



Istanbul :
Sayı

Our Reference : **3154**

16.08.2017

Konu

Subject : **İran Nükleer Yaptırımlarının Kaldırılmasına İlişkin Muafiyetlerin Süresinin Uzatılması Hk.**

Sirküler No: 539 /2017

İlgi yazı: Türkiye Odalar ve Borsalar Birliği (TOBB)'nin 08.08.2017 tarihli ve 12434 sayılı yazısı.

İlgi yazıda, Vaşington Büyükelçimizin yazısına atfen, ABD Dışişleri Bakanlığı'nın, 17 Temmuz 2017 tarihinde, ABD'nin İran'a uyguladığı nükleer yaptırımların Kapsamlı Ortak Eylem Planı kapsamında kaldırılması için gerekli muafiyetleri bir kez daha uzattığı (2015 tarihli "Iran Nuclear Agreement Review" başlıklı yasa uyarınca muafiyetlerin 90 gün arayla uzatılması gerektiği belirtilmektedir) kaydedilmekte, 18 Temmuz'da ise Dışişleri ve Hazine Bakanlıkları tarafından İran'a yönelik yeni yaptırımların açıklandığı ifade edilmektedir.

Bahse konu açıklama metninin EK'te sunulduğu, Birleşmiş Milletler Güvenlik Konseyi'nin İran'a yönelik yaptırım kararlarının ülkemiz bakımından hukuki bağlayıcı nitelikte olduğu, ilgili kurum ve kuruluşlarımız tarafından uygulanması zorunlu olduğu hatırlatılmakla birlikte, ABD ve AB'nin kabul ettikleri tek taraflı yaptırım karar ve uygulamaların Türkiye açısından hukuki bağlayıcılığı bulunmadığı, ancak ABD yaptırımlarının sınır aşan etkiye sahip olması nedeniyle, yaptırım altına alınacak kişi ve kuruluşlarla iş akdine girecek firma ve kuruluşlarımızın dolaylı olarak yaptırımlardan etkilenme olasılığı bulunduğu bildirilmektedir.

Bilgilerinizi arz ve rica ederiz.

Saygılarımızla,

Murat TUNCER
Genel Sekreter

EKLER:

EK: İlgi Yazı ve Ekleri (6 sayfa)

Dağıtım:

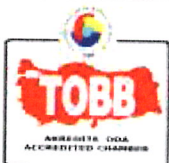
Gereği:

- Tüm Üyelerimiz (Web Sayfasında)
- Türk Armatörler Birliği
- S.S. Gemi Armatörleri Mot. Taş. Koop.
- Vapur Donatanları ve Acenteleri Derneği
- İMEAK DTO Şubeler
- UTİKAD
- Gemi Sahibi Firmalar

Bilgi:

- Ulaştırma, Denizcilik ve Haberleşme Bakanlığı
Deniz Ticareti Genel Müdürlüğü
Deniz ve İçsular Düzenleme Genel Müdürlüğü
- Sn. Sefer KALKAVAN
TOBB DTO'ları Konsey Başkanı
- Meclis Başkanlık Divanı
- Yönetim Kurulu Başkan ve Üyeleri
- Sn. Erol YÜCEL
TOBB Türkiye Denizcilik Meclisi Bşk.
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TOBB

TÜRKİYE
ODALAR VE BORSALAR
BİRLİĞİ

İMEAK DENİZ TİCARET ODASI
GENEL SEKRETERLİĞİ 'NE
MECLİSİ MEBUSAN CAD.NO:22 FINDIKLI/BEYOĞLU

İSTANBUL

212-2937935

Tarih :/08/2017
Sayı : 0411/
Konu : İran Nükleer Yapıtlarının Kaldırılmasına
İlişkin Muafiyetlerin Süresinin Uzatılması
Hakkında

08.08.2017 12434

İlgi: Dışişleri Bakanlığı'nın 24.07.2017 tarih ve 10277076-545.08-2017/12638321 sayılı yazısı.

