POB: Ejiyeh (Iran) DOB: circa 1956 Gender: male	Chief of Justice since July 2021. Member of the Expediency Council. Prosecutor General of Iran from September 2009 until 2014. Former Deputy Head of the Judiciary (2014 until July 2021) and spokesperson of the Judiciary (2010-2019). Intelligence Minister from 2005 until 2009. While he was Intelligence Minister during the 2009 elections, intelligence agents under his command were responsible for the detention and torture of, and the extraction of false confessions under pressure from, hundreds of activists, journalists, dissidents and reformist politicians. In addition, political figures were coerced into making false confessions under unbearable interrogation, which included torture, abuse, blackmail and the threatening of family members. During the 2022/2023 protests, Gholam-Hossein Mohseni-Ejei stated that there would be no leniency with protesters.	12.4.2011
25.	SALAVATI Abdolghassem	Gender: male	Judge of the Special Court for Financial Crimes, branch 4 since 2019. Former Head of Tehran Revolutionary Court, branch 15. Committing Judge in the Tehran Tribunal. In charge of the post-election cases, he was the Judge presiding over the “show trials” in summer 2009, he condemned to death two monarchists that appeared in the show trials. He has sentenced more than a hundred political prisoners, human rights activists and demonstrators to lengthy prison sentences.  In 2018, reports showed that he continued to hand down similar sentences without proper observance of fair hearing procedures.  During the 2022 protests, Abdolghassem Salavati sentenced many protestors to death including Mohammad Beroghani and Saman Seydi.	12.4.2011
43.	JAVANI Yadollah	Gender: male Nationality: Iranian Rank: Brigadier-General	IRGC deputy commander for political affairs. Has made numerous attempts to suppress free speech and free discourse through his public statements supporting the arrest and punishment of protesters and dissenters. One of the first high-ranking officials to demand in 2009 the arrest of Moussavi, Karroubi and Khatami. Has supported the use of techniques that breach rights to a fair trial, including public confessions, and he has released the contents of interrogations before trial. Evidence also indicates that he has condoned the use of violence against protesters and as an integral member of the IRGC he is highly likely to have been aware of the use of harsh interrogation techniques to force confessions.	10.10.2011

	Name	Identifying information	Reasons	Date of listing
57.	HAJMOHAM-MADI Aziz (a.k.a. Aziz Hajmohammadi, Noorollah Azizmohammadi)	POB: Tehran (Iran) DOB: 1948 Gender: male	Judge at branch 71 of the Tehran Provincial Criminal Court. Working for the judiciary since 1971, he has been involved in several trials of demonstrators, inter alia, that of Abdol-Reza Ghanbari, a teacher arrested in January 2010 and sentenced to death for his political activities.	10.10.2011
58.	BAGHERI Mohammad-Bagher	Gender: male	In 2019, Mohammad-Bagher Bagheri was appointed Deputy Head of the Judiciary for International Affairs and Secretary of the Human Rights Staff replacing Mohammad Javad Larijani in this position by a decree of Ebrahim Raisi. He was judge at the Supreme court between December 2015 and 2019. Former vice-chairman of the judiciary administration of South Khorasan province, in charge of crime prevention. In addition to his acknowledging, in June 2011, 140 executions for capital offences between March 2010 and March 2011, about 100 other executions are reported to have taken place in the same period and in the same province of South Khorasan without either the families or the lawyers being notified. He was, therefore, complicit in a grave violation of the right to due process, contributing to a high number of death sentences.	10.10.2011
60.	HOSSEINI Dr Seyyed Mohammad (a.k.a. HOSSEYNI Dr Seyyed Mohammad; Seyed, Sayyed and Sayyid) دکتر سید محمد حسینی	POB: Rafsanjan, Kerman (Iran) DOB: 23.7.1961 Gender: male	Vice-president for parliamentary affairs under President Raisi since August 2021. Former advisor to President Mahmoud Ahmadinejad and spokesperson for YEKTA, a hard-line political faction. Minister of Culture and Islamic Guidance (2009-2013). Former Deputy Director of Islamic Republic of Iran Broadcasting (IRIB). Former advisor to the Director of Islamic Culture and Relations Organisation (ICRO). Ex-IRGC, he was complicit in the repression of journalists.	10.10.2011
66.	MIRHEJAZI Ali Ashgar	DOB: 8 September 1946 POB: Isfahan Nationality: Iranian Gender: male	Intelligence advisor to the Supreme Leader. Part of the Supreme Leader's inner circle, one of those responsible for planning the suppression of protests, which has been implemented since 2009, and associated with those responsible for suppressing the protests. He was also responsible for planning the suppression of public unrest in December 2017/2018 and November 2019.	23.3.2012

