

COPY



THE REPUBLIC OF TRINIDAD AND TOBAGO

IN THE HIGH COURT OF JUSTICE

Claim No. CV2019-00226

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

1. AMIN INDUSTRIAL COMPLEX also known as AMIN INDUSTRIAL COMPOUND also known as AMIN INDUSTRIAL COMPANY;
2. ARMAMENT INDUSTRIES GROUP (AIG);
3. KAVEH CUTTING TOOLS COMPANY;
4. MINISTRY OF DEFENSE LOGISTICS EXPORT also known as MODLEX;
5. SAD IMPORT EXPORT COMPANY;
6. SHAHID SAYYADE SHIRAZI INDUSTRIES (SSSI);
7. YAZD METALLURGY INDUSTRIES (YMI) also known as YAZD AMMUNITION MANUFACTURING AND METALLURGY INDUSTRIES also known as DIRECTORATE OF YAZD AMMUNITION AND METALLURGY INDUSTRIES

Defendants

ORDER

Before the **Honourable Mr. Justice Rahim**

Dated the 18th day of January, 2019

UPON READING the Fixed Date Claim Form filed on January 18, 2019 and the affidavit of Vyana Sharma sworn and filed on January 18, 2019 together with the exhibits attached thereto;

AND UPON this matter being determined in Chambers without a hearing;

IT IS ORDERED THAT personal service of the Order on the Defendants 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"), each of the Defendants, who is listed on 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,

- i. at page 4, 6th paragraph under the rubric **IRe. 003 Name: AMIN INDUSTRIAL COMPLEX** also known as **AMIN INDUSTRIAL COMPOUND** also known as **AMIN INDUSTRIAL COMPANY**, more particularly described therein as A.k.a.: a) Amin Industrial Compound b) Amin Industrial Company F.k.a.: na Address: a) P.O. Box 91735-549, Mashad, Iran (Islamic Republic of) b) Amin Industrial Estate, Khalage Rd., Seyedi District, Mashad, Iran (Islamic Republic of) c) Kaveh Complex, Khalaj Rd., Seyedi St., Mashad, Iran (Islamic Republic of) Listed on: 9 Jun. 2010 (amended on 17 Dec. 2014) Other information: Sought temperature controllers which may be used in nuclear research and operational/production facilities. Amin Industrial Complex is owned or controlled by, or acts on behalf of, DIO, which was designated in resolution 1737 (2006). [Old Reference # E.29.I.1];
- ii. at page 4, 8th paragraph under the rubric **IRe. 005 Name: ARMAMENT INDUSTRIES GROUP (AIG)**, more particularly described therein as A.k.a.: na F.k.a.: na Address: a) Sepah Islam Road, Karaj Special Road Km 10, Iran (Islamic Republic of) b) Pasdaran Ave., Tehran, Iran (Islamic Republic of) c) P.O. Box 19585/777, Tehran, Iran (Islamic Republic of) Listed on: 9 Jun. 2010 (amended on 17 Dec. 2014) Other information: Manufacturers and services a variety of small arms and light weapons, including large- and medium-calibre guns and related technology. AIG conducts the majority of its procurement activity through Hadid Industries Complex. [Old Reference # E.29.I.2];
- iii. at page 6, 10th paragraph under the rubric **IRe. 034 Name: KAVEH CUTTING TOOLS COMPANY**, more particularly described therein as A.k.a.: na F.k.a.: na Address: a) 3rd Km of Khalaj Road, Seyyedi Street, Mashad, 91638, Iran (Islamic Republic of) b) Km 4 of Khalaj Road, End of Seyedi Street, Mashad, Iran (Islamic Republic of) c) P.O. Box 91735-549, Mashad, Iran (Islamic Republic of) d) Khalaj Rd., End of Seyyedi Alley, Mashad, Iran (Islamic Republic of) e) Moqan St., Pasdaran St., Pasdaran Cross Rd., Tehran, Iran (Islamic Republic of) Listed on: 9 Jun. 2010 Other information: Owned or controlled by, or acts on behalf of, DIO. [Old Reference # E.29.I.7];

- iv. at page 7, 4th paragraph under the rubric **IRe. 042 Name: MINISTRY OF DEFENSE LOGISTICS EXPORT** also known as **MODLEX**, more particularly described therein as A.k.a.: MODLEX F.k.a.: na Address: a) P.O. Box 16315-189, Tehran, Iran (Islamic Republic of) b) Located on the west side of Dabestan Street, Abbas Abad District, Tehran, Iran (Islamic Republic of) Listed on: 9 Jun. 2010 Other information: MODLEX sells Iranian-produced arms to customers around the world in contravention of resolution 1747 (2007), which prohibits Iran from selling arms or related materiel. [Old Reference # E.29.I.10];
- v. at page 8, 4th paragraph under the rubric **IRe. 059 Name: SAD IMPORT EXPORT COMPANY**, more particularly described therein as A.k.a.: na F.k.a.: na Address: a) Haftom Tir Square, South Mofte Avenue, Tour Line No 3/1, Tehran, Iran (Islamic Republic of) b) P.O. Box 1584864813, Tehran, Iran (Islamic Republic of) Listed on: 20 Dec. 2012 (amended on 17 Dec. 2014) Other information: Assisted Parchin Chemical Industries and 7th of Tir Industries, designated in resolutions 1747 (2007) and 1737 (2006), in violating paragraph 5 of resolution 1747 (2007). [Old Reference # I.AC.50.20.12.12.(2)];
- vi. at page 9, 2nd paragraph under the rubric **IRe. 070 Name: SHAHID SAYYADE SHIRAZI INDUSTRIES (SSSI)**, more particularly described therein as A.k.a.: na F.k.a.: na Address: a) Next To Nirou Battery Mfg. Co, Shahid Babaii Expressway, Nobonyad Square, Tehran, Iran (Islamic Republic of) b) Pasdaran St., P.O. Box 16765, Tehran, 1835, Iran (Islamic Republic of) c) Babaei Highway - Next to Niru M.F.G, Tehran, Iran (Islamic Republic of) Listed on: 9 Jun. 2010 Other information: SSSI is owned or controlled by, or acts on behalf of, DIO. [Old Reference # E.29.I.19]; and
- vii. at page 9, 8th paragraph under the rubric **IRe. 078 Name: YAZD METALLURGY INDUSTRIES (YMI)** also known as **YAZD AMMUNITION MANUFACTURING AND METALLURGY INDUSTRIES** also known as **DIRECTORATE OF YAZD AMMUNITION AND METALLURGY INDUSTRIES**, more particularly described therein as A.k.a.: a) Yazd Ammunition Manufacturing and Metallurgy Industries b) Directorate of Yazd Ammunition and Metallurgy Industries F.k.a.: na Address: a) Pasdaran Avenue, next to Telecommunication Industry, Tehran, 16588, Iran b) Postal Box 89195/878, Yazd, Iran c) P.O. Box 89195-678, Yazd, Iran d) Km 5 of Taft Road, Yazd, Iran Listed on: 9 Jun. 2010 Other information: YMI is a subordinate of DIO. [Old Reference #E.29. I.22],

are listed entities 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 each Defendant;
- ii) wholly or jointly owned or controlled, directly or indirectly, by each Defendant; and
- iii) derived or generated from funds or other assets owned or controlled directly or indirectly by each 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 each 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 each 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) 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;
- 7) Costs to be costs in the cause; and
- 8) Liberty to apply.



Assistant Registrar

Supreme Court

RISHMA RAMRATTAN

Assistant Registrar and Deputy Marshal
Supreme Court of Trinidad and Tobago

TO:

Nairob Smart
Attorney-at-Law for the Claimant
Chief State Solicitor Department
Cabildo Chambers
Nos. 23-27 St. Vincent Street
Port-of-Spain

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