



İstanbul :

Sayı  
Our Reference: 3039

23.07.2015

Konu  
Subject : İran'a Yönelik Yaptırımlar Hk.

Sirküler No: 568/ 2015

Sayın Üyemiz,

İlgi: Uluslararası Deniz Ticaret Odası'ndan (ICS) alınan 16.07.2015 tarih ve MLC(15)16 sayılı yazı ve Eki.

İlgi yazı ile ICS Üyeleri, Amerika Birleşik Devletleri ve Avrupa Birliği tarafından İran'a uygulanan yaptırımlardaki geçici muafiyet ile ilgili güncel bilgiyi dikkate almaya davet edilmektedirler.

İlgi yazıda, İran'ın nükleer programıyla ilgili uluslararası müzakerelerin 14 Temmuz 2015 tarihinde "Ortak Kapsamlı Eylem Planı" (Joint Comprehensive Plan of Action - JCPOA) adındaki bir anlaşmayla sonuçlandığı bilgisi verilmektedir. Eğer anlaşma başarıyla uygulanırsa, son zamanlarda İran'a uygulanan yaptırımlar, İran'ın önümüzdeki on yıllık nükleer programı üzerinde uygulanacak olan katı sınırlamalar karşılığında kaldırılacaktır.

Anlaşmanın yürürlüğe girmesi birkaç ayı alacak olup, bu süre içerisinde AB Konseyi ve ABD Yabancı Varlıkların Kontrolü Ofisi (OFAC), ilk olarak 20 Ocak 2014 tarihinde uygulanan kısıtlayıcı tedbirlerin (bkz. 31 Ocak 2014 tarihli MLC(4)07) geçici olarak ertelenmesi durumunun devam edeceğini duyurmuşlardır. İlgi yazı Eki'nde (Ek- A) yer alan AB Konsey Kararı, geçici yaptırım muafiyetini 14 Ocak 2016 tarihine kadar uzatmakta ve ilgili sözleşmelerin anılan tarihe kadar kapsam dışı bırakılması gerektiğine açıklık getirmektedir. OFAC, bahse konu yaptırım muafiyetinin "Uygulama Gününe" kadar devam edeceğini açıklamıştır. OFAC'ın açıklaması aşağıdaki internet adresinde yer almaktadır:

<http://www.treasury.gov/resource-center/sanctions/Programs/Pages/iran.aspx>

Ortak Kapsamlı Eylem Planı'na, Avrupa Birliği'ne ait aşağıdaki internet adresinden erişilebilmektedir:

[http://eeas.europa.eu/statements-eeas/2015/150714\\_01\\_en.htm](http://eeas.europa.eu/statements-eeas/2015/150714_01_en.htm)

İlgi yazı ile ayrıca, aşılması gereken bazı önemli siyasi engellerin bulunması sebebiyle, Ortak Kapsamlı Eylem Planı'nın uygulanmasının kesin olmadığı vurgulanmaktadır. Bu nedenle, İran'la ticaret yapmak niyetinde olan armatörlerin uygun hukuki tavsiye almalarının ve sigorta kulüpleriyle işbirliği içinde olmalarının önem arz ettiği ifade edilmektedir. ICS Üyelerinin önemli gelişmeler hakkında bilgilendirilmesine devam edilecektir.

Bilgilerinizi arz ve rica ederiz.

Saygılarımızla,

İsmail ASASOĞLU  
Genel Sekreter V.



İstanbul :

Sayı  
Our Reference :Konu  
Subject :**EKLER:**

Ek-1: İlgili yazı ve Eki

**DAĞITIM:****Gereği:**

- Tüm Üyelerimiz (Web Sayfasında)
- Türk Armatörler Birliği
- S/S Gemi Armatörleri Motorlu Taş. Koop.
- Vapur Donatanları ve Acenteleri Derneği
- İMEAK DTO Şubeleri
- Türk Uzakyol Gemi Kaptanları Derneği
- Gemi Sahibi Firmalar

**Bilgi:**

- Ulaştırma, Denizcilik ve Haberleşme Bakanlığı  
Deniz ve İçsular Düzenleme Genel Müdürlüğü
- Sn. Sefer KALKAVAN  
TOBB DTO'ları Konsey Başkanı
- Meclis Başkanlık Divanı
- Yönetim Kurulu Başkanı ve Üyeleri
- Sn. Erol YÜCEL  
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16 July 2015

MLC(15)16

**TO: MARITIME LAW COMMITTEE**

**Copy: All Full and Associate Members (for information)**

## **SANCTIONS UPDATE: IRAN**

**Action required: To note the new information below regarding temporary relief from sanctions imposed by the US and EU on Iran.**

Members will no doubt be aware from the significant media coverage that international negotiations with regards to Iran's nuclear programme have resulted in the announcement, on 14 July 2015, of an agreement titled "Joint Comprehensive Plan of Action". If the deal is successfully implemented it will see the lifting of sanctions recently imposed on Iran, in exchange for strict limits on Iran's nuclear programme over the next ten years.

The agreement will take some months to implement, and in the meantime the EU Council and the US Office of Foreign Assets Control (OFAC) have both announced that the temporary suspension of restrictive measures that was first applied on 20 January 2014 (see MLC(14)07 dated 31 January 2014) will be further extended. The EU Council Decision attached at **Annex A** extends the temporary sanctions relief until **14 January 2016**, and makes clear that relevant contracts would have to be executed by this date. OFAC has simply announced that the relief will continue until 'Implementation Day'. The OFAC statement can be accessed at the following web address:

<http://www.treasury.gov/resource-center/sanctions/Programs/Pages/iran.aspx>

The full text of the "Joint Comprehensive Plan of Action (JCPOA)", which comprises a main text and five technical annexes - on nuclear, sanctions, civil nuclear energy cooperation, a joint commission, and implementation, can be downloaded from the European Union website below:

[http://eeas.europa.eu/statements-eeas/2015/150714\\_01\\_en.htm](http://eeas.europa.eu/statements-eeas/2015/150714_01_en.htm)

The detail regarding the commitment to lift sanctions is included in the second technical annex to the agreement, which is attached at **Annex B** for information.