Dışişleri Bakanlığı'ndan alınan ilgi yazıda, Vaşington Büyükelçimizin yazısına atfen, ABD Dışişleri Bakanlığı'nın, 17 Temmuz 2017 tarihinde, ABD'nin İran'a uyguladığı nükleer yapıtların Kapsamlı Ortak Eylem Planı kapsamında kaldırılması için gerekli muafiyetleri bir kez daha uzattığı (2015 tarihli "Iran Nuclear Agreement Review" başlıklı yasa uyarınca muafiyetlerin 90 gün arayla uzatılması gerekmektedir) kaydedilmekte, 18 Temmuz'da ise Dışişleri ve Hazine Bakanlıkları tarafından İran'a yönelik yeni yapıtların açıklandığı bildirilmektedir. Söz konusu açıklamaların metinleri ekte sunulmuştur.

Yazıda devamla, Birleşmiş Milletler Güvenlik Konseyi'nin İran'a yönelik yapıtların kararları ülkemiz bakımından hukuki bağlayıcı nitelikte olup, ilgili kurum ve kuruluşlarımız tarafından uygulanması zorunlu olduğu hatırlatılmakla birlikte, ABD ve AB'nin kabul ettikleri tek taraflı yapıtların karar ve uygulamaların Türkiye açısından hukuki bağlayıcılığı bulunmadığı, ancak ABD yapıtlarının sınır aşan etkiye sahip olması nedeniyle, yapıtlar altına alınacak kişi ve kuruluşlarla iş akdine girecek firma ve kuruluşlarımızın dolaylı olarak yapıtlardan etkilenme olasılığı bulunduğu bildirilmektedir.

Bilgilerinizi ve konunun ilgili üyelerinize duyurulmasını rica ederim.

Saygılarımla,

Mustafa SARAÇÖZ
Genel Sekreter

EK:

1- Belge (1 tk.)

U.S. Announces New Iran-related Sanctions

Press Statement
Heather Nauert
Department Spokesperson
Washington, DC
July 18, 2017

The United States remains deeply concerned about Iran's malign activities across the Middle East which undermine regional stability, security, and prosperity. Iran continues to support terrorist groups such as Hizballah, Hamas, and Palestinian Islamic Jihad that threaten Israel and stability in the Middle East. Iran has maintained its steadfast support for the Assad regime, despite Assad's atrocities against his own people. Iran also continues to provide the Houthi rebels in Yemen with advanced weaponry that threatens freedom of navigation in the Red Sea, has been used to attack Saudi Arabia, and is prolonging the Yemen conflict. Additionally, Iran continues to test and develop ballistic missiles, in direct defiance of UN Security Council Resolution 2231. The Joint Comprehensive Plan of Action (JCPOA) states the anticipation of JCPOA participants that "full implementation of this JCPOA will positively contribute to regional and international peace and security." However, Iran's other malign activities are serving to undercut whatever "positive contributions" to regional and international peace and security were intended to emerge from the JCPOA.

In response to these continued Iranian threats, the Administration today announces that it has designated 18 entities and individuals supporting Iran's ballistic missile program and for supporting Iran's military procurement or Iran's Islamic Revolutionary Guard Corps (IRGC), as well as an Iran-based transnational criminal organization and associated persons. Today's actions were taken pursuant to Executive Order (E.O.) 13382, which targets proliferators of weapons of mass destruction and their means of delivery and supporters of such activity, as well as E.O. 13581, which targets transnational criminal organizations.

Specifically, the U.S. Department of State designated two entities pursuant to E.O. 13382 for engaging, or attempting to engage, in activities or transactions that have materially contributed to, or pose a risk of materially contributing to, the proliferation of weapons of mass destruction or their means of delivery. The State Department designated the IRGC Aerospace Force Self Sufficiency Jihad Organization (ASF SSJO), which is involved in Iranian ballistic missile research and flight test launches. In addition, the State Department designated the IRGC Research and Self Sufficiency Jihad Organization (RSSJO), which is responsible for the research and development of ballistic missiles.