	Name	Identifying information	Reasons	Date of listing
69.	MORTAZAVI Seyyed Solat	POB: Farsan, Tchar Mahal-o-Bakhtiari (South) – (Iran) DOB: 1967 Gender: male	Since 19 October 2022 (acting) Minister of Cooperatives, Labour and Social Welfare. From September 2021 until October 2022, Vice-President for Executive Affairs of Iran and Head of the Presidential Office. Head of the real estate branch of the Mostazafan Foundation, which was directly run by Supreme Leader Khamenei from 16 September 2019 until September 2021. Until November 2019, Director of the Tehran branch of the Foundation Astan Qods Razavi. Former mayor of the second largest city of Iran, Mashhad, where public executions are regularly carried out. Former Deputy Interior Minister for Political Affairs, appointed in 2009. In that capacity, he was responsible for directing the repression of persons who spoke up in defence of their legitimate rights, including freedom of expression. Later appointed as Head of the Iranian Election Committee for the parliamentary elections in 2012 and for the presidential elections in 2013.	23.3.2012
77.	JAFARI Reza	DOB: 1967 Gender: male	Former advisor to the Disciplinary Court for Judges (2012-2022). Member of the “Committee for Determining Criminal Web Content”, a body responsible for the censorship of websites and social media. Former Head of special prosecution of cybercrime between 2007 and 2012. Was responsible for the repression of freedom of expression, including through the arrest, detention and prosecution of bloggers and journalists. Persons arrested on suspicion of cybercrime were mistreated and subjected to an unfair judicial process.	23.3.2012
81.	MOUSSAVI Seyed Mohammad Bagher (a.k.a. MOUSAVI Sayed Mohammed Baqir) محمدباقر موسوی	Gender: male	Ahwaz Revolutionary Court judge, Branch 2 (2011-2015), imposed death sentences on a number of people, including five Ahwazi Arabs, Mohammad Ali Amouri, Hashem Sha'bani Amouri, Hadi Rashedi, Sayed Jaber Alboshoka, Sayed Mokhtar Alboshoka, on 17 March 2012 for “activities against national security” and “enmity against God”. The sentences were upheld by Iran’s Supreme Court on 9 January 2013. The five were arrested without charge for over a year, tortured and sentenced without due process. Hadi Rashedi and Hashem Sha'bani Amouri were executed in 2014.	12.3.2013