It is important to note that the implementation of the JCPOA is not certain, as there are several important political obstacles that must be overcome. It therefore remains important that shipowners intending to trade to or from Iran take proper legal advice and liaise closely with their P&I clubs. Members will be kept informed of any further significant developments.

Kiran Khosla  
Secretary: Maritime Law Committee

**COUNCIL DECISION (CFSP) 2015/1148**  
**of 14 July 2015**  
**amending Decision 2010/413/CFSP concerning restrictive measures against Iran**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 26 July 2010, the Council adopted Decision 2010/413/CFSP <sup>(1)</sup> concerning restrictive measures against Iran.
- (2) On 24 November 2013, China, France, Germany, the Russian Federation, the United Kingdom and the United States, supported by the High Representative of the Union for Foreign Affairs and Security Policy, reached an agreement with Iran on a Joint Plan of Action which sets out an approach towards reaching a long-term comprehensive solution to the Iranian nuclear issue. It was agreed that the process leading to this comprehensive solution would include, as a first step, initial mutually agreed measures to be taken by both sides for a duration of six months and renewable by mutual consent.
- (3) On 2 April 2015, China, France, Germany, the Russian Federation, the United Kingdom and the United States, supported by the High Representative of the Union for Foreign Affairs and Security Policy, agreed the key parameters of a Joint Comprehensive Plan of Action (JCPOA) with Iran.
- (4) On 10 July 2015, by Decision (CFSP) 2015/1130 <sup>(2)</sup> the Council decided to extend the implementation of the measures of the Joint Plan of Action until 13 July 2015.
- (5) On 14 July 2015, China, France, Germany, the Russian Federation, the United Kingdom and the United States, supported by the High Representative of the Union for Foreign Affairs and Security Policy, reached an agreement on a long-term comprehensive solution to the Iranian nuclear issue. The successful implementation of the JCPOA will ensure the exclusively peaceful nature of the Iranian nuclear programme and provide for the comprehensive lifting of all nuclear-related sanctions.
- (6) On 14 July 2015, China, France, Germany, the Russian Federation, the United Kingdom and the United States, supported by the High Representative of the Union for Foreign Affairs and Security Policy, agreed with Iran to extend the implementation of the measures of the Joint Plan of Action to allow for the necessary arrangements and preparations for the implementation of the JCPOA.
- (7) The suspension of the Union restrictive measures specified in the Joint Plan of Action should therefore be extended until 14 January 2016. Relevant contracts would have to be executed within that date.
- (8) Decision 2010/413/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

Article 26a of Decision 2010/413/CFSP is replaced by the following:

*Article 26a*

1. The prohibition set out in Article 3a(1) shall be suspended until 14 January 2016 insofar as it concerns the transport of Iranian crude oil.

<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 (CFSP) 2015/1130 of 10 July 2015 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ L 184, 11.7.2015, p. 18).



2. The prohibition set out in Article 3a(2) shall be suspended until 14 January 2016 insofar as it concerns the provision of insurance and reinsurance, related to the import, purchase, or transport of Iranian crude oil.
3. The prohibition set out in Article 3b shall be suspended until 14 January 2016.
4. The prohibition set out in Article 4c shall be suspended until 14 January 2016 insofar as it concerns gold and precious metals.
5. Article 10(3)(a), (b) and (c) are replaced by the following points until 14 January 2016:
  - “(a) transfers due on transactions regarding foodstuffs, healthcare, medical equipment, or for agricultural or humanitarian purposes below EUR 1 000 000, as well as transfers regarding personal remittances, below EUR 400 000, shall be carried out without any prior authorisation. The transfer shall be notified to the competent authority of the Member State concerned if above EUR 10 000;
  - (b) transfers due on transactions regarding foodstuffs, healthcare, medical equipment, or for agricultural or humanitarian purposes above EUR 1 000 000, as well as transfers regarding personal remittances, above EUR 400 000, shall require the prior authorisation from the competent authority of the Member State concerned. The relevant Member State shall inform the other Member States of any authorisation granted;
  - (c) any other transfer above EUR 100 000 shall require the prior authorisation from the competent authority of the Member State concerned. The relevant Member State shall inform the other Member States of any authorisation granted.”.
6. Article 10(4)(b) and (c) are replaced by the following points until 14 January 2016:
  - “(b) any other transfer below EUR 400 000 shall be carried out without any prior authorisation. The transfer shall be notified to the competent authority of the Member State concerned if above EUR 10 000;
  - (c) any other transfer above EUR 400 000 shall require the prior authorisation from the competent authority of the Member State concerned. The authorisation shall be deemed granted within four weeks unless the competent authority of the Member State concerned has objected within that time limit. The relevant Member State shall inform the other Member States of any authorisation rejected.”.
7. The prohibitions set out in Article 18b shall be suspended until 14 January 2016.
8. The prohibitions set out in Article 20(1)(b) and (c) and in Article 20(2) to the Ministry of Petroleum, listed in Annex II, shall be suspended until 14 January 2016, insofar as necessary for the execution, until 14 January 2016, of contracts for the import or purchase of Iranian petrochemical products.’.

#### Article 2

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

Done at Brussels, 14 July 2015.

For the Council  
The President  
J. ASSELBORN

## **Annex II – Sanctions-related commitments**

The sequence of implementation of the commitments detailed in this Annex is specified in Annex V (Implementation Plan) to this Joint Comprehensive Plan of Action (JCPOA).

