

COPY



THE REPUBLIC OF TRINIDAD AND TOBAGO

IN THE HIGH COURT OF JUSTICE

Claim No. CV2019-00079

IN THE MATTER OF THE ECONOMIC SANCTIONS ACT, CHAPTER 81:05

AND

**IN THE MATTER OF THE ECONOMIC SANCTIONS
(IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS ON THE ISLAMIC
REPUBLIC OF IRAN) ORDER, 2018**

AND

**IN THE MATTER OF AN APPLICATION BY THE ATTORNEY GENERAL OF
TRINIDAD AND TOBAGO FOR A PROHIBITORY ORDER UNDER CLAUSE 4 OF
THE ECONOMIC SANCTIONS (IMPLEMENTATION OF UNITED NATIONS
RESOLUTIONS ON THE ISLAMIC REPUBLIC OF IRAN) ORDER, 2018**

BETWEEN

THE ATTORNEY GENERAL OF TRINIDAD AND TOBAGO

Claimant

AND

FEREIDOUN also known as ABBASI-DAVANI

Defendant

ORDER

**Before the Honourable Madam Justice Donaldson-Honeywell
Dated the 9th day of January 2019**

UPON READING the Fixed Date Claim Form filed on January 9, 2019 and the affidavit of Principal Deponent sworn and filed on January 9, 2019 together with the exhibits attached thereto;

AND UPON HEARING Attorney-at-Law for the Claimant;

IT IS ORDERED THAT personal service of the Order on the Defendant be dispensed with.

IT IS HEREBY DECLARED that in accordance with Clause 2 of the Economic Sanctions (Implementation of United Nations Resolutions on The Islamic Republic Of Iran) Order, 2018 ("the Iran Order"), the Defendant, who is listed at page 1, 3rd paragraph under the rubric **IRi. 001 Name: FEREIDOUN** also known as **ABBASI-DAVANI**, more particularly described therein as Title: na Designation: Senior Ministry of Defence and Armed Forces Logistics (MODAFL) Scientist DOB: a) 1958 b) 1959 POB: Abadan, Iran Good quality a.k.a.: na Low quality a.k.a.: na

Nationality: na Passport no: na National identification no: na Address: na Listed on: 24 Mar. 2007 (amended on 17 Dec. 2014) Other information: Has “links to the Institute of Applied Physics, working closely with Mohsen Fakhrizadeh- Mahabadi” (designated under IRi.016) [Old Reference # I.47.C.1] of the United Nations Security Council Sanctions List established and maintained pursuant to United Nations Security Council Resolution 2231(2015) concerning the Islamic Republic of Iran dated January 3, 2019 is a listed entity for the purposes of the Iran Order.

IT IS FURTHER ORDERED that:

- 1) this matter be deemed fit for hearing as a matter of urgency;
- 2) pursuant to Clause 4 (1) (a) of the Iran Order that the property including:
 - (a) funds or assets of any kind, whether tangible or intangible, moveable or immovable, however acquired;
 - (b) legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such assets, including but not limited to -
 - i) bank credits;
 - ii) payment cards;
 - iii) payment instruments;
 - iv) travellers' cheques;
 - v) bank cheques;
 - vi) money orders;
 - vii) shares;
 - viii) securities;
 - ix) bonds;
 - x) drafts; or
 - xi) letters of credit;
 - (c) precious stones, including diamonds, rubies, sapphires, or emeralds, whether in a treated or untreated state;
 - (d) precious metals, including gold, silver or platinum, whether in a manufactured or unmanufactured state;
 - (e) oil and other natural resources, and their refined products, modular refineries and related material; and

(f) other economic resources which may be used to obtain property, goods or services,

and including a legal or equitable interest, whether full or partial, in any such property that is

- i) owned or controlled by the Defendant;
- ii) wholly or jointly owned or controlled, directly or indirectly, by the Defendant; and
- iii) derived or generated from funds or other assets owned or controlled directly or indirectly by the Defendant,

be frozen as and when they arise for a period lasting until midnight on the 13th day of March, 2019 unless further extended by the Honourable Court;

3) pursuant to Clause 4(1)(b) of the Iran Order the Defendant is prohibited from possessing, controlling or having access to any property including:

(a) funds or assets of any kind, whether tangible or intangible, moveable or immovable, however acquired;

(b) legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such assets, including but not limited to-

- i) bank credits;
- ii) payment cards;
- iii) payment instruments;
- iv) travellers' cheques;
- v) bank cheques;
- vi) money orders;
- vii) shares;
- viii) securities;
- ix) bonds;
- x) drafts; or
- xi) letters of credit;

(c) precious stones, including diamonds, rubies, sapphires, or emeralds, whether in a treated or untreated state;

- (d) precious metals, including gold, silver or platinum, whether in a manufactured or unmanufactured state;
- (e) oil and other natural resources, and their refined products, modular refineries and related material; and
- (f) other economic resources which may be used to obtain property, goods or services,

as and when they arise, and including a legal or equitable interest, whether full or partial, in any such property for a period lasting until midnight on the 13th day of March, 2019 unless further extended by the Honourable Court;

- 4) pursuant to Clause 4 (1) (b) of the Iran Order the Defendant is prohibited from possessing, controlling or having access to any economic resources including assets of every kind, whether tangible or intangible, movable or immovable, actual or potential, which potentially may be used to obtain property, goods, or services, such as vessels, including maritime vessels as and when they arise for a period lasting until midnight on the 13th day of March, 2019 unless further extended by the Honourable Court;
- 5) pursuant to Clause 4 (3) (b) of the Iran Order, the Registrar of the Supreme Court do serve an Office Copy of the Order on the Financial Intelligence Unit immediately in accordance with the Civil Proceedings Rules 1998 (as amended);
- 6) an Order that pursuant to Clause 4(6) of the Iran Order, the Attorney General shall within seven (7) days after the date of the Order, cause a copy of the Order and a statement that the matter will be reviewed every six (6) months, to be published in the Trinidad and Tobago Gazette and in two (2) daily newspapers of general circulation in Trinidad and Tobago; and
- 7) liberty to apply.

KIMITRIA GRAY
Assistant Registrar and Deputy Marshal
Supreme Court of Trinidad and Tobago
Assistant Registrar
Supreme Court

TO: **Mr. Nairob Smart**
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