	Name	Identifying information	Reasons	Date of listing
83.	JAFARI Asadollah	Gender: male	<p>Currently Attorney General in Isfahan. In this position, he ordered violent reactions against protesters who took to the streets in November 2021 to protest against water shortages. According to some reports, Asadollah Jafari has announced the formation of a special office to investigate the arrested protesters.</p> <p>From 2017 to 2021, he held the position of Attorney General in North Khorasan Province.</p> <p>As former Prosecutor of Mazandaran Province (2006-2017), Jafari recommended the imposition of the death penalty in cases he prosecuted, which has resulted in many executions including public executions, and in circumstances where the imposition of the death penalty is contrary to international human rights, including by being disproportionate and excessive punishment. Jafari has also been responsible for illegal arrests and violations of the rights of Baha'i detainees from initial arrest to keeping them in solitary confinement in the Intelligence Detention Centre.</p>	12.3.2013
84.	EMADI Hamid Reza (a.k.a. Hamidreza Emadi)	<p>POB: Hamedan (Iran)</p> <p>DOB: circa 1973</p> <p>Place of residence: Tehran</p> <p>Place of work: Press TV HQ, Tehran</p> <p>Gender: male</p>	<p>Former Press TV Newsroom Director. Former Press TV Senior Producer.</p> <p>Responsible for producing and broadcasting the forced confessions of detainees, including journalists, political activists and persons belonging to Kurdish and Arab minorities, violating internationally recognised rights to a fair trial and due process. Independent broadcast regulator OFCOM fined Press TV in the UK GBP 100 000 for broadcasting the forced confession of Iranian-Canadian journalist and film-maker Maziar Bahari in 2011, which was filmed in prison whilst Bahari was under duress. NGOs have reported further instances of forced televised confessions by Press TV. Emadi is therefore associated with violating the right to due process and fair trial.</p> <p>In 2016, he underwent disciplinary proceedings for sexual harassment against his colleague Sheena Shirani, which led to his suspension from the service.</p>	12.3.2013
92.	ASHTARI Hossein	<p>POB: Isfahan (a.k.a. Esfahan, Ispahan)</p> <p>Nationality: Iranian</p> <p>Gender: male</p> <p>Position: Commander in Chief of the Iranian police force</p>	<p>Hossein Ashtari was Commander in Chief of the Iranian police force from March 2015 to January 2023 and is a member of the National Security Council. The police force includes the Emdad Units and the Special Units. Iran's ordinary police force, the Emdad Units and the Special Units used lethal force to suppress the November 2019 protests in Iran, causing the deaths of and injuries to unarmed protesters and other civilians in many cities across the country. As a member of the National Security Council, Ashtari took part in the sessions that resulted in the orders to use lethal force to suppress the November 2019 protests. Ashtari therefore bears responsibility for serious human rights violations in Iran.</p>	12.4.2021

	Name	Identifying information	Reasons	Date of listing
95.	VASEGHI Leyla (a.k.a. VASEQI Layla, VASEGHI Leila, VASEGHI Layla)	POB: Sari, Mazandaran Province (Iran) DOB: 1352 (Iranian Hijri calendar), 1972 or 1973 (Gregorian calendar) Gender: female Position: Former governor of Shahr-e Qods and Head of the City Security Council	As the governor of Shahr-e Qods and Head of the City Security Council from September 2019 until November 2021, Leyla Vaseghi ordered the police and other armed forces to use lethal means during the November 2019 protests, causing the deaths of and injuries to unarmed protesters and other civilians. As the governor of Shahr-e Qods and Head of the City Security Council, Vaseghi bears responsibility for serious human rights violations in Iran. In the context of the 2022/2023 protests, she is still remembered by Iranians as having one of the leading roles in violent repression, with a parallel made between her public words and the current repression.	12.4.2021
137.	REZVANI Ali (a.k.a. REZWANI Ali) رضوانی علی	DOB: 1984 Nationality: Iranian Gender: male Function: Islamic Republic of Iran Broadcasting (IRIB) reporter and news anchor/presenter on political and security affairs	Ali Rezvani is a reporter for Islamic Republic of Iran Broadcasting (IRIB) and news anchor/presenter on IRIB's nightly 20.30 news programme.  IRIB is a state-controlled Iranian media organisation and tasked with spreading government information. IRIB's nightly 20.30 news broadcast, which airs on Channel 2, is the country's leading news programme and considered to be IRIB's primary platform for implementing the agendas of security forces, including the Ministry of Intelligence (MOIS) and the Islamic Revolutionary Guard Corps (IRGC). Documented cases show that the 20.30 news airs forced confessions.  In his capacity as IRIB reporter, Ali Rezvani participates in interrogations leading to forced confessions, thereby directly engaging in and facilitating serious human rights violations. In his capacity as news anchor of the 20.30 news, Rezvani promotes the Iranian security forces' agenda, which condones serious human rights violations such as torture and arbitrary arrests and detention. Rezvani also peddles propaganda against critics in order to intimidate them and to justify and encourage their ill-treatment, thereby violating their right to free expression.  He is therefore responsible for serious human rights violations in Iran.	12.12.2022