### **A. European Union<sup>1</sup>**

1. The EU and EU Member States commit to terminate all provisions of Council Regulation (EU) No 267/2012 (as subsequently amended) implementing all nuclear-related sanctions or restrictive measures as specified in Sections 1.1-1.10 below, to terminate all provisions of Council Decision 2010/413/CFSP (as subsequently amended), as specified in Sections 1.1-1.10 below, and to terminate or amend national implementing legislation as required, in accordance with Annex V:

#### **1.1. Financial, banking and insurance measures<sup>2</sup>**

1.1.1 Prohibition and authorisation regimes on financial transfers to and from Iran (Article 10 of Council Decision 2010/413/CFSP; Articles 30, 30a, 30b and 31 of Council Regulation (EU) No 267/2012);

1.1.2. Sanctions on banking activities (Article 11 of Council Decision 2010/413/CFSP; Article 33 of Council Regulation (EU) No 267/2012);

1.1.3. Sanctions on insurance (Article 12 of Council Decision 2010/413/CFSP; Article 35 of Council Regulation (EU) No 267/2012);

1.1.4. Sanctions on financial messaging services (Article 20(12) of Council Decision 2010/413/CFSP; Article 23(4) of Council Regulation (EU) No 267/2012);

1.1.5. Sanctions on financial support for trade with Iran (Article 8 of Council Decision 2010/413/CFSP);

1.1.6. Sanctions on grants, financial assistance and concessional loans (Article 9 of Council Decision 2010/413/CFSP);

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<sup>1</sup> For the purposes of EU legislation, "Iranian person, entity or body" means:

- (i) the State of Iran or any public authority thereof;
- (ii) any natural person in, or resident in, Iran;
- (iii) any legal person, entity or body having its registered office in Iran;
- (iv) any legal person, entity or body, inside or outside Iran, owned or controlled directly or indirectly by one or more of the above mentioned persons or bodies.

<sup>2</sup> The headings and subheadings in this Annex are for descriptive purposes only.

1.1.7. Sanctions on Government of Iran public-guaranteed bonds (Article 13 of Council Decision 2010/413/CFSP; Article 34 of Council Regulation (EU) No 267/2012); and

1.1.8. Sanctions on associated services<sup>3</sup> for each of the categories above (see the references above).

## **1.2. Oil, gas and petrochemical sectors**

1.2.1. Sanctions on the import of oil and gas from Iran (Articles 3a, 3c and 3e of Council Decision 2010/413/CFSP; Articles 11, 12 and 14a, and Annexes IV and IVA of Council Regulation (EU) No 267/2012);

1.2.2. Sanctions on the import of Iranian petrochemical products (Articles 3b and 3d of Council Decision 2010/413/CFSP; Articles 13 and 14, and Annex V of Council Regulation (EU) No 267/2012);

1.2.3. Sanctions on the export of key equipment for the oil, gas and petrochemical sectors (Articles 4, 4a and 4b of Council Decision 2010/413/CFSP; Articles 8, 9 and 10, and Annexes VI and VIA of Council Regulation (EU) No 267/2012);

1.2.4. Sanctions on investment in the oil, gas and petrochemical sectors (Articles 6, 6a and 7 of Council Decision 2010/413/CFSP; Articles 17(1), 17(2)(b) and (c), 17(3), 17(4), 17(5), 20 and 21 of Council Regulation (EU) No 267/2012); and

1.2.5. Sanctions on associated services for each of the categories above (see the references above).

## **1.3. Shipping, shipbuilding and transport sectors**

1.3.1. Sanctions related to shipping and shipbuilding (Articles 4g, 4h, 8a, 18a and 18b of Council Decision 2010/413/CFSP; Articles 10a, 10b, 10c, 37a, and 37b, and Annex VIB of Council Regulation (EU) No 267/2012);

1.3.2. Sanctions related to the transport sector (Articles 15, 16, 17 and 18 of Council Decision 2010/413/CFSP; Articles 36 and 37 of Council Regulation (EU) No 267/2012); and

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<sup>3</sup> For the purposes of this Annex, the term "associated services" means any service – including technical assistance, training, insurance, re-insurance, brokering, transportation or financial service – necessary and ordinarily incident to the underlying activity for which sanctions have been lifted pursuant to this JCPOA.



1.3.3. Sanctions on associated services for each of the categories above (see the references above).

#### **1.4. Gold, other precious metals, banknotes and coinage**

1.4.1. Sanctions on gold, precious metals and diamonds, banknotes and coinage (Articles 4c and 4d of Council Decision 2010/413/CFSP; Articles 15 and 16, and Annex VII of Council Regulation (EU) No 267/2012); and

1.4.2. Sanctions on associated services for each of the categories above (see the references above).

#### **1.5. Nuclear proliferation-related measures**

1.5.1. Sanctions related to proliferation-sensitive nuclear activities (goods and technology, investment and specialised training) (Articles 1(1) (a), (b), (d), (e), (2), (3) and (4), 2, 3, 5, 14 and 21 of Council Decision 2010/413/CFSP; Articles 2, 3, 4, 5, 6, 7, 17(1) and (2)(a), 18, 19 and 22, and Annexes I, II and III of Council Regulation (EU) No 267/2012); and

1.5.2. Sanctions on associated services for the category above (see the references above).

#### **1.6. Metals**

1.6.1. Sanctions on metals (Articles 4e and 4f of Council Decision 2010/413/CFSP; Articles 15a, 15b and 15c, and Annex VIIB of Council Regulation (EU) No 267/2012); and

1.6.2. Sanctions on associated services for the category above (see the references above).

#### **1.7. Software**

1.7.1. Sanctions on software (Articles 4i and 4j of Council Decision 2010/413/CFSP; Articles 10d, 10e and 10f, and Annex VIIA of Council Regulation (EU) No 267/2012); and

1.7.2. Sanctions on associated services for the category above (see the references above).

#### **1.8. Arms**



- 1.8.1. Sanctions on arms (Articles 1(1)(c), (3) and (4), and 3 of Council Decision 2010/413/CFSP; Articles 5(1)(a) and (c), 17(1) and (2)(a), and 19 of Council Regulation (EU) No 267/2012); and
- 1.8.2. Sanctions on associated services for the category above (see the references above).