Additionally, the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC), designated seven entities and five individuals for engaging in activities in support of Iran's military procurement or the IRGC, as well as an Iran-based transnational criminal organization and three associated persons. Today's action targets three networks supporting Iran's military procurement or the IRGC through the development of unmanned aerial vehicles and military equipment for the IRGC, the production and maintenance of fast attack boats for the IRGC-Navy, or the procurement of electronic components for entities that support Iran's military. OFAC also designated two Iranian businessmen and associated

Non-proliferation Designations, Transnational Criminal Organizations Designations
7/18/2017
OFFICE OF FOREIGN ASSETS CONTROL
Specially Designated Nationals List Update

The following individuals have been added to OFAC's SDN List:

AJILY, Mohammed Saeed (a.k.a. AJILI, Sa'id); DOB 03 Sep 1982; nationality Iran (individual) [TCO] (Linked To: AJILY SOFTWARE PROCUREMENT GROUP).

GHASEMI, Seyyed Reza (a.k.a. QASEMI, Seyed Reza); Additional Sanctions Information - Subject to Secondary Sanctions; National ID No. 004-3-94558-9 (Iran); Chief Executive Officer, Rayan Roshd Afzar Company; Managing Director, Rayan Roshd Afzar Company (individual) [NPWMD] [IFSR] (Linked To: RAYAN ROSHD AFZAR COMPANY).

HAKEMZADEH, Farshad; Additional Sanctions Information - Subject to Secondary Sanctions; National ID No. 005-1-61706-4 (Iran) (individual) [NPWMD] [IFSR] (Linked To: RAYAN ROSHD AFZAR COMPANY).

LIU, Emily (a.k.a. BAOXIA, Liu; a.k.a. LAU, Emily), China; DOB 10 Sep 1981; POB Shandong, China; nationality China; Additional Sanctions Information - Subject to Secondary Sanctions; Gender Female; Passport G28882492 (China) expires 04 May 2018 (individual) [NPWMD] [IFSR] (Linked To: SHIRAZ ELECTRONICS INDUSTRIES).

PARSAJAM, Mohsen (a.k.a. HODJAT ABADI, Mohsen Kargar; a.k.a. HODJATABADI, Mohsen Kargar; a.k.a. "KARGAR, Mohsen"); DOB 23 Aug 1964; POB Qom, Iran; nationality Iran; Additional Sanctions Information - Subject to Secondary Sanctions; Gender Male; Passport N95873956 (Iran) expires 05 May 2020; National ID No. 038-1-57690-6 (Iran); Chairman of the Board, Rayan Roshd Afzar Company (individual) [NPWMD] [IFSR] (Linked To: RAYAN ROSHD AFZAR COMPANY).

REZAKHAH, Mohammed Reza (a.k.a. REZAKHAH, Mohammad Reza); DOB 04 Aug 1978; nationality Iran (individual) [TCO] (Linked To: AJILY SOFTWARE PROCUREMENT GROUP).

TAVAN, Resit (a.k.a. TAVAN, Reshit); DOB 01 Jan 1977; nationality Turkey; Additional Sanctions Information - Subject to Secondary Sanctions; Passport U06314813 (Turkey) (individual) [NPWMD] [IFSR] (Linked To: QESHM MADKANDALOO SHIPBUILDING COOPERATIVE CO).

The following entities have been added to OFAC's SDN List:

ABASCIENCE TECH CO. LTD., Room 1724, Si Fang Building No. 5, Xiao Ying Road, ChaoYang District, Beijing 100101, China; 14C, Hung Shui Kiu Main Street, Yuen Long, N.T., Hong Kong; Additional Sanctions Information - Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: SHIRAZ ELECTRONICS INDUSTRIES; Linked To: LIU, Emily).

AJILY SOFTWARE PROCUREMENT GROUP, Iran [TCO].