	Name	Identifying information	Reasons	Date of listing
142.	BORMAHANI Mohsen (a.k.a. BARMAHANI Mohsen) محسن برمهانی	DOB: 24.5.1979 POB: Neishabur, Iran Nationality: Iranian Gender: male Passport no: A54062245 (Iran), expires 12.7.2026 National ID no: 1063893488 (Iran) Function: Deputy Director of Islamic Republic of Iran Broadcasting (IRIB)	Mohsen Bormahani is the Deputy Director of Islamic Republic of Iran Broadcasting (IRIB), which acts as a regime mouthpiece.  In his position, Bormahani holds responsibility for IRIB content. IRIB severely restricts and denies the free flow of information to the Iranian people. Furthermore, IRIB is actively involved in organising and broadcasting forced “confessions” of regime critics, obtained through intimidation and severe violence. These “confessions” are often aired following public protests, or prior to an execution as a means of reducing public backlash.  Whereas several high-profile state broadcasting personnel have resigned recently and disavowed the Iranian regime’s violent response to the 2022 protests in Iran, Bormahani continues to act in his position as Deputy Director and in recent statements has defended the regime.  He is therefore responsible for serious human rights violations in Iran.	12.12.2022'

(3) the entries for the following three entities are replaced by the following:

#### Entities

	Name	Identifying information	Reasons	Date of listing
'2.	Evin Prison	Address: Tehran Province, Tehran, District 2, Dasht-e Behesht (Iran)	Evin Prison is a detention centre where political prisoners have been held and severe human rights abuses, including torture, have repeatedly taken place over the past years and decades.  November 2019 protesters were, and at least to some extent still are, detained in Evin Prison as political prisoners. Prisoners in Evin Prison are being deprived of basic procedural rights, and are sometimes held in solitary confinement or overcrowded cells with poor hygienic conditions. There are detailed reports of physical and psychological torture. Detainees are denied contact with family and lawyers as well as adequate health treatment.  In the context of the 2022/2023 protests, cases of torture are still being reported. The cause of the fire that led to several deaths and injuries in October 2022 has not been made public and the prison refuses any international inquiries. In the context of the fire, it also became clear that the prison uses internationally condemned landmines to prevent prison escapes. Several third-state nationals have been arbitrarily detained in Evin Prison.	12.4.2021