### **1.9. Listing of persons, entities and bodies (asset freeze and visa ban)**

- 1.9.1. Asset freeze and visa ban measures applicable to:

- 1.9.1.1. listed Iranian banks and financial institutions, including the Central Bank of Iran;
- 1.9.1.2. listed persons, entities and bodies related to the oil, gas and petrochemical sectors;
- 1.9.1.3. listed persons, entities and bodies related to shipping, shipbuilding and transport;
- 1.9.1.4. other listed persons, entities and bodies not related to proliferation-sensitive nuclear-, arms- and ballistic missile-related activities;
- 1.9.1.5. listed persons, entities and bodies related to proliferation-sensitive nuclear-, arms- and ballistic missile-related activities; and
- 1.9.1.6. entities and individuals listed by the UN Security Council,

as set out in Attachment 1, part I to this Annex for categories 1.9.1.1-1.9.1.4, Attachment 2, part I to this Annex for category 1.9.1.5, and Parts II of Attachments 1 and 2 to this Annex for category 1.9.1.6 (Articles 19 and 20, and Annexes I and II to Council Decision 2010/413/CFSP; Articles 23, 24, 25, 26, 27, 28, 28a, 28b and 29, and Annexes VIII and IX to Council Regulation (EU) No 267/2012).

### **1.10. Other provisions**

- 1.10.1. The commitment in Section 1 covers all remaining provisions of Council Decision 2010/413/CFSP and Council Regulation (EU) No 267/2012 not specified above.
  - 1.10.1.1. Definitions (Article 1 of Council Regulation (EU) No 267/2012); and
  - 1.10.1.2. General and final provisions (Articles 22, 23, 24, 25, 26, 26a, 27 and 28 of Council Decision 2010/413/CFSP; Articles 38, 39, 40, 41, 42, 43, 43a, 44, 45, 46, 47, 48, 49, 50 and 51, and Annex X of Council Regulation (EU) No 267/2012).

2. The EU represents that the provisions listed in Section 1 above constitute the full and complete list of all EU nuclear-related sanctions or restrictive measures. These sanctions or restrictive measures will be lifted in accordance with Annex V.

**3. Effects of the lifting of EU economic and financial sanctions**

3.1. As a result of the lifting of sanctions specified in Section 1 above, the following activities, including associated services, will be allowed, beginning on implementation day, in accordance with this JCPOA and provided that such activities are otherwise consistent with EU and EU Member States' laws and regulations in effect:<sup>4</sup>

**3.2. Financial, banking and insurance measures (See Sections 1.1.1 to 1.1.8)**

3.2.1. Transfers of funds between EU persons, entities or bodies, including EU financial and credit institutions, and Iranian persons, entities or bodies, including Iranian financial and credit institutions, without the requirement for authorisation or notification;

3.2.2. Opening of new branches, subsidiaries or representative offices of Iranian banks in the territories of EU Member States; and the establishment of new joint ventures, or the taking of an ownership interest or the establishment of new correspondent banking relationships by Iranian banks with EU banks; and opening by EU persons, including EU financial and credit institutions, of representative offices, subsidiaries, joint ventures or bank accounts in Iran;

3.2.3. Provision of insurance or reinsurance to Iran or the Government of Iran, an Iranian legal person, entity or body, or a natural person or a legal person, entity or body acting on their behalf or at their direction;

3.2.4. Supply of specialised financial messaging services to any Iranian natural or legal persons, entities or bodies, including those listed in Attachment 1 to this Annex;

3.2.5. Entering into commitments by EU Member States to provide financial support for trade with Iran, including the granting of export credits, guarantees or insurance; and into commitments for grants, financial assistance and concessional loans to the Government of Iran; and

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<sup>4</sup> Unless specifically provided otherwise, the sanctions lifting described in this Section does not apply to transactions that involve persons still subject to restrictive measures and is without prejudice to sanctions that may apply under legal provisions other than those referred to in Section 1. Nothing in this JCPOA reflects a change in Iran's position on EU sanctions.



- 3.2.6. Sale or purchase of public or public-guaranteed bonds to and from Iran, the Government of Iran, the Central Bank of Iran, or Iranian banks and financial institutions or persons acting on their behalf.

**3.3. Oil, gas and petrochemical sectors (See Sections 1.2.1 to 1.2.5)**

- 3.3.1. Import, purchase, swap or transport of Iranian crude oil and petroleum products, natural gas or petrochemical products and related financing;
- 3.3.2. Sale, supply, transfer or export of equipment or technology, technical assistance, including training, used in the sectors of the oil, gas and petrochemical industries in Iran covering exploration, production and refining of oil and natural gas, including liquefaction of natural gas, to any Iranian person, in or outside Iran, or for use in Iran; and
- 3.3.3. Granting of any financial loan or credit to, the acquisition or extension of a participation in, and the creation of any joint venture with, any Iranian person that is engaged in the oil, gas and petrochemical sectors in Iran or outside Iran.