ANDISHEH VESAL MIDDLE EAST COMPANY, No. 3, Unit 6, Daroos Building, Qanat Crossroad, Dolat St, Pasdaran Ave., Tehran, Iran [TCO] (Linked To: AJILY SOFTWARE PROCUREMENT GROUP).

Treasury Targets Persons Supporting Iranian Military and Iran's Islamic Revolutionary Guard Corps

7/18/2017

Actions Coincide with State Department Designations Involving Iran's Ballistic Missile Program

Washington – Today, the U.S. Department of the Treasury, Office of Foreign Assets Control (OFAC) designated 16 entities and individuals for engaging in support of illicit Iranian actors or transnational criminal activity. These designations include seven entities and five individuals for engaging in activities in support of Iran's military or Iran's Islamic Revolutionary Guard Corps (IRGC), as well as an Iran-based transnational criminal organization and three associated persons. The three networks designated today supported Iran's military procurement or the IRGC through the development of unmanned aerial vehicles and military equipment for the IRGC, the production and maintenance of fast attack boats for the IRGC-Navy, or the procurement of electronic components for entities that support Iran's military. The transnational criminal organization designated today, along with two Iranian businessmen and an associated entity, orchestrated the theft of U.S. and western software programs which, at times, were sold to the Government of Iran. Today's actions were taken pursuant to Executive Order (E.O.) 13382, which targets proliferators of weapons of mass destruction and their means of delivery and supporters of such activity, as well as E.O. 13581, which targets transnational criminal organizations.

The State Department also designated today two Iranian organizations involved in Iran's ballistic missile program pursuant to E.O. 13382.

"This Administration will continue to aggressively target Iran's malign activity, including their ongoing state support of terrorism, ballistic missile program, and human rights abuses," said Treasury Secretary Steven T. Mnuchin. "These sanctions target procurement of advanced military hardware, such as fast attack boats and unmanned aerial vehicles, and send a strong signal that the United States cannot and will not tolerate Iran's provocative and destabilizing behavior. We will continue to target the IRGC and pressure Iran to cease its ballistic missile program and malign activities in the region."

As a result of this action, all property and interests in property of those designated today subject to U.S. jurisdiction are blocked, and U.S. persons are generally prohibited from engaging in transactions with them. In addition, foreign financial institutions that facilitate significant transactions for, or persons that provide material or certain other support, to the entities and individuals designated today risk exposure to sanctions that could sever their access to the U.S. financial system or block their property and interests in property under U.S. jurisdiction.

Rayan Roshd & Associated Individuals

OFAC designated Iran-based Rayan Roshd Afzar Company (Rayan Roshd) and three associated individuals pursuant to E.O. 13382 for proliferation activities related to a key element of Iran's military. Rayan Roshd has provided, or attempted to provide, financial, material, technological, or other support for, or goods or services in support of, the IRGC. The IRGC was designated pursuant to E.O. 13382 on October 25, 2007 for being a key Iranian entity of proliferation concern.

Madkandaloo, including to procure U.S.-origin goods, and has contributed to the gun and missile boat development at Qeshm Madkandaloo for the IRGC. In early June 2017, Resit Tavan was arrested for allegedly violating U.S. export control laws. (1)

Emily Liu & Associated Companies

Today, OFAC designated China-based procurement agent Emily Liu and four associated entities pursuant to E.O. 13382 for proliferation activities related to a key supporter of Iran's military. Emily Liu has provided, or attempted to provide, financial, material, technological, or other support for, or goods or services in support of, Iran's Shiraz Electronics Industries (SEI).

SEI was designated pursuant to E.O. 13382 on September 17, 2008 for being owned or controlled by Iran's Ministry of Defense and Armed Forces Logistics (MODAFL). SEI is responsible for producing various electronics equipment for the Iranian military, including radars, microwave electron vacuum tubes, naval electronics, avionics, and control systems, training simulators, missile guidance technology, and electronic test equipment.

Since at least 2014, China-based procurement agent Emily Liu has sought to procure U.S.-, Canadian-, and European-origin electronic components on behalf of SEI.