	Name	Identifying information	Reasons	Date of listing
3.	Fashafouyeh Prison (a.k.a. Greater Tehran Central Penitentiary, Hasanabad-e Qom Prison, Greater Tehran Prison)	Address: Tehran Province, Hasanabad, Bijin Industrial Zone, Tehran, Qom Old Road (Iran) Telephone: +98 21 5625 8050	Fashafouyeh Prison is a detention centre designated originally to detain offenders of drug-related crimes, recently also holding political prisoners and, in some cases, forcing them to share cells with drug addicts. The living and hygienic conditions are very poor, lacking basic needs like clean drinking water.  During the November 2019 protests, several protesters were detained in Fashafouyeh Prison, including minors. Reports indicate that November 2019 protesters were subjected to torture and inhumane treatment at Fashafouyeh Prison, for example by deliberately wounding them with boiling water and through denial of medical treatment. According to an Amnesty International report on the crackdown of the November 2019 protests, children as young as 15 have been detained alongside adults in Fashafouyeh Prison. Three November 2019 protesters who are currently being held in Fashafouyeh Prison were sentenced to death by a court in Tehran.  Since the beginning of the 2022/2023 protests, it has been reported that 3 000 persons were transferred to Fashafouyeh prison and that 835 are currently still there. Several cases of torture and forced confessions have been reported.	12.4.2021
4.	Rajae Shahr Prison (a.k.a. Rajai Shahr Prison, Rajaishahr, Raja'i Shahr, Reja'i Shahr, Rajayi Shahr, Gorhardasht Prison, Gohar Dasht Prison)	Address: Alborz Province, Karaj, Gohardasht, Moazzen Blvd (Iran) Telephone: +98 26 3448 9826	Rajae Shahr Prison has been known for the deprivation of human rights, including severe physical and psychological torture of political prisoners and prisoners of conscience as well as mass executions without fair trial, ever since the Islamic Revolution in 1979.  Hundreds of detainees, including children, were severely mistreated in Rajae Shahr Prison in the aftermath of the November 2019 protests. There are credible reports about numerous cases of torture and other forms of cruel punishment, including cases involving minors.  Since the beginning of the 2022/2023 protests, numerous opponents have been arbitrarily jailed there in conditions that some inmate journalists have described as dangerous and hardly liveable.	12.4.2021'

**COUNCIL DECISION (CFSP) 2023/728  
of 31 March 2023**

**concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

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 31 July 2014, the Council adopted Decision 2014/512/CFSP <sup>(1)</sup> concerning restrictive measures in view of Russia's actions in Ukraine.
- (2) On 25 February 2023, the Council adopted Decision (CFSP) 2023/434 <sup>(2)</sup>, which amended Decision 2014/512/CFSP and introduced further restrictive measures to suspend the broadcasting activities in the Union, or directed at the Union, of certain media outlets. Those outlets are set out in point (3) of the Annex to Decision (CFSP) 2023/434. Pursuant to Article 1, point (11), of Decision (CFSP) 2023/434, the applicability of such measures in respect of one or several of those media outlets is subject to a further decision by the Council.
- (3) Having examined the respective cases, the Council has concluded that the restrictive measures referred to in Article 4g of Decision 2014/512/CFSP should apply from 10 April 2023 in respect of the entities set out in point (3) of the Annex to Decision (CFSP) 2023/434,

HAS ADOPTED THIS DECISION:

*Article 1*

The measures referred to in Article 4g of Decision 2014/512/CFSP shall apply from 10 April 2023 in respect of the entities set out in point (3) of the Annex to Decision (CFSP) 2023/434.

*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 Brussels, 31 March 2023.

*For the Council*  
*The President*  
J. ROSWALL

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<sup>(1)</sup> Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 13).

<sup>(2)</sup> Council Decision (CFSP) 2023/434 of 25 February 2023 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 59 I, 25.2.2023, p. 593).

**COMMISSION IMPLEMENTING DECISION (EU) 2023/729****of 30 March 2023****on the establishment of the technical architecture, technical specifications for entering and storing information and the procedures for controlling and verifying information contained in the European Border and Coast Guard False and Authentic Documents Online system ('EBCG FADO')**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2020/493 of the European Parliament and of the Council of 30 March 2020 on the False and Authentic Documents Online (FADO) system and repealing Council Joint Action 98/700/JHA <sup>(1)</sup>, and in particular Article 6(1), points (a), (b) and (c), thereof,

Whereas:

- (1) The European Image Archiving System on False and Authentic Documents Online (FADO system) was set up to facilitate the exchange of information on the security features and potential fraud characteristics of authentic and false documents between the Member State authorities competent in the area of document fraud. The purpose of the FADO system is also to share information with other actors, including the general public.
- (2) Following the entry into force of Regulation (EU) 2020/493, the current FADO system which is currently operated by the Council will be taken over by the European Border and Coast Guard Agency ('the Agency'), it is therefore necessary to adopt measures for the technical architecture and specifications of the FADO system.
- (3) The technical architecture and specifications of the new 'EBCG FADO' system should enable the Agency to ensure a proper and reliable functioning system and to enter the information obtained in a timely and efficient manner, guaranteeing the uniformity and quality of that information according to high standards. Appropriate document and identity verification should be ensured at all levels, from the most sophisticated forensic examination to the simple check. The EBCG FADO system should provide a single point of access to users who want to manage information or search for FADO content. The system should provide, inter alia, for a systematic and structured transfer of knowledge between document experts and from them to non-document experts.
- (4) The European Data Protection Supervisor has been consulted on this implementing decision.
- (5) Given that Regulation (EU) 2020/493 builds upon the Schengen *acquis*, Denmark, in accordance with Article 4 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union (TEU) and to the TFEU, notified the implementation of Regulation (EU) 2020/493 in its national law. Denmark is therefore bound by this Decision.
- (6) Ireland is taking part in Regulation (EU) 2020/493, in accordance with Article 5(1) of Protocol No 19 on the Schengen *acquis* integrated into the framework of the European Union, annexed to the TEU and to the TFEU and Article 6(2) of Council Decision 2002/192/EC <sup>(2)</sup>. Therefore, Ireland is bound by this Decision.

<sup>(1)</sup> OJ L 107, 6.4.2020, p. 1.

<sup>(2)</sup> Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

- (7) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two states with the implementation, application and development of the Schengen *acquis* <sup>(3)</sup>, which fall within the area referred to in Article 1, point H, of Council Decision 1999/437/EC <sup>(4)</sup>.
- (8) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* <sup>(5)</sup>, which fall within the area referred to in Article 1, point H, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/149/JHA <sup>(6)</sup>.
- (9) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* <sup>(7)</sup>, which fall within the area referred to in Article 1, point H, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/349/EU <sup>(8)</sup>.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 6 of Council Regulation (EC) No 1683/95 <sup>(9)</sup> (Article 6 Committee) and in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council <sup>(10)</sup>.

HAS ADOPTED THIS DECISION:

#### Article 1

The technical architecture of the FADO system, the technical specifications for entering and storing information in the FADO system and the procedures for controlling and verifying the information contained in the FADO system shall be as set out in the Annex.

#### Article 2

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

<sup>(3)</sup> OJ L 176, 10.7.1999, p. 36.

<sup>(4)</sup> Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

<sup>(5)</sup> OJ L 53, 27.2.2008, p. 52.

<sup>(6)</sup> Council Decision 2008/149/JHA of 28 January 2008 on the conclusion on behalf of the European Union of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 50).

<sup>(7)</sup> OJ L 160, 18.6.2011, p. 21.

<sup>(8)</sup> Council Decision 2011/349/EU of 7 March 2011 on the conclusion on behalf of the European Union of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating in particular to judicial cooperation in criminal matters and police cooperation (OJ L 160, 18.6.2011, p. 1).

<sup>(9)</sup> Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas (OJ L 164, 14.7.1995, p. 1).

<sup>(10)</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Done at Brussels, 30 March 2023.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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## ANNEX

## PART 1

**1. Objectives**

This Part of the Annex provides a description of the technical architecture of the European Border and Coast Guard Agency's (the Agency) False and Authentic Documents Online system ('EBCG FADO system') and its components.

The technical architecture of the new 'EBCG FADO' system will be developed in an incremental manner, following the releases of the new system and possible future requirements.

**2. Description of the architecture of the EBCG FADO system**

The technical architecture enables the Agency to determine the different levels of access to the information stored in the system. The Agency will enter the information obtained in the EBCG FADO system in a timely and efficient manner and to guarantee the uniformity and quality of that information.

The EBCG FADO system will be the overarching application for all access levels, providing a single point of access to users who want to manage information or search for EBCG FADO content.