**3.4. Shipping, shipbuilding and transport sectors (See Sections 1.3.1 to 1.3.3)**

- 3.4.1. Sale, supply, transfer or export of naval equipment and technology for ship building, maintenance or refit, to Iran or to any Iranian persons engaged in this sector; the design, construction or the participation in the design or construction of cargo vessels and oil tankers for Iran or for Iranian persons; the provision of vessels designed or used for the transport or storage of oil and petrochemical products to Iranian persons, entities or bodies; and the provision of flagging and classification services, including those pertaining to technical specification, registration and identification numbers of any kind, to Iranian oil tankers and cargo vessels;
- 3.4.2. Access to the airports under the jurisdiction of EU Member States of all cargo flights operated by Iranian carriers or originating from Iran;
- 3.4.3. Cessation of inspection, seizure and disposal by EU Member States of cargoes to and from Iran in their territories with regard to items which are no longer prohibited; and
- 3.4.4. Provision of bunkering or ship supply services, or any other servicing of vessels, to Iranian-owned or Iranian-contracted vessels not carrying prohibited items; and the provision of fuel, engineering and

maintenance services to Iranian cargo aircraft not carrying prohibited items.

**3.5. Gold, other precious metals, banknotes and coinage (See Sections 1.4.1 to 1.4.2)**

3.5.1. Sale, supply, purchase, export, transfer or transport of gold and precious metals as well as diamonds, and provision of related brokering, financing and security services, to, from or for the Government of Iran, its public bodies, corporations and agencies, or the Central Bank of Iran; and

3.5.2. Delivery of newly printed or minted or unissued Iranian denominated banknotes and coinage to, or for the benefit of the Central Bank of Iran.

**3.6. Metals (See Sections 1.6.1 to 1.6.2)**

3.6.1. Sale, supply, transfer or export of graphite and raw or semi-finished metals, such as aluminum and steel to any Iranian person, entity or body or for use in Iran, in connection with activities consistent with this JCPOA.

**3.7. Software (See Sections 1.7.1 to 1.7.2)**

3.7.1. Sale, supply, transfer or export of software for integrating industrial processes, including updates, to any Iranian person, entity or body, or for use in Iran, in connection with activities consistent with this JCPOA,

**3.8. Listing of persons, entities and bodies (asset freeze and visa ban) (See Section 1.9.1)**

3.8.1. As a result of delisting as specified in this Annex, releasing of all funds and economic resources which belong to, and making available funds or economic resources to, the persons, entities and bodies, including Iranian banks and financial institutions, the Central Bank of Iran, listed in Attachment 1 to this Annex; and

3.8.2. As a result of delisting as specified in this Annex, entry into, or transit through the territories of EU Member States of individuals listed in Attachment 1 to this Annex.



## **B. United States<sup>5</sup>**

4. The United States commits to cease the application of, and to seek such legislative action as may be appropriate to terminate, or modify to effectuate the termination of, all nuclear-related sanctions<sup>6</sup> as specified in Sections 4.1-4.9 below, and to terminate Executive Orders 13574, 13590, 13622 and 13645, and Sections 5-7 and 15 of Executive Order 13628, in accordance with Annex V.<sup>7</sup>

### **4.1. Financial and banking measures**

- 4.1.1. Sanctions on transactions with individuals and entities set out in Attachment 3 to this Annex, including: the Central Bank of Iran (CBI) and other specified Iranian financial institutions; the National Iranian Oil Company (NIOC),<sup>8</sup> Naftiran Intertrade Company (NICO), National Iranian Tanker Company (NITC) and other specified individuals and entities identified as Government of Iran by the Office of Foreign Assets Control; and certain designated individuals and entities on the Specially Designated Nationals and Blocked Persons List (SDN List) (Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA) Section 104(c)(2)(E)(ii)(I); National Defense

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<sup>5</sup> For the purposes of U.S. legislation, "Iranian person" means (A) an individual who is a citizen or national of Iran; and (B) an entity organised under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

<sup>6</sup> The sanctions that the United States will cease to apply, and subsequently terminate, or modify to effectuate the termination of, pursuant to its commitment under Section 4 are those directed towards non-U.S. persons. For the purposes of Sections 4 and 6-7 of this JCPOA, the term "non-U.S. person" means any individual or entity, excluding (i) any United States citizen, permanent resident alien, entity organised under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States, and (ii) any entity owned or controlled by a U.S. person. For the purposes of (ii) of the preceding sentence, an entity is "owned or controlled" by a U.S. person if the U.S. person: (i) holds a 50 percent or greater equity interest by vote or value in the entity; (ii) holds a majority of seats on the board of directors of the entity; or (iii) otherwise controls the actions, policies, or personnel decisions of the entity. U.S. persons and U.S.-owned or -controlled foreign entities will continue to be generally prohibited from conducting transactions of the type permitted pursuant to this JCPOA, unless authorised to do so by the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC).

<sup>7</sup> All citations to statutes and Executive orders included in this JCPOA refer to the statute or Executive order as amended as of the conclusion date of this JCPOA, including: the Iran Sanctions Act of 1996 (ISA), as amended by Section 102 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA) and Sections 201-207 and 311 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA); CISADA, as amended by Sections 214-216, 222, 224, 311-312, 402-403 and 605 of TRA and Section 1249 of the Iran Freedom and Counter-Proliferation Act of 2012 (IFCA); the National Defense Authorization Act for Fiscal Year 2012 (NDAA), as amended by Sections 503-504 of TRA and Section 1250 of IFCA; Executive Order (E.O.) 13622, as amended by Section 15 of E.O. 13628 and Section 16 of E.O. 13645. The citations listed in Section 4 include authorities under which secondary sanctions will no longer apply as a result of actions described in Section 4.8.1.

<sup>8</sup> Removal of NIOC from the SDN List, as provided for in Section 4.8.1, will include resolution of related designations and determinations.