OFAC also designated four China-based entities for being owned or controlled by or for having provided, or attempted to provide, financial, material, technological, or other support for, or goods or services in support of, Emily Liu: Abascience Tech Co. Ltd., Raybeam Optronics Co. Ltd., Raytronic Corporation Limited, and Sunway Tech Co., Ltd. Liu has used these companies to support her proliferation activities.

Ajily Software Procurement Group

Today, OFAC designated the Ajily Software Procurement Group as a significant transnational criminal organization (TCO) pursuant to E.O. 13581, "Blocking Property of Transnational Criminal Organizations." The Ajily Software Procurement Group, based in Iran, uses hackers to steal engineering software programs from the United States and other western countries. Some of this software was sold to Iranian military and government entities, which are unable to acquire it overtly because of U.S. export controls and sanctions. The hackers use computer servers located in multiple western countries to carry out their thefts. The Ajily Software Procurement Group is the eighth TCO targeted under E.O. 13581.

OFAC designated Iranian national Mohammed Saeed Ajily for acting or purporting to act for or on behalf of, directly or indirectly, the Ajily Software Procurement Group. Mohammed Saeed Ajily is an Iranian businessman who directs Ajily Software Procurement Group hackers to steal specific software programs. Once the software is illegally acquired, Ajily uses multiple companies to market and sell the stolen computer programs in Iran. Some of this software, which is export controlled given its use in the design of rockets and GPS-guided weaponry, was sold to Iranian military and government entities. Ajily also procured specialized software for Malek Ashtar University of Technology, which was designated pursuant to E.O. 13382 on July 12, 2012 and is one of the major research institutes contained under the MODAFL umbrella.

Department of Justice
Office of Public Affairs

Monday, July 17, 2017

Two Iranian Nationals Charged in Hacking of Vermont Software Company

An indictment was unsealed today charging Mohammed Reza Rezakhah, 39 and Mohammed Saeed Ajily, 35, both Iranian nationals, with a criminal conspiracy relating to computer fraud and abuse, unauthorized access to, and theft of information from, computers, wire fraud, exporting a defense article without a license, and violating sanctions against Iran. The court issued arrest warrants for both defendants.

Acting Assistant Attorney General for National Security Dana J. Boente, Acting U.S. Attorney Eugenia A.P. Cowles of the District of Vermont, Assistant Director Scott Smith of the FBI's Cyber Division, and Special Agent in Charge Vadim Thomas of the FBI's Albany, New York Field Office made the announcement.

According to the allegations in the indictment filed in Rutland, Vermont, beginning in or around 2007, Rezakhah, Ajily, and a third actor who has already pleaded guilty in the District of Vermont for related conduct, conspired together to access computers without authorization in order to obtain software which they would then sell and redistribute in Iran and elsewhere outside the U.S. Ajily, a businessman, would task Rezakhah and others with stealing or unlawfully cracking particular pieces of valuable software. Rezakhah would then conduct unauthorized intrusions into victim networks to steal the desired software. Once the software was obtained, Ajily marketed and sold the software through various companies and associates to Iranian entities, including universities and military and government entities, specifically noting that such sales were in contravention of U.S. export controls and sanctions.

As part of this conspiracy, in October 2012, Rezakhah hacked a Vermont-based engineering consulting and software design company best known for its software that supports aerodynamics analysis and design for projectiles. This software is designated as a "defense article" on the U.S. Munitions List of the International Traffic in Arms Regulations (ITAR), meaning it cannot be exported from the U.S. without a license from the U.S. Department of State. Ajily thereafter promoted the same software as one of the products he could offer to his Iranian clients.

The charges in the indictment are merely accusations, and the defendants are presumed innocent unless and until proven guilty.

The FBI's Albany Cyber Squad investigated the case. The case is being prosecuted by Acting U.S. Attorney Eugenia A.P. Cowles of the District of Vermont and Deputy Chief Sean Newell of the National Security Division's Counterintelligence and Export Control Section. The Justice Department's Office of International Affairs also provided significant assistance in this matter.