The technical architecture of the EBCG FADO system will have the capacity to host:

- (a) a public domain containing a subset of basic information about specimens of authentic documents and authentic documents;
- (b) a EU sensitive non-classified domain subject to access control allowing:
  - different categories of users to explore information according to the defined access rights;
  - a selected number of users to provide and validate sensitive non-classified information prior to making this information available to end-users (consumers of EU sensitive-non-classified information);
  - an archive to store part of the sensitive non-classified information for statistical and historical purposes once the purpose of retrieving such information no longer exists.
- (c) a EU classified (Restricted) domain subject to access control for authorised users allowing:
  - to explore classified information;
  - a selected number of users to provide and validate classified information prior to making this information available to other end-users authorised to access the classified network (consumers of classified information).

Furthermore, the technical architecture of the system will have the capacity to:

- (a) ensure a high level of cyber-security;
- (b) support extensive search and reporting capabilities, and apply advanced analytical services including artificial intelligence;
- (c) be integrated with external entities and their systems and provide data exchange capabilities via automated interfaces, such as Frontex INTERPOL Electronic Library Document System (FIELDS), with Document Information System Civil Status (DISCS), etc.;
- (d) work on a cloud-based infrastructure for EU non-classified, sensitive and public domains, as long as it ensures compliance with personal data protection requirements;
- (e) implement state-of-the-art technologies and modern technical approaches, including availability, reliability, flexibility for new functions, products and modifications as well as be able to scale up to accommodate large numbers of users;
- (f) allow integration with hardware and support access to the system offline or in limited connectivity scenarios from mobile devices.

## PART 2

**1. Objectives**

This second part of the Annex provides a description of the technical specifications for entering and storing information in the European Border and Coast Guard Agency's ('the Agency') False and Authentic Documents Online system ('EBCG FADO system') in accordance with high standards.

The EBCG FADO will also contribute to the fight against identity fraud by sharing information with other actors, including the general public.

Personal data processing is included in these technical specifications. Entering and storing information in the system will be done according to the purpose of the processing.

**2. Description of the process for entering and storing information in the EBCG FADO SYSTEM**

Information will be provided by authorised users in a dedicated module of the EBCG FADO system for validation purposes prior to making this information available to other users.

The validation process applies to all information entered in the EBCG FADO system or created within the system.

The validation process of such information is controlled by the Agency and implemented in consultation with the provider of information. In order to ensure high standards, the Agency may decide to consult with selected document experts or with the Agency's data protection officer.

Once validated, information will be translated and stored in the EBCG FADO system domains.

**3. Controlling and verifying information in THE EBCG FADO SYSTEM**

In the EBCG FADO system, the document data (hereinafter 'information') will be verified and processed for administrative purposes only by electronic and material means, depending on the format in which information is supplied to the Agency. In the EBCG FADO system, there is no processing of operational personal data within the meaning of Article 3(2) of Regulation (EU) 2018/1725 of the European Parliament and of the Council <sup>(1)</sup>.

Information processed undergoes the business processes designed to enter and store information in the EBCG FADO system. Only published documents formerly validated are made available to the users.

Information processing in the EBCG FADO system will be subject to continuous improvement in order to ensure a progressive revision and adaptation of the technical and organisational measures in line with the technological evolution and to eliminate flaws in the underlying business processes.

The Agency specifies:

- (a) the categories of data subjects whose personal data are processed in the system;
- (b) the categories of personal data processed;
- (c) the controller or categories of controllers, including joint controllerships;
- (d) the recipients of personal data;
- (e) the safeguards to prevent abuse or unlawful access or transfer of personal data;
- (f) the retention period related to personal data processing activities for the purposes of operating the EBCG FADO system and of carrying out administrative tasks;

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<sup>(1)</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).



- (g) the methodology of data collection, including whether it comes from Member States and/or third countries;
- (h) the dissemination and the recipients of the personal data.