Authorization Act for Fiscal Year 2012 (NDAA) Sections 1245(d)(1) and (3); Iran Freedom and Counter-Proliferation Act of 2012 (IFCA) Sections 1244(c)(1) and (d), 1245(a)(1)(A), (a)(1)(C)(i)(II) and (c), 1246(a) and 1247(a); Sections 1(a)(i) and 5(a) of Executive Order (E.O.) 13622 and Sections 2(a)(i) and 3(a)(i) of E.O. 13645);

- 4.1.2. Sanctions on the Iranian Rial (NDAA Sections 1245(d)(1) and (3); IFCA Sections 1244(c)(1), 1246(a) and 1247(a); Section 5(a) of E.O. 13622 and Sections 1(a), 2(a)(i) and 3(a)(i) of E.O. 13645);
- 4.1.3. Sanctions on the provision of U.S. banknotes to the Government of Iran (NDAA Sections 1245(d)(1) and (3); IFCA Sections 1244(c)(1) and (d), 1246(a) and 1247(a); Section 5(a) of E.O. 13622 and Sections 2(a)(i) and 3(a)(i) of E.O. 13645);
- 4.1.4. Bilateral trade limitations on Iranian revenues held abroad, including limitations on their transfer (NDAA Sections 1245(d)(1) and (3); IFCA Sections 1244(c)(1), (d) and (h)(2), 1246(a) and 1247(a); Sections 1(a)(i)-(ii), 2(a)(i) and 5(a) of E.O. 13622 and Sections 2(a)(i) and 3(a)(i) of E.O. 13645);
- 4.1.5. Sanctions on the purchase, subscription to, or facilitation of the issuance of Iranian sovereign debt, including governmental bonds (NDAA Sections 1245(d)(1) and (3); Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) Section 213(a); IFCA Sections 1244(c)(1) and (d), 1246(a) and 1247(a); Sections 1(a)(i) and 5(a) of E.O. 13622 and Sections 2(a)(i) and 3(a)(i) of E.O. 13645);
- 4.1.6. Sanctions on financial messaging services to the CBI and Iranian financial institutions set out in Attachment 3 to this Annex (NDAA Sections 1245(d)(1) and (3); TRA Section 220; IFCA Sections 1244(c)(1) and (d), 1246(a) and 1247(a); Section 5(a) of E.O. 13622 and Sections 2(a)(i) and 3(a)(i) of E.O. 13645); and
- 4.1.7. Sanctions on associated services<sup>9</sup> for each of the categories above (see individual citation references above).

#### **4.2. Insurance measures**

- 4.2.1. Sanctions on the provision of underwriting services, insurance, or re-insurance in connection with activities consistent with this JCPOA, including activities with individuals and entities set forth in Attachment 3 to this Annex (Iran Sanctions Act of 1996 (ISA) Section 5(a)(7); NDAA Sections 1245(d)(1) and (3); TRA Sections 211(a) and 212(a); IFCA

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<sup>9</sup> See footnote 3 for the meaning of "associated services".



Sections 1244(c)(1) and (d), 1246(a) and 1247(a); Section 5(a) of E.O. 13622 and Sections 2(a)(i) and 3(a)(i) of E.O. 13645).

#### **4.3. Energy and petrochemical sectors**

- 4.3.1. Efforts to reduce Iran's crude oil sales, including limitations on the quantities of Iranian crude oil sold and the nations that can purchase Iranian crude oil (ISA Section 5(a)(7); NDAA Sections 1245(d)(1) and (3); TRA Section 212(a); IFCA Sections 1244(c)(1) and (d), 1246(a) and 1247(a); Section 1 of E.O. 13574, Sections 1(a)(i)-(ii), 2(a)(i) and 5(a) of E.O. 13622, Section 5 of E.O. 13628, and Sections 2(a)(i) and 3(a)(i) of E.O. 13645);
- 4.3.2. Sanctions on investment, including participation in joint ventures, goods, services, information, technology and technical expertise and support for Iran's oil, gas, and petrochemical sectors (ISA Sections 5(a)(1)-(2) and (4)-(8); TRA Section 212(a); IFCA Sections 1244(c)(1), (d) and (h)(2), 1245(a)(1)(B), (a)(1)(C)(i)(I)-(II), (a)(1)(C)(ii)(I)-(II) and (c), 1246(a) and 1247(a); Section 1 of E.O. 13574, Section 1 of E.O. 13590, Sections 1(a)(i)-(ii), 2(a)(i)-(iii) and 5(a) of E.O. 13622, and Sections 2(a)(i) and 3(a)(i) of E.O. 13645);
- 4.3.3. Sanctions on the purchase, acquisition, sale, transportation, or marketing of petroleum, petrochemical products and natural gas from Iran (NDAA Sections 1245(d)(1) and (3); TRA Section 212(a); IFCA Sections 1244(c)(1), (d) and (h)(2), 1246(a) and 1247(a); Sections 1(a)(i)-(iii), 2(a)(i)-(ii) and 5(a) of E.O. 13622, and Sections 2(a)(i) and 3(a)(i) of E.O. 13645);
- 4.3.4. Sanctions on the export, sale or provision of refined petroleum products and petrochemical products to Iran (ISA Section 5(a)(3); NDAA Sections 1245(d)(1) and (3); TRA Section 212(a); IFCA Sections 1244(c)(1) and (d), 1246(a) and 1247(a); Section 1 of E.O. 13574, Sections 1(a)(i) and 5(a) of E.O. 13622, Section 5 of E.O. 13628, and Sections 2(a)(i) and 3(a)(i) of E.O. 13645);
- 4.3.5. Sanctions on transactions with Iran's energy sector including with NIOC, NICO and NITC (NDAA Sections 1245(d)(1) and (3); IFCA Sections 1244(c)(1), (d) and (h)(2), 1246(a) and 1247(a); TRA Section 212(a); Sections 1(a)(i)-(iii), 2(a)(i)-(ii) and 5(a) of E.O. 13622, and Sections 2(a)(i) and 3(a)(i) of E.O. 13645); and
- 4.3.6. Sanctions on associated services for each of the categories above (see individual citation references above).

