

6. What does the term "associated services" mean when used in Annex II of the JCPOA?

For the purposes of Annex II of the JCPOA 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 the JCPOA.⁶⁰ It is noted that the EU legal acts provide further clarity regarding the scope of lifting of sanctions on associated services for each measure.

7. Does the lifting of sanctions also include the lifting of restrictions currently in place on Iranian students?

As of Implementation Day, Member States are no longer under a UN or EU imposed obligation to prevent specialised teaching or training of Iranian nationals of disciplines which would contribute to Iran's proliferation-sensitive nuclear activities and development of nuclear weapon delivery systems.⁶¹ However, other international obligations and commitments including UN Security Council resolution 1540 and commitments of Member States under the international export control regimes concerning intangible transfer of controlled technology related to Weapons of Mass Destruction proliferation as well as non-assistance obligations under the Chemical Weapons Convention and Biological Weapons Convention continue to apply. Member States may also have additional national approval schemes that will remain in place.

8. What will happen if Iran does not comply with the provisions of the JCPOA?

If Iran or the E3/EU+3 believes that the commitments under the JCPOA are not met, the issue could be referred to the Joint Commission. The Joint Commission would try to solve the issue through the dispute resolution mechanism described in the JCPOA. If at the end of the process the complaining participant believes the issue still has not been resolved to its satisfaction, and if the complaining

⁶⁰ Footnote 3 in Annex II of the JCPOA.

⁶¹ Annex II, paragraph 1.5.1, of the JCPOA.

participant deems the issue to constitute significant non-performance, it can notify the UN Security Council that it believes the issue constitutes significant non-performance of the obligations under the JCPOA. The UN Security Council will vote on a resolution to continue the sanctions lifting and if this resolution has not been adopted within 30 days of the notification, then the provisions of the old UN Security Council resolutions⁶² will be re-imposed, unless the UN Security Council decides otherwise.

In such an event, the European Union, following the necessary Council decision, will reintroduce ("snapback") EU sanctions taken in connection with the Iranian nuclear programme that have been suspended and/or terminated.

9. Is it possible that new sanctions on Iran will be introduced by the UN/EU/U.S.?

The EU and the U.S. will refrain from re-introducing or re-imposing sanctions that have been lifted under the JCPOA or from imposing new nuclear-related sanctions, without prejudice to the dispute resolution process provided for under the JCPOA. There will be no new nuclear-related UN Security Council sanctions, without prejudice to the dispute resolution process provided for under the JCPOA.

10. What kind of support is established for evaluating and determining if an activity is consistent with the JCPOA?

The Joint Commission consisting of the E3/EU+3 and Iran is established to monitor the implementation of the JCPOA and will carry out the functions specified in Annex IV of the JCPOA.⁶³

For the review and recommendations on proposals for nuclear-related transfers to or activities with Iran the Joint Commission will be assisted by the Procurement Working Group. As regards the lifting of sanctions the Joint Commission will be assisted by a Working Group on Implementation of Sanctions

⁶² UN Security Council resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008), 1929 (2010) and 2224 (2015).

⁶³ Annex IV, paragraph 2.1.1 to 2.1.16, of the JCPOA.

Lifting. The High Representative will serve as the coordinator of the Joint Commission and both working groups.

Financial, banking and insurance measures

11. Is it permissible to access financial and banking services in Iran?

The restrictions on accessing financial and banking services in Iran (as contained in EU Council Decision 2010/413/CFSP and Council Regulation 267/2012) are lifted as of Implementation Day.

12. Does the lifting of measures on banking allow the reopening of correspondent banking accounts?

As of Implementation Day, banking activities including the establishment of new correspondent banking relationships with Iranian banks are allowed, provided that the Iranian financial institution is not a listed entity.

13. Can an EU person or entity use any Iranian bank for its business and engage in banking transactions? Or are there still Iranian banks listed?

Certain Iranian banks will remain listed following Implementation Day (Ansar Bank, Bank Saderat Iran and Bank Saderat plc, Mehr Bank, Bank Sepah and Bank Sepah International)⁶⁴. Hence, due diligence should be performed to ensure that the Iranian bank is not listed as activities and transactions with these banks remain prohibited. Banking transactions or relationships with non-listed Iranian banks are permissible.

14. Is there any limitation to opening a new bank account or entering into a correspondent banking relationship with non-listed financial institutions domiciled in Iran or their branches or subsidiaries?

All restrictive measures concerning financial, banking and insurance measures are lifted and, as of Implementation Day, it is permissible to open a new bank account or to enter into correspondent banking relationships with credit or

⁶⁴ Attachment 2 to Annex II of the JCPOA.

financial institutions domiciled in Iran (or their branches or subsidiaries), provided that they are not listed.

15. Is there any limitation to opening branches, subsidiaries or representative offices of Iranian banks in EU Member States or of European banks in Iran?

As of Implementation Day, non-listed Iranian banks are allowed to open branches, subsidiaries or representative offices in EU Member States. EU financial institutions are then permitted to open branches, subsidiaries or representative offices in Iran.

16. What sanctions on the Central Bank of Iran (CBI) and other listed Iranian financial institutions will remain?

The CBI and certain other listed Iranian financial institutions will be delisted and therefore sanctions related to these entities are no longer applicable as of Implementation Day.

17. Is there any limitation for the Central Bank of Iran (CBI) to access its funds and economic resources?

The CBI is delisted as of Implementation Day, hence sanctions related to this entity are no longer applicable as of that day and any funds or economic resources that have been frozen pursuant to its listing will be released.

18. Is there any limitation for financial institutions supplying financial messaging services for the Central Bank of Iran (CBI) and other non-listed financial institutions?

The prohibition for financial institutions to supply specialised financial messaging services used to exchange financial data applies in relation to listed entities. The CBI and certain other listed Iranian financial institutions are delisted as of Implementation Day. Therefore, financial institutions can supply financial messaging services for the CBI and other non-listed financial institutions as of Implementation Day.

19. Will financial institutions be exposed to U.S. sanctions for transacting with Iranian financial institutions if those Iranian financial institutions have banking relationships with Iranian persons on the SDN list?

This question addresses the U.S. sanction regime and for an accurate response reference is made to the U.S. Guidelines and FAQs on the OFAC website.⁶⁵

20. Are Iranian banks allowed to reconnect to SWIFT?

As of Implementation Day, Iranian banks which are no longer included in the list of persons and entities subject to EU restrictive measures are allowed to reconnect to SWIFT⁶⁶. Persons and entities delisted on Implementation Day are included in the Annex to Council Implementing Regulation (EU) 2015/1862 of 18 October 2015, implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran.

Against this background reference is made to a statement published by SWIFT⁶⁷, that banks delisted by the Implementing Regulation will automatically be able to reconnect to SWIFT on Implementation Day, following the completion of SWIFT's normal connection process (i.e. administrative and systems checks, connectivity and technical arrangements).

21. Is it permissible for EU financial institutions to clear transactions involving non-listed Iranian persons or entities after Implementation Day?

Yes, EU financial institutions are permitted to clear transactions with non-listed Iranian persons or entities. EU financial institutions will have to ensure, however,

⁶⁵ <https://www.treasury.gov/resource-center/sanctions/Programs/Pages/iran.aspx>

⁶⁶ The following Iranian banks will remain listed following Implementation Day: Ansar Bank, Bank Saderat Iran and Bank Saderat plc, Mehr Bank, Bank Sepah and Bank Sepah International. See attachment II of Annex II of the JCPOA.

⁶⁷

http://www.swift.com/about_swift/shownews?param_dcr=news.data/en/swift_com/2015/Iran_sanctions_agreement_update.xml

*that they do not clear transactions through other financial systems, or with other entities, where such activity is not allowed.*⁶⁸

22. Is it permissible to transfer funds to and from Iran?

As of Implementation Day, the prohibition to transfer funds with non-listed Iranian banks is lifted. Consequently, all limitations to transfer funds to or from Iran applicable to non-listed Iranian banks, financial institutions and bureaux de change, as well as any subsidiary or branch, cease to apply.

23. Is it still necessary to file notifications and requests for authorisations relating to the transfer of funds pursuant to Articles 30, 30a of Council Regulation 267/2012 as currently applicable? Is there any limitation in relation to the amount of funds that can be transferred?

As of Implementation Day, there is no requirement to file notifications and requests for authorisations relating to the transfer of funds to and from Iran as these articles are removed from Council Regulation 267/2012⁶⁹. Equally, restrictions linked to the amount of funds to be transferred no longer apply in accordance with the JCPOA.

24. Is it permissible to transfer funds to and from Iran for foodstuffs, healthcare, medical equipment, or for agricultural or humanitarian purposes?

According to the restrictions on transfer of funds to and from Iran in place before Implementation Day the transfer of funds regarding foodstuffs, healthcare, medical equipment, or for agricultural or humanitarian purposes were permitted under certain conditions. However, as of Implementation Day, the provisions regarding transfer of funds to and from Iran are lifted and the limitations to transfer funds cease to apply with the exception of transfer of funds or economic resources to listed persons or entities.

⁶⁸ <https://www.treasury.gov/resource-center/sanctions/Programs/Pages/iran.aspx>

⁶⁹ Article 1 (15), Council Regulation (EU) 2015/1861 of 18 October 2015 amending Council Regulation 267/2012.

25. Is it permissible for listed person and entities to use frozen funds for extraordinary expenses?

Those persons and entities that are removed from the list as of Implementation Day have immediate access to their funds on that same day. The persons and entities remaining listed on Implementation Day will not have access to their funds. However, exemptions to take account of in particular basic needs of targeted persons, legal fees, and extraordinary expenses will remain in force and listed persons can request an authorisation from the competent authorities of Member States in order to use their funds where a valid derogation applies.

26. Is there any limitation for Iranian banks and financial institutions, bodies and entities to access their funds and economic resources?

Non-listed Iranian banks and financial institutions are not subject to any asset freeze measures by the European Union. Therefore, their funds in the EU are not frozen. As of Implementation Day, a number of listed Iranian banks and financial institutions are delisted. Consequently, delisted Iranian banks and financial institutions will have access to their frozen funds in the EU. However, a limited number of Iranian banks and financial institutions will remain listed (Ansar Bank, Bank Saderat Iran and Bank Saderat plc, Mehr Bank, Bank Sepah and Bank Sepah International) and not able to access their funds in the EU, unless specifically provided for in Council Regulation 267/2012.

27. How does the lifting of sanctions provided under the EU legal acts in accordance with the JCPOA affect the provision of insurance and reinsurance for transactions involving Iran?

As of Implementation Day, it is permitted to provide insurance and reinsurance to Iran or the Government of Iran or any non-listed Iranian person, entity or body acting on their behalf or at their direction.⁷⁰

⁷⁰ Annex II, paragraph 3.2.3 of the JCPOA.

28. Is the purchase or sale of Iranian issued sovereign debt allowed?

The sale or purchase of public or public-guaranteed bonds issued by, for example, the Government of Iran or the Central Bank of Iran, or Iranian banks and credit or financial institutions, and providing related services thereto, is permitted as of Implementation Day. The same applies to any natural or legal person entity or body acting on behalf or owned and controlled by them.

29. Are there any limitations on the provision of financial support for trade with Iran, including export credits, guarantees or insurance?

As of Implementation Day, EU Member States are no longer prohibited from entering into new commitments to provide financial support for trade with Iran, including the granting of export credits, guarantees or insurance, to EU nationals or entities.

30. Is there any limitation for persons to enter into new commitments for grants or concessional loans to the Government of Iran?

As of Implementation Day, EU Member States are no longer prohibited from entering into new commitments for grants, financial assistance and concessional loans to the Government of Iran, including through their participation in international financial institutions.

31. Is there any limitation to financial institutions opening a new representative office or establishing a new branch or subsidiary in Iran?

As of Implementation Day, EU financial institutions are able to open representative offices, subsidiaries or banking accounts in Iran. It will also be permissible to establish new joint ventures with Iranian financial institutions. However, EU financial institutions cannot engage in banking activities with those Iranian banks that will remain listed under EU sanctions after Implementation Day.

Oil, gas and petrochemical sectors

32. Are petrochemicals covered by the lifting of sanctions?

Yes, activities related to Iranian petrochemicals are covered by the lifting of sanctions on Implementation Day.⁷¹

33. Is it permissible to purchase, acquire, sell or market petroleum products, petrochemical products and natural gas to or from Iran?

Yes, as of Implementation Day, it is permissible to purchase, acquire, sell or market petroleum products, petrochemical products and natural gas to or from Iran and to provide associated services.⁷²

34. Will the lifting of sanctions on Iranian crude oil, petroleum products, petrochemical products and liquefied natural gas also cover the provision of transport?

The transport of Iranian oil and petrochemical products, and the provision of insurance and re-insurance, including protection and indemnity (P&I) insurance, are permissible. As of Implementation Day, the transport of Iranian petroleum products and liquefied natural gas, and the provision of insurance and re-insurance, including protection and indemnity (P&I) insurance, are also permissible. As of Implementation Day, other activities and transactions related to Iranian oil and natural gas such as the provision of financing are also allowed.⁷³

35. Are sanctions on entities such as the National Iranian Oil Company lifted?

All entities removed from the list are no longer subject to restrictive measures. As of Implementation Day, the National Iranian Oil Company, as well as its listed subsidiaries and affiliated companies, are removed from the list of listed entities

⁷¹ Annex II, paragraph 3.3.1, of the JCPOA.

⁷² Annex II, paragraphs 1.2.2. and 1.2.5, of the JCPOA.

⁷³ Annex II, paragraph 3.3.1, of the JCPOA.

and as a consequence the sanctions on these entities are lifted and transactions are allowed.

36. Is it permissible to invest in Iran's oil, gas and petrochemical sectors?

Yes, as of Implementation Day, it is permissible to invest in Iran's oil, gas and petrochemical sectors.⁷⁴

37. The JCPOA provides that on Implementation Day the application of efforts to reduce Iran's crude oil sales are ceased, including limitations on: the quantities of Iran crude oil sold; the countries that can purchase Iranian crude oil and the use of Iranian oil revenues. What will this entail?

This question addresses the U.S. sanction regime and for an accurate response reference is made to the U.S. Guidelines and FAQ's on the OFAC website.⁷⁵

38. Is it prohibited for an EU person to conduct business with an Iranian entity in which a natural person or entity listed by the EU retains a minority or non-controlling interest?

EU persons are prohibited from making available funds or economic resources to listed persons or entities directly or indirectly. The criteria to establish control or ownership and whether funds or economic resources are made indirectly available to designated persons and entities are to be found in the 'Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy'.⁷⁶

⁷⁴ Annex II, paragraph 1.2.4, of the JCPOA.

⁷⁵ <https://www.treasury.gov/resource-center/sanctions/Programs/Pages/iran.aspx>

⁷⁶ See link to 'New elements on the notions of ownership and control and the making available of funds or economic resources' in section 8 on reference documents.

Shipping, shipbuilding and transport sectors

39. Is it permissible to provide vessels designed for the transport of Iranian oil and petrochemical products?

Yes, it is permissible to supply vessels designed for the transport or storage of oil and petrochemical products to non-listed Iranian persons or entities as well as to any person or entity for the transport of Iranian oil or petrochemical products.⁷⁷

40. Is it permissible to export naval equipment and technology for shipbuilding to Iran?

Yes, as of Implementation Day, it is permissible to export naval equipment and technology for shipbuilding, maintenance or refit, to Iran or to non-listed Iranian or Iranian-owned enterprises engaged in this sector.⁷⁸

41. Is it permissible to construct and repair Iranian vessels?

Yes, as of Implementation Day, it is allowed to sell, supply, transfer or export naval equipment and technology for ship building, maintenance or refit, to Iran or to any Iranian persons engaged in this sector such as NITC and IRISL. The participation in the design, construction and repair of cargo vessels and oil tankers for Iran or for non-listed Iranian persons or Iranian-owned enterprises engaged in this sector such as NITC and IRISL is also allowed as of Implementation Day.⁷⁹

42. Is it permissible to provide flagging and classification services to vessels owned or controlled by Iranian persons?

Yes, as of Implementation Day, 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 owned

⁷⁷ Annex II, paragraphs 1.3.1 and 1.3.2, of the JCPOA.

⁷⁸ Annex II, paragraph 3.4.1 of the JCPOA

⁷⁹ Annex II, paragraph 3.4.1. of the JCPOA.

or controlled by non-listed Iranian or Iranian-owned enterprises engaged in the shipping and shipbuilding sectors such as NITC and IRISL is allowed.

43. Is it permissible to provide bunkering or ship supply services to Iranian owned or Iranian contracted vessels?

Yes, as of Implementation Day, it is permitted to provide bunkering or ship supply services to Iranian-owned or Iranian-contracted vessels, including chartered vessels, not carrying prohibited items.⁸⁰

Gold, other precious metals, banknotes and coinage

44. Is it permissible to mint coins for Iran or deliver newly printed or unissued Iranian dominated banknotes to the Central Bank of Iran?

As of Implementation Day, the delivery of newly minted coinage and newly printed or unissued Iranian dominated banknotes to or for the benefit of Central Bank of Iran is allowed.⁸¹

45. Is it permissible to export diamonds to Iran?

As of Implementation Day, the sale, purchase, transportation or brokering of diamonds to Iran is allowed.⁸²

46. Is it permissible to supply, sell, purchase, transfer, export or import gold and other precious metals to and from Iran, the Government of Iran, its public bodies, corporations and agencies, any person, entity or body owned or controlled by them?

Yes, it is permissible to sell, supply, purchase, export, or transfer gold and precious metals, to provide related brokering, financing and security services to, or from or for the Government of Iran, its public bodies, corporations and agencies or the Central Bank of Iran its public bodies, corporations and agencies,

⁸⁰ Annex II, paragraph 3.4.4 of the JCPOA

⁸¹ Annex II, paragraph 1.4.1, of the JCPOA

⁸² Annex II, paragraph 1.4.1, of the JCPOA

any person, entity or body acting on their behalf or at their direction, or any entity or body owned or controlled by them.

Metals / Software

47. Are all restrictions on the export of software lifted?

As of Implementation Day, the export of software to Iran is permitted, with the following exceptions:

- *Prior authorisation to be granted on a case-by-case basis by the competent authority of the relevant Member State is needed for the sale, supply, transfer or export of Enterprise Resource Planning software, designed specifically for use in nuclear and military industries as set out in Annex VIIA to Council Regulation 267/2012, as modified by Council Regulation No 2015/1861, and the provision of associated services;*
- *Prior authorisation to be granted on a case-by-case basis by the competent authority of the relevant Member State is needed for the sale, supply, transfer or export of software related to nuclear equipment and technologies as set out in Annexes I and II to Council Regulation 267/2012, as modified by Council Regulation No 2015/1861;*
- *On the contrary, the sale, supply, transfer or export of software related to ballistic missiles as set out in Annex III to Council Regulation 267/2012, as modified by Council Regulation No 2015/1861, is still subject to a prohibition.*

48. What metals are still subject to restriction on the sale, supply or export to Iran?

As of Implementation Day, the export of metals to Iran is permitted with the following exception:

- *Prior authorisation to be granted on a case-by-case basis by the competent authorities of the Member State is needed for the sale, supply, transfer or export of graphite and raw or semi-finished metals and the provision of technical assistance or training, financing or financial assistance. The list of items covered by this restriction can be found in*

Annex VIIB to Council Regulation 267/2012, as modified by Council Regulation No 2015/1861.

49. Is an entity allowed to invest in the production or in a production facility in Iran for the production of metals covered by an export authorisation regime?

Yes, the JCPOA does not preclude investment in Iran in sectors related to goods the sale, supply, transfer or export, of which will remain subject to an authorisation regime.

50. Is the sale or export of aluminium oxide (alumina) to Iran subject to prior EU authorisation?

The list of graphite and raw or semi-finished metals subject to prior authorisation to be granted on a case-by-case basis by the competent authority of the relevant Member State⁸³ can be found in Annex VIIB to Council Regulation 267/2012, as modified by Council Regulation No 2015/1861.

51. Is it permissible to sell, supply, transfer, export or to provide technical and financial assistance related to software to an Iranian person body or entity?

Sale, supply, transfer or export of Enterprise Resource Planning software⁸⁴, including updates and provision of associated services, to any Iranian person, entity or body, or for use in Iran is no longer prohibited as of Implementation Day but will be subject to prior authorisation to be granted on a case-by-case basis by the competent authorities of the Member States.

Nuclear proliferation-related measures

52. Where can the list of dual-use goods which can be exported to Iran be found?

The lists of dual-use goods which can be exported to Iran – subject to prior authorisation – are to be found in Annexes I (Nuclear Suppliers Group (NSG) list, Parts I and II) and II (EU autonomous list) of Council Regulation 267/2012, as

⁸³ Competent authorities of each Member State are identified in Annex X to Council Regulation 267/2012 concerning restrictive measures against Iran.

⁸⁴ Described in Annex VIIA to Council Regulation 267/2012 as modified by Council Regulation No 2015/1861.

modified by Council Regulation No 2015/1861. In addition to this, export licenses for other dual-use goods listed in Annex I of Regulation (EC) No 428/2009 can be applied for in line with the provisions of that regulation.

53. Is it permissible to apply for a license to export dual-use goods to Iran?

Yes, licenses to export dual-use goods should be requested from the competent authority in the relevant Member State. A list of the national competent authorities is to be found in Annex X of Council Regulation 267/2012, as modified by Council Regulation No 2015/1861.

54. Is an authorisation for the export of dual-use goods granted by an EU Member State valid in other EU Member States?

Yes, authorisations for the export of dual-use goods granted by the competent authorities of the Member State where the exporter is established shall be valid throughout the Union.

55. How much time will it take to obtain a licence?

This is a matter for the relevant competent authority responsible for issuing licenses.

56. Article 2d(3)(b) Council Regulation 267/2012, as modified by Council Regulation No 2015/1861, states that Member States shall notify the IAEA of supplied products included in the NSG list: Is a reference to both lists (NSG Part I and II) intended?

Notification obligation concerns both lists – Part I and II - of the Nuclear Suppliers Group (NSG) and is to be found in Annex I to Council Regulation 267/2012, as modified by Council Regulation No 2015/1861.

Arms & ballistic missiles

57. Are arms exports also subject to prior authorisation in the procurement channel?

The EU arms embargo is not lifted on Implementation Day. Sanctions related to arms, including the provision of associated services, remain in place until Transition Day.

Listing of persons, entities and bodies (asset freeze and visa ban)

58. Is it permissible to do business with anybody in Iran? Or are there still persons and entities listed?

Yes, in general terms, as of Implementation Day, it is permissible to do business with Iranian persons or entities, with the exception of those that will remain listed until Transition Day or are listed under a different sanctions regime and thus remain subject to the asset freeze measures, including the prohibition to make funds or economic resources available. It is advised to consult these lists before engaging in a business relationship. A central register of persons and entities that are subject to EU sanctions is available online.⁸⁵

59. How to verify if an entity or individual is on the sanctions list?

It is the responsibility of every person or entity within the European Union, and EU nationals anywhere in the world to conduct due diligence checks to ensure that they are not making funds or economic resources available to a listed person.

A central register of persons and entities that are subject to EU sanctions is available online.⁸⁶

60. Does the JCPOA allow new sanctions to be imposed against Iranian persons or entities for providing support to the Government of Iran after Implementation Day?

In accordance with the JCPOA, the EU will refrain from imposing new sanctions against Iranian persons or entities exclusively on the grounds of providing support, such as material, logistical or financial support, to the Government of Iran.

⁸⁵ http://eeas.europa.eu/cfsp/sanctions/consol-list/index_en.htm

⁸⁶ http://eeas.europa.eu/cfsp/sanctions/consol-list/index_en.htm

Reintroduction of sanctions

61. What would trigger the reintroduction of EU economic and financial sanctions?

In the event of a significant non-performance by Iran of its commitments under the JCPOA and having exhausted all the steps under the dispute resolution mechanism, the European Union shall reintroduce EU sanctions ("snapback") that have been lifted. It should be noted that all parties to the JCPOA are determined to avoid any behaviour which could be qualified as non-performance and to avoid a re-imposition of sanctions by engaging in the Dispute Resolution Mechanism.

62. How will EU sanctions be reintroduced in case of snapback?

A decision by the Council of the European Union, based on a recommendation by the High Representative of the European Union for Foreign Affairs and Security Policy, France, Germany and the United Kingdom, will reintroduce all EU sanctions taken in connection with the Iranian nuclear programme that have been suspended and/or terminated. Reintroduction of EU sanctions in case of significant non-performance by Iran of its commitments under the JCPOA will be done consistent with previous provisions when sanctions were originally imposed.

63. What happens with existing contracts in the event of the reintroduction of EU sanctions?

In the event of the reintroduction of EU sanctions, sanctions will not apply with retroactive effect. The execution of contracts concluded while the JCPOA sanctions relief was in force and in accordance with the EU legal framework will be permitted consistent with previous provisions when sanctions were originally imposed, in order to allow companies to wind down their activities. Details about the period of time allowed for the execution of prior contracts will be specified in the legal acts providing for the reintroduction of EU sanctions. For example, the reintroduction of sanctions on investment activities would not retroactively penalise investment made before the date of snapback, and the execution of investment contracts concluded before the reintroduction of sanctions will be permitted consistent with previous provisions when sanctions were originally

imposed. Contracts that were permitted when the sanctions regime was still in place will not be targeted by the reintroduction of sanctions.

64. Is the moment of a snapback publicly announced?

The reintroduction of EU sanctions will imply the adoption of legal acts terminating the suspension of articles in Council Decision 2010/413CFSP, as amended by Council Decision 2015/1863, and reintroducing the corresponding articles in Council Regulation 267/2012, as modified by Council Regulation 2015/1861. These legal acts will be published in the Official Journal of the European Union and therefore publicly available.⁸⁷

Procurement channel

65. How will the procurement channel function?

The UN Security Council will respond to requests by States to export certain goods to and perform certain activities in Iran (NSG list/Annex I to Council Regulation 267/2012, as modified by Council Regulation 2015/1861) after the recommendation of the Procurement Working Group/Joint Commission.

66. What is the role of the Procurement Working Group?

The role of the Procurement Working Group is to review and make recommendations on behalf of the Joint Commission on proposals for nuclear-related transfers to or activities with Iran through a Procurement Working Group.⁸⁸

67. Who is the “Coordinator” in point 6.4.1 of JCPOA Annex IV?

The High Representative will serve as the Coordinator of the Procurement Working Group.⁸⁹

⁸⁷ See Article 2 of Council Decision (CFSP) 2015/1863 of 18 October 2015.

⁸⁸ Annex IV, paragraph 6.2, of the JCPOA.

⁸⁹ Annex IV, paragraph 6.3, of the JCPOA

68. How is confidentiality of information when sending an authorisation application ensured? For example, on sensitive business-related information.

The operation of the Procurement Working Group is subject to the confidentiality rules of the UN.⁹⁰

69. How will the Procurement Working Group communicate its authorisation decisions to domestic authorities?

The Procurement Working Group will review applications and make a recommendation to the UN Security Council, which will then communicate its decision to national competent authorities.

⁹⁰ Annex IV, paragraph 3.4, of the JCPOA

8. Reference documents

Joint Comprehensive Plan of Action (JCPOA)

- JCPOA

http://eeas.europa.eu/statements-eeas/docs/iran_agreement/iran_joint-comprehensive-plan-of-action_en.pdf

- JCPOA – Annex I – Nuclear-related measures

http://eeas.europa.eu/statements-eeas/docs/iran_agreement/annex_1_nuclear_related_commitments_en.pdf

- JCPOA – Annex II – Sanctions-related commitments

http://eeas.europa.eu/statements-eeas/docs/iran_agreement/annex_2_sanctions_related_commitments_en.pdf

Attachments Annex II

http://eeas.europa.eu/statements-eeas/docs/iran_agreement/annex_1_attachements_en.pdf

- JCPOA – Annex III – Civil Nuclear Cooperation

http://eeas.europa.eu/statements-eeas/docs/iran_agreement/annex_3_civil_nuclear_cooperation_en.pdf

- JCPOA – Annex IV – Joint Commission

http://eeas.europa.eu/statements-eeas/docs/iran_agreement/annex_4_joint_commission_en.pdf

- JCPOA – Annex V – Implementation Plan

http://eeas.europa.eu/statements-eeas/docs/iran_agreement/annex_5_implementation_plan_en.pdf

United Nations

- UN Security Council resolution 2231(2015)

[http://daccess-dds-](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N15/225/27/PDF/N1522527.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/N15/225/27/PDF/N1522527.pdf?OpenElement](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N15/225/27/PDF/N1522527.pdf?OpenElement)

- UN Security Council

<http://www.un.org/en/sc/>

EU legal acts

- Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP

[http://eur-lex.europa.eu/legal-](http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1452107576951&uri=CELEX:32010D0413)

[content/EN/TXT/?qid=1452107576951&uri=CELEX:32010D0413](http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1452107576951&uri=CELEX:32010D0413)

- Council Decision (CFSP) 2015/1863 of 18 October 2015 amending Decision 2010/413/CFSP concerning restrictive measures against Iran

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1863&from=EN>

- Council Regulation No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010

[http://eur-lex.europa.eu/legal-](http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1452107630568&uri=CELEX:32012R0267)

[content/EN/TXT/?qid=1452107630568&uri=CELEX:32012R0267](http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1452107630568&uri=CELEX:32012R0267)

- Council Regulation (EU) 2015/1861 of 18 October 2015 amending Regulation (EU) 267/2012 concerning restrictive measures against Iran. (including annexes)

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015R1861&from=EN>

- Council Implementing Regulation (EU) 2015/1862 of 18 October 2015 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran

[http://eur-lex.europa.eu/legal-](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015R1862&qid=1452102679407&from=EN)

[content/EN/TXT/PDF/?uri=CELEX:32015R1862&qid=1452102679407&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015R1862&qid=1452102679407&from=EN)

- Council Decision (CFSP) 2016/37 of 16 January 2016 concerning the date of application of Decision (CFSP) 2015/1863 amending Decision 2010/413/CFSP concerning restrictive measures against Iran

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2016:0111:TOC>

- Notice: Information concerning the date of application of Council Regulation (EU) 2015/1861 of 18 October 2015 amending Regulation (EU) No 267/2012 concerning restrictive measures against Iran (OJ L 274, 18.10.2015, p. 1) and Council Implementing Regulation (EU) 2015/1862 of 18 October 2015 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran (OJ L 274, 18.10.2015, p. 161)

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C:2016:0151:TOC>

Other relevant EU documents

- Frequently Asked Questions on EU restrictive measures

http://eeas.europa.eu/cfsp/sanctions/docs/frequently_asked_questions_en.pdf

- Guidelines on implementation and evaluation of restrictive measures in the framework of the EU Common Foreign and Security Policy

<http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2011205%202012%20INIT>

- New elements on the notions of ownership and control and the making available of funds or economic resources

<http://register.consilium.europa.eu/pdf/en/13/st09/st09068.en13.pdf>

- EU Best Practices for the effective implementation of restrictive measures

<http://data.consilium.europa.eu/doc/document/ST-10254-2015-INIT/en/pdf>

U.S. OFAC website

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