#### 4. Personal data processing for entering and storing information in the EBCG FADO system

The Agency will implement specific organisational and technical measures during the process for entering and storing information in the EBCG FADO system by:

- (a) providing guidance to the authorised users about redaction – minimisation and pseudonymisation – of personal data before delivering information to the Agency and during the validation process;
- (b) implementing appropriate technical measures to ensure necessary safeguards to protect the rights of data subjects during the validation process, before making information available to end-users;
- (c) restricting access to the module dedicated to the validation process to a minimum number of users;
- (d) making available information stored in the sensitive-non-classified and classified domains on a need-to-know basis to a known number of users.

### PART 3

#### 1. Objectives

The third part of the Annex provides a description of the procedures for controlling and verifying information in the European Border and Coast Guard Agency's ('the Agency') False and Authentic Documents Online system ('EBCG FADO system').

Personal data processing will be included in the procedures for controlling and verifying information in the EBCG FADO system.

The Commission supervises, *inter alia*, the implementation of the measures contained in this Decision. The Commission is assisted by the committee established by Article 6 of Council Regulation (EC) No 1683/95 <sup>(2)</sup>. The Agency participates without decisional power in the meetings of the Article 6 committee.

The Agency will apply quality assurance and quality control techniques for controlling and verifying information contained in the EBCG FADO system.

#### 2. Quality assurance and quality control

In accordance with the Annex Part 2 of this Commission Implementing Decision establishing the technical specifications for entering and storing information in the EBCG FADO system <sup>(3)</sup>, the Agency will establish procedures to implement:

- (a) quality assurance:
  - before information is inserted in the FADO system for validation purposes;
  - during the validation process;
- (b) quality control:
  - after publication, once information has been made available to the public and other end-users (consumers).

#### 3. Quality assurance

##### i. Access management

The purpose of access management to the FADO system is to:

- (a) grant access on a need-to-know basis to the FADO system;
- (b) revoke access rights;

<sup>(2)</sup> Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas (OJ L 164 14.7.1995, p. 1).

<sup>(3)</sup> Commission Implementing Decision establishing the technical architecture of the European Border and Coast Guard (EBCG) FADO system in accordance with Article 6(1)(a) of Regulation (EU) 2020/493.

The Agency will set up procedures for access management to the FADO system where the following minimum requirements shall be observed:

- (a) users shall receive information about the processing of their personal data;
- (b) users shall manage their user accounts in the FADO system;
- (c) personal data shall be communicated to the Agency directly by the data subjects or by their points of contacts;
- (d) a limited number of users in the Agency belonging to the FADO system organisation shall be authorised to perform access management.

ii. Validation of information inserted into the FADO system

The purpose of validation of information is to reduce the risk of flaws in the system, ensuring the uniformity and quality of information.

Only a selected number of authorised and trained document experts shall provide and validate information in the system.

Before starting to enter information in the system, these users will be:

- (a) trained to enter information in the system;
- (b) provided with guidance material and/or tutorials to enter information in the system;
- (c) informed about the business processes set up by the Agency for validation purposes.

The Agency will implement a dedicated module of the EBCG FADO system for validation purposes prior to make this information available to other users. During the validation process, this module shall allow:

- (a) a selected number of users to insert or correct information in the EBCG FADO system;
- (b) a limited number of users to process validation of information in the system, including optional consultation with selected users other than those inserting or correcting information;
- (c) a limited number of users to provide translation if necessary;
- (d) a limited number of users to approve and publish the information.

iii. Publication of information

After the validation process, information will be published.

#### 4. **Quality control**

The Agency will establish an annual quality control plan in the EBCG FADO system.

The plan will ensure that controls on an adequate amount of information are regularly performed every year, verifying inter alia:

- (a) relevance of information contained in the EBCG FADO system;
- (b) quality of information contained in the EBCG FADO system;
- (c) compliance of the EBCG FADO system management, including personal data protection requirements.

The results of audits will be delivered to the Commission, the Agency's management board and the Agency's data protection officer.

#### 5. **User contribution to quality**

Users may be involved in the process for controlling and verifying information contained in the EBCG FADO system.

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