#### **4.4. Shipping, shipbuilding and port sectors**

- 4.4.1. Sanctions on transactions with Iran's shipping and shipbuilding sectors and port operators including IRISL, South Shipping Line, and NITC, and the port operator(s) of Bandar Abbas<sup>10</sup> (TRA Sections 211(a) and 212(a); IFCA Sections 1244(c)(1) and (d); 1245(a)(1)(B), (a)(1)(C)(i)(I)-(II), (a)(1)(C)(ii)(I)-(II) and (c), 1246(a) and 1247(a); Section 5(a) of E.O. 13622 and Sections 2(a)(i) and 3(a)(i) of E.O. 13645); and
- 4.4.2. Sanctions on associated services for each of the categories above (see individual citation references above).
- 4.5. Gold and other precious metals**
- 4.5.1. Sanctions on Iran's trade in gold and other precious metals (NDAA Sections 1245(d)(1) and (3); IFCA Sections 1244(c)(1), 1245(a)(1)(A) and (c), 1246(a) and 1247(a); Section 5(a) of E.O. 13622 and Sections 2(a)(i) and 3(a)(i) of E.O. 13645); and
- 4.5.2. Sanctions on associated services for each of the categories above (see individual citation references above).
- 4.6. Software and metals**
- 4.6.1. Sanctions on trade with Iran in graphite, raw or semi-finished metals such as aluminum and steel, coal, and software for integrating industrial processes, in connection with activities consistent with this JCPOA, including trade with individuals and entities set forth in Attachments 3 and 4 to this Annex (NDAA Sections 1245(d)(1) and (3); IFCA Sections 1244(c)(1), 1245(a)(1)(B)-(C) and (c), 1246(a) and 1247(a); Section 5(a) of E.O. 13622 and Sections 2(a)(i) and 3(a)(i) of E.O. 13645); and
- 4.6.2. Sanctions on associated services for each of the categories above (see individual citation references above).
- 4.7. Automotive sector**
- 4.7.1. Sanctions on the sale, supply or transfer of goods and services used in connection with Iran's automotive sector (NDAA Sections 1245(d)(1) and (3); IFCA Sections 1244(c)(1), 1245(a)(1)(B), (a)(1)(C)(i)(II), (a)(1)(C)(ii)(II) and (c), 1246(a) and 1247(a); Section 5(a) of E.O. 13622 and Sections 2(a)(i), 3(a)(i)-(ii), 5 and 6 of E.O. 13645); and

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<sup>10</sup> This commitment in Section 4.4.1 is based on the port operator(s) of Bandar Abbas no longer being controlled by a person on the SDN List.



- 4.7.2. Sanctions on associated services for each of the categories above (see individual citation references above).

#### **4.8. Designations and other sanctions listings**

- 4.8.1. Removal of individuals and entities set out in Attachments 3 and 4 to this Annex from the Specially Designated Nationals and Blocked Persons List (SDN List), the Foreign Sanctions Evaders List, and/or the Non-SDN Iran Sanctions Act List (Removal of designations and/or sanctions imposed under ISA Section 5(a), IFCA Section 1244(d)(1) and TRA Section 212; and removals pursuant to the International Emergency Economic Powers Act of certain persons listed pursuant to E.O. 13382, E.O. 13608, E.O. 13622, and E.O. 13645).

#### **4.9. Nuclear proliferation-related measures**

- 4.9.1. Sanctions under the Iran, North Korea and Syria Nonproliferation Act on the acquisition of nuclear-related commodities and services for nuclear activities contemplated in the JCPOA, to be consistent with the U.S. approach to other non-nuclear-weapon states under the NPT;
- 4.9.2. Sanctions on joint ventures relating to the mining, production, or transportation of uranium (ISA Section 5(b)(2)); and
- 4.9.3. Exclusion of Iranian citizens from higher education coursework related to careers in nuclear science, nuclear engineering or the energy sector (TRA Section 501).

#### **5. Other trade measures**

- 5.1. The United States commits to:<sup>11</sup>

- 5.1.1. Allow for the sale of commercial passenger aircraft and related parts and services to Iran by licensing the (i) export, re-export, sale, lease or transfer to Iran of commercial passenger aircraft for exclusively civil aviation end-use, (ii) export, re-export, sale, lease or transfer to Iran of spare parts and components for commercial passenger aircraft, and (iii) provision of associated serviced, including warranty, maintenance, and repair services and safety-related inspections, for all the foregoing, provided that licensed items and services are used exclusively for

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<sup>11</sup> To give effect to the measures described in this Section 5.1, the United States will license activities that do not involve any person on the SDN List and are otherwise consistent with applicable U.S. laws and regulations, including but not limited to the Export Administration Act, the Federal Food, Drug and Cosmetic Act and the Iran-Iraq Arms Nonproliferation Act.

commercial passenger aviation;<sup>12</sup>

5.1.2. License non-U.S. entities that are owned or controlled by a U.S. person<sup>13</sup> to engage in activities with Iran that are consistent with this JCPOA; and

5.1.3. License the importation into the United States of Iranian-origin carpets and foodstuffs, including pistachios and caviar.

6. The United States represents that the provisions listed in Section 4 above constitute the full and complete list of all U.S. nuclear-related sanctions. These sanctions will be lifted in accordance with Annex V.

