

Official Journal

of the European Union

L 188



English edition

Legislation

Volume 54

19 July 2011

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 12 July 2011

on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Democratic Republic of São Tomé and Príncipe

(2011/420/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43, in conjunction with Article 218(6)(a), thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) On 23 July 2007, the Council adopted Regulation (EC) No 894/2007 on the conclusion of a Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community ⁽¹⁾ (the 'Agreement'). A Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement ⁽²⁾ (the 'former Protocol') was attached thereto. That former Protocol expired on 31 May 2010.
- (2) The Union therefore negotiated a new Protocol (the 'Protocol') setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement with the Democratic Republic of São Tomé and Príncipe, providing Union vessels with fishing opportunities in the waters over which the Democratic Republic of São Tomé and Príncipe has sovereignty or jurisdiction in respect of fisheries.
- (3) As a result of those negotiations, the new Protocol was initialled on 15 July 2010.

- (4) In accordance with Council Decision 2011/296/EU of 24 February 2011 ⁽³⁾, the Protocol was signed and has been applied provisionally.

- (5) The Protocol should be concluded,

HAS ADOPTED THIS DECISION:

Article 1

The Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Democratic Republic of São Tomé and Príncipe (the 'Protocol') is hereby approved on behalf of the Union ⁽⁴⁾.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to give, on behalf of the Union, the notification provided for in Article 14 of the Protocol, in order to bind the Union ⁽⁵⁾.

Article 3

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

Done at Brussels, 12 July 2011.

For the Council

The President

J. VINCENT-ROSTOWSKI

⁽¹⁾ OJ L 205, 7.8.2007, p. 35.

⁽²⁾ OJ L 205, 7.8.2007, p. 40.

⁽³⁾ OJ L 136, 24.5.2011, p. 4.

⁽⁴⁾ The Protocol and the Decision on its signing have been published in the Official Journal.

⁽⁵⁾ The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) No 687/2011

of 18 July 2011

implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, and repealing Implementing Regulations (EU) No 610/2010 and (EU) No 83/2011

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ⁽¹⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) On 12 July 2010, the Council adopted Implementing Regulation (EU) No 610/2010 ⁽²⁾ implementing Article 2(3) of Regulation (EC) No 2580/2001, by establishing an updated list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies.
- (2) On 31 January 2011, by Implementing Regulation (EU) No 83/2011 ⁽³⁾, the Council established an updated list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies and repealed Implementing Regulation (EU) No 610/2010, except in so far as it concerns the group mentioned in entry number 25 in Part 2 of the Annex thereto.
- (3) The Council has provided all the persons, groups and entities for which it was practically possible with statements of reasons explaining why they were listed in Implementing Regulation (EU) No 83/2011.
- (4) By way of a notice published in the *Official Journal of the European Union* ⁽⁴⁾, the Council informed the persons, groups and entities listed in Implementing Regulation (EU) No 83/2011 that it had decided to keep them on the list. The Council also informed the persons, groups and entities concerned that it was possible to request a statement of the Council's reasons for putting them on the list where one had not already been communicated to them. In relation to certain persons and groups, an amended statement of reasons was made available.

- (5) The Council has carried out a complete review of the list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies, as required by Article 2(3) of that Regulation. When doing so, the Council took account of observations submitted to it by the persons, groups and entities concerned.
- (6) The Council has concluded that there are no longer grounds for keeping certain persons and groups on the list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies.
- (7) The Council has concluded that the persons, groups and entities listed in the Annex to this Regulation have been involved in terrorist acts within the meaning of Article 1(2) and (3) of Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism ⁽⁵⁾, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that Common Position, and that they should continue to be subject to the specific restrictive measures provided for in Regulation (EC) No 2580/2001.
- (8) The list of the persons, groups and entities to which Regulation (EC) No 2580/2001 applies should be updated accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The list provided for in Article 2(3) of Regulation (EC) No 2580/2001 shall be replaced by the list set out in the Annex to this Regulation.

Article 2

Implementing Regulation (EU) No 610/2010, in so far as it concerns the group mentioned in entry number 25 in Part 2 of the Annex thereto, and Implementing Regulation (EU) No 83/2011 are hereby repealed.

⁽¹⁾ OJ L 344, 28.12.2001, p. 70.

⁽²⁾ OJ L 178, 13.7.2010, p. 1.

⁽³⁾ OJ L 28, 2.2.2011, p. 14.

⁽⁴⁾ OJ C 33, 2.2.2011, p. 14.

⁽⁵⁾ OJ L 344, 28.12.2001, p. 93.

Article 3

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 July 2011.

For the Council
The President
C. ASHTON

ANNEX

**LIST OF PERSONS, GROUPS AND ENTITIES REFERRED TO IN ARTICLE 1 TO WHICH REGULATION (EC)
No 2580/2001 APPLIES**

1. PERSONS

1. ABOU, Rabah Naami (a.k.a. Naami Hamza, a.k.a. Mihoubi Faycal, a.k.a. Fellah Ahmed, a.k.a. Dafri Rème Lahdi), born 1.2.1966 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
2. ABOUD, Maisi (a.k.a. The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria), — member of 'al-Takfir' and 'al-Hijra'
3. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia
4. AL YACIOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
5. ARIOUA, Kamel (a.k.a. Lamine Kamel), born 18.8.1969 in Costantine (Algeria) — member of 'al-Takfir' and 'al-Hijra'
6. ASLI, Mohamed (a.k.a. Dahmane Mohamed), born 13.5.1975 in Ain Taya (Algeria) — member of 'al-Takfir' and 'al-Hijra'
7. ASLI, Rabah, born 13.5.1975 in Ain Taya (Algeria) — member of 'al-Takfir' and 'al-Hijra'
8. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR, a.k.a. SOBIAR, a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands) — member of the 'Hofstadgroep'
9. DARIB, Noureddine (a.k.a. Carreto, a.k.a. Zitoun Mourad), born 1.2.1972 in Algeria — member of 'al-Takfir' and 'al-Hijra'
10. DJABALI, Abderrahmane (a.k.a. Touil), born 1.6.1970 in Algeria — member of 'al-Takfir' and 'al-Hijra'
11. EL FATMI, Noureddine (a.k.a. Nouriddin EL FATMI, a.k.a. Nouriddine EL FATMI, a.k.a. Noureddine EL FATMI, a.k.a. Abu AL KA'E KA'E, a.k.a. Abu QAE QAE, a.k.a. FOUAD, a.k.a. FZAD, a.k.a. Nabil EL FATMI, a.k.a. Ben MOHAMMED, a.k.a. Ben Mohand BEN LARBI, a.k.a. Ben Driss Muhand IBN LARBI, a.k.a. Abu TAHAR, a.k.a. EGGIE), born 15.8.1982 in Midar (Morocco), passport (Morocco) No N829139 — member of the 'Hofstadgroep'
12. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
13. IZZ-AL-DIN, Hasan (a.k.a. GARBAYA, Ahmed, a.k.a. SA-ID, a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
14. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem, a.k.a. BIN KHALID, Fahd Bin Adballah, a.k.a. HENIN, Ashraf Refaat Nabith, a.k.a. WADOOD, Khalid Adbul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
15. MOKTARI, Fateh (a.k.a. Ferdi Omar), born 26.12.1974 in Hussein Dey (Algeria) — member of 'al-Takfir' and 'al-Hijra'
16. NOUARA, Farid, born 25.11.1973 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
17. RESSOUS, Hoari (a.k.a. Hallasa Farid), born 11.9.1968 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
18. SEDKAOUI, Noureddine (a.k.a. Nounou), born 23.6.1963 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
19. SELMANI, Abdelghani (a.k.a. Gano), born 14.6.1974 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
20. SENOUCI, Sofiane, born 15.4.1971 in Hussein Dey (Algeria) — member of