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COUNCIL COMMON POSITION

of 27 December 2001

on the application of specific measures to combat terrorism

(2001/931/CFSP)

(OJ L 344, 28.12.2001, p. 93)

Amended by:

		Official Journal		
		No	page	date
►M1	Council Decision 2014/483/CFSP of 22 July 2014	L 217	35	23.7.2014
►M2	Council Decision (CFSP) 2015/521 of 26 March 2015	L 82	107	27.3.2015
►M3	Council Decision (CFSP) 2015/1334 of 31 July 2015	L 206	61	1.8.2015
►M4	Council Decision (CFSP) 2015/2430 of 21 December 2015	L 334	18	22.12.2015
►M5	Council Decision (CFSP) 2016/1136 of 12 July 2016	L 188	21	13.7.2016
►M6	Council Decision (CFSP) 2016/1711 of 27 September 2016	L 259I	3	27.9.2016
►M7	Council Decision (CFSP) 2017/154 of 27 January 2017	L 23	21	28.1.2017
►M8	Council Decision (CFSP) 2017/1426 of 4 August 2017	L 204	95	5.8.2017
►M9	Council Decision (CFSP) 2017/2073 of 13 November 2017	L 295	59	14.11.2017
►M10	Council Decision (CFSP) 2018/475 of 21 March 2018	L 79	26	22.3.2018
►M11	Council Decision (CFSP) 2018/1084 of 30 July 2018	L 194	144	31.7.2018
►M12	Council Decision (CFSP) 2019/25 of 8 January 2019	L 6	6	9.1.2019
►M13	Council Decision (CFSP) 2019/1341 of 8 August 2019	L 209	15	9.8.2019
►M14	Council Decision (CFSP) 2020/20 of 13 January 2020	L 8I	5	14.1.2020
►M15	Council Decision (CFSP) 2020/1132 of 30 July 2020	L 247	18	31.7.2020
►M16	Council Decision (CFSP) 2021/142 of 5 February 2021	L 43	14	8.2.2021
►M17	Council Decision (CFSP) 2021/1192 of 19 July 2021	L 258	42	20.7.2021
►M18	Council Decision (CFSP) 2022/152 of 3 February 2022	L 25	13	4.2.2022
►M19	Council Decision (CFSP) 2022/1241 of 18 July 2022	L 190	133	19.7.2022
►M20	Council Decision (CFSP) 2023/422 of 24 February 2023	L 61	58	27.2.2023
►M21	Council Decision (CFSP) 2023/1514 of 20 July 2023	L 184	33	21.7.2023

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Article 1

1. This Common Position applies in accordance with the provisions of the following Articles to persons, groups and entities involved in terrorist acts and listed in the Annex.

2. For the purposes of this Common Position, 'persons, groups and entities involved in terrorist acts' shall mean:

— persons who commit, or attempt to commit, terrorist acts or who participate in, or facilitate, the commission of terrorist acts,

— groups and entities owned or controlled directly or indirectly by such persons; and persons, groups and entities acting on behalf of, or under the direction of, such persons, groups and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons, groups and entities.

3. For the purposes of this Common Position, 'terrorist act' shall mean one of the following intentional acts, which, given its nature or its context, may seriously damage a country or an international organisation, as defined as an offence under national law, where committed with the aim of:

(i) seriously intimidating a population, or

(ii) unduly compelling a Government or an international organisation to perform or abstain from performing any act, or

(iii) seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation:

(a) attacks upon a person's life which may cause death;

(b) attacks upon the physical integrity of a person;

(c) kidnapping or hostage taking;

(d) causing extensive destruction to a Government or public facility, a transport system, an infrastructure facility, including an information system, a fixed platform located on the continental shelf, a public place or private property, likely to endanger human life or result in major economic loss;

(e) seizure of aircraft, ships or other means of public or goods transport;

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(f) manufacture, possession, acquisition, transport, supply or use of weapons, explosives or of nuclear, biological or chemical weapons, as well as research into, and development of, biological and chemical weapons;

(g) release of dangerous substances, or causing fires, explosions or floods the effect of which is to endanger human life;

(h) interfering with or disrupting the supply of water, power or any other fundamental natural resource, the effect of which is to endanger human life;

(i) threatening to commit any of the acts listed under (a) to (h);

(j) directing a terrorist group;

(k) participating in the activities of a terrorist group, including by supplying information or material resources, or by funding its activities in any way, with knowledge of the fact that such participation will contribute to the criminal activities of the group.

For the purposes of this paragraph, 'terrorist group' shall mean a structured group of more than two persons, established over a period of time and acting in concert to commit terrorist acts. 'Structured group' means a group that is not randomly formed for the immediate commission of a terrorist act and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure.

4. The list in the Annex shall be drawn up on the basis of precise information or material in the relevant file which indicates that a decision has been taken by a competent authority in respect of the persons, groups and entities concerned, irrespective of whether it concerns the instigation of investigations or prosecution for a terrorist act, an attempt to perpetrate, participate in or facilitate such an act based on serious and credible evidence or clues, or condemnation for such deeds. Persons, groups and entities identified by the Security Council of the United Nations as being related to terrorism and against whom it has ordered sanctions may be included in the list.

For the purposes of this paragraph 'competent authority' shall mean a judicial authority, or, where judicial authorities have no competence in the area covered by this paragraph, an equivalent competent authority in that area.

5. The Council shall work to ensure that names of natural or legal persons, groups or entities listed in the Annex have sufficient particulars appended to permit effective identification of specific human beings, legal persons, entities or bodies, thus facilitating the exculpation of those bearing the same or similar names.

6. The names of persons and entities on the list in the Annex shall be reviewed at regular intervals and at least once every six months to ensure that there are grounds for keeping them on the list.

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Article 2

The European Community, acting within the limits of the powers conferred on it by the Treaty establishing the European Community, shall order the freezing of the funds and other financial assets or economic resources of persons, groups and entities listed in the Annex.

Article 3

The European Community, acting within the limits of the powers conferred on it by the Treaty establishing the European Community, shall ensure that funds, financial assets or economic resources or financial or other related services will not be made available, directly or indirectly, for the benefit of persons, groups and entities listed in the Annex.

Article 4

Member States shall, through police and judicial cooperation in criminal matters within the framework of Title VI of the Treaty on European Union, afford each other the widest possible assistance in preventing and combating terrorist acts. To that end they shall, with respect to enquiries and proceedings conducted by their authorities in respect of any of the persons, groups and entities listed in the Annex, fully exploit, upon request, their existing powers in accordance with acts of the European Union and other international agreements, arrangements and conventions which are binding upon Member States.

Article 5

This Common Position shall take effect on the date of its adoption.

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Article 6

This Common Position shall be kept under constant review.

Article 7

This Common Position shall be published in the Official Journal.

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ANNEX

First list of persons, groups and entities referred to in Article 1 ([1])

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I. PERSONS

1. ABDOLLAHI Hamed (a.k.a. Mustafa Abdullahi), born 11.8.1960 in Iran. Passport number: D9004878.

2. AL-NASSER Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia.

3. AL-YACOUB Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia.

4. ARBABSIAR Manssor (a.k.a. Mansour Arbabsiar), born 6.3.1955 or 15.3.1955 in Iran. Iranian and US national, passport number: C2002515 (Iran); passport number: 477845448 (USA). National ID number: 07442833, expiry date 15.3.2016 (USA driving licence).

5. ASSADI Assadollah (a.k.a. Assadollah Asadi), born 22.12.1971 in Tehran (Iran), Iranian national. Iranian diplomatic passport number: D9016657.

6. BOUYERI Mohammed (a.k.a. Abu Zubair, a.k.a. Sobiar, a.k.a. Abu Zoubair), born 8.3.1978 in Amsterdam (The Netherlands).

7. HASSAN EL HAJJ Hassan, born 22.3.1988 in Zaghdraiya, Sidon, Lebanon, Canadian citizen. Passport number: JX446643 (Canada).

8. HASHEMI MOGHADAM Saeid, born 6.8.1962 in Tehran (Iran), Iranian national. Passport number: D9016290, valid until 4.2.2019.

9. AL-DIN Hasan Izz (a.k.a. Garbaya Ahmed, a.k.a. Sa'id, a.k.a. Salwwan Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon.

10. MELIAD Farah, born 5.11.1980 in Sydney (Australia), Australian citizen. Passport number: M2719127 (Australia).

11. MOHAMMED Khalid Sheikh (a.k.a. Ali Salem, a.k.a. Bin Khalid Fahd Bin Abdallah, a.k.a. Henin Ashraf Refaat Nabith, a.k.a. Wadood Khalid Abdul), born 14.4.1965 or 1.3.1964 in Pakistan, passport number 488555.

12. SHAHLAI Abdul Reza (a.k.a. Abdol Reza Shala'i, a.k.a. Abd-al Reza Shalai, a.k.a. Abdorreza Shahlai, a.k.a. Abdolreza Shahla'i, a.k.a. Abdul-Reza Shahlaee, a.k.a. Hajj Yusef, a.k.a. Haji Yusif, a.k.a. Hajji Yasir, a.k.a. Hajji Yusif, a.k.a. Yusuf Abu-al-Karkh), born circa 1957 in Iran. Addresses: (1) Kermanshah, Iran, (2) Mehran Military Base, Ilam Province, Iran.

13. SHAKURI Ali Gholam, born circa 1965 in Tehran, Iran.

II. GROUPS AND ENTITIES

1. 'Abu Nidal Organisation' – 'ANO' (a.k.a. 'Fatah Revolutionary Council', a.k.a. 'Arab Revolutionary Brigades', a.k.a. 'Black September', a.k.a. 'Revolutionary Organisation of Socialist Muslims').

2. 'Al-Aqsa Martyrs' Brigade'.

([1]) Persons marked with an * shall be the subject of Article 4 only.

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3. ‘Al-Aqsa e.V’.
4. ‘Babbar Khalsa’.
5. ‘Communist Party of the Philippines’, including ‘New People’s Army’ – ‘NPA’, Philippines.
6. Directorate for Internal Security of the Iranian Ministry for Intelligence and Security.
7. ‘Gama’a al-Islamiyya’ (a.k.a. ‘Al-Gama’a al-Islamiyya’) (‘Islamic Group’ – ‘IG’).
8. ‘İslami Büyük Doğu Akıncılar Cephesi’ – ‘IBDA-C’ (‘Great Islamic Eastern Warriors Front’).
9. ‘Hamas’, including ‘Hamas-Izz al-Din al-Qassem’.
10. ‘Hizballah Military Wing’ (a.k.a. ‘Hezbollah Military Wing’, a.k.a. ‘Hizbullah Military Wing’, a.k.a. ‘Hizbollah Military Wing’, a.k.a. ‘Hezballah Military Wing’, a.k.a. ‘Hisbollah Military Wing’, a.k.a. ‘Hizbu’llah Military Wing’ a.k.a. ‘Hizb Allah Military Wing’, a.k.a. ‘Jihad Council’ (and all units reporting to it, including the External Security Organisation)).
11. ‘Hizbul Mujahideen’ – ‘HM’.
12. ‘Khalistan Zindabad Force’ – ‘KZF’.
13. ‘Kurdistan Workers’ Party’ – ‘PKK’ (a.k.a. ‘KADEK’, a.k.a. ‘KONGRA-GEL’).
14. ‘Liberation Tigers of Tamil Eelam’ – ‘LTTE’.
15. ‘Ejército de Liberación Nacional’ (‘National Liberation Army’).
16. ‘Palestinian Islamic Jihad’ – ‘PIJ’.
17. ‘Popular Front for the Liberation of Palestine’ – ‘PFLP’.
18. ‘Popular Front for the Liberation of Palestine – General Command’ (a.k.a. ‘PFLP – General Command’).
19. ‘Devrimci Halk Kurtuluş Partisi-Cephesi’ – ‘DHKP/C’ (a.k.a. ‘Devrimci Sol’ (‘Revolutionary Left’), a.k.a. ‘Dev Sol’) (‘Revolutionary People’s Liberation Army/Front/Party’).
20. ‘Sendero Luminoso’ – ‘SL’ (‘Shining Path’).
21. ‘Teyrbazen Azadiya Kurdistan’ – ‘TAK’ (a.k.a. ‘Kurdistan Freedom Falcons’, a.k.a. ‘Kurdistan Freedom Hawks’).