**7. Effects of the lifting of U.S. economic and financial sanctions:**

7.1. As a result of the lifting of sanctions specified in Section 4 above, beginning on implementation day such sanctions, including associated services, would not apply to non-U.S. persons who carry out the following or that:<sup>14</sup>

**7.2. Financial and banking measures<sup>15</sup> (See Sections 4.1.1 to 4.1.7)**

Engage in activities, including financial and banking transactions, with the Government of Iran, the Central Bank of Iran, Iranian financial institutions and other Iranian persons specified in Attachment 3 to this Annex, including the provision of loans, transfers, accounts (including the opening and maintenance of correspondent and payable through accounts at non-U.S. financial institutions), investments, securities, guarantees, foreign exchange (including Rial related transactions), letters of credit and commodity futures or options, the provision of specialised financial messaging services and facilitation of direct or indirect access thereto, the purchase or acquisition by the Government of Iran of U.S. bank notes, and the purchase,

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<sup>12</sup> Licenses issued in furtherance of Section 5.1.1 will include appropriate conditions to ensure that licensed activities do not involve, and no licensed aircraft, goods, or services are re-sold or re-transferred to, any person on the SDN list. Should the United States determine that licensed aircraft, goods, or services have been used for purposes other than exclusively civil aviation end-use, or have been re-sold or re-transferred to persons on the SDN List, the United States would view this as grounds to cease performing its commitments under Section 5.1.1 in whole or in part.

<sup>13</sup> For the purposes of Section 5.1.2 of this JCPOA, a non-U.S. entity is owned or controlled by a U.S. person if the U.S. person: (i) holds a 50 per cent or greater equity interest by vote or value in the entity; (ii) holds a majority of seats on the board of directors of the entity; or (iii) otherwise controls the actions, policies, or personnel decisions of the entity.

<sup>14</sup> Unless specifically provided otherwise, the sanctions lifting described in this Section does not apply to transactions that involve persons on the SDN List and is without prejudice to sanctions that may apply under legal provisions other than those cited in Section 4. Nothing in this JCPOA reflects a change in Iran's position on U.S. sanctions.

<sup>15</sup> For the purposes of the cessation of application of the provisions set out in Sections 4.1.1-4.1.7, the effects described for non-U.S. financial institutions extend to the activities outside of U.S. jurisdiction of international financial institutions.



subscription to, or facilitation of the issuance of Iranian sovereign debt.<sup>16</sup>

**7.3. Insurance measures (See Section 4.2.1)**

Provide underwriting services, insurance, or re-insurance in connection with activities consistent with this JCPOA, including activities with individuals and entities set forth in Attachment 3 to this Annex, including underwriting services, insurance, or re-insurance in connection with activities in the energy, shipping, and shipbuilding sectors of Iran, for the National Iranian Oil Company (NIOC) or the National Iranian Tanker Company (NITC), or for vessels that transport crude oil, natural gas, liquefied natural gas, petroleum and petrochemical products to or from Iran.

**7.4. Energy and petrochemical sectors (See Sections 4.3.1 to 4.3.6)**

Are part of the energy sector of Iran; purchase, acquire, sell, transport or market petroleum, petroleum products (including refined petroleum products), petrochemical products or natural gas (including liquefied natural gas) to or from Iran; provide to Iran support, investment (including through joint ventures), goods, services (including financial services) and technology that can be used in connection with Iran's energy sector, the development of its petroleum resources, its domestic production of refined petroleum products and petrochemical products; or engage in activities with Iran's energy sector, including NIOC, NITC, and NICO).

**7.5. Shipping, shipbuilding and port sectors (See Sections 4.4.1 to 4.4.2)**

Are part of the shipping or shipbuilding sectors of Iran; own, operate, control or insure a vessel used to transport crude oil, petroleum products (including refined petroleum products), petrochemical products or natural gas (including liquefied natural gas) to or from Iran; operate a port in Iran, engage in activities with, or provide financial services and other goods and services used in connection with, the shipping and shipbuilding sectors of Iran or a port operator in Iran (including the port operator(s) of Bandar Abbas<sup>17</sup>), including port services, such as bunkering and inspection, classification, and financing, and the sale, leasing, and provision of vessels to

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<sup>16</sup> Non-U.S., non-Iranian financial institutions engaging in transactions with Iranian financial institutions (including the Central Bank of Iran) not appearing on the SDN List will not be exposed to sanctions as a result of those Iranian financial institutions engaging in transactions or banking relationships involving Iranian individuals and entities, including financial institutions, on the SDN List, provided that the non-U.S., non-Iranian financial institution does not conduct or facilitate, and is not otherwise involved in, those specific transactions or banking relationships with the Iranian individuals and entities, including financial institutions, on the SDN List.

<sup>17</sup> The effects described in Section 7.5 with respect to the port operator(s) of Bandar Abbas are based on the port operator(s) of Bandar Abbas no longer being controlled by a person on the SDN List.

Iran, including to the Islamic Republic of Iran Shipping Lines (IRISL), NITC, and South Shipping Line Iran or their affiliates.

**7.6. Gold and other precious metals (See Sections 4.5.1 to 4.5.2)**

Sell, supply, export or transfer, directly or indirectly, to or from Iran, gold and other precious metals, or conduct or facilitate a financial transaction or provide services for the foregoing including security, insurance and transportation.

**7.7. Software and metals (See Sections 4.6.1 to 4.6.2)**

Sell, supply, or transfer, directly or indirectly, graphite, raw or semi-finished metals such as aluminum and steel, coal, and software for integrating industrial processes, to or from Iran in connection with activities consistent with this JCPOA, including trade with individuals and entities set forth in Attachment 3 to this Annex, and the sale, supply, or transfer of such materials to the energy, petrochemical, shipping and shipbuilding sectors of Iran, and Iranian ports, or conduct or facilitate a financial transaction or provide services for the foregoing, including insurance and transportation.

**7.8. Automotive sector (See Sections 4.7.1 to 4.7.2)**

Conduct or facilitate financial or other transactions for the sale, supply or transfer to Iran of goods and services used in connection with the automotive sector of Iran.

**7.9. Designations and other sanctions listings (See Section 4.8.1)**

The removal of designations and/or sanctions as described in Section 4.8.1, ceasing the application of secondary sanctions for transactions with individuals and entities set out in Attachment 3 to this Annex; and unblocking of property and interests in property within U.S. jurisdiction for individuals and entities set out in Attachment 3 to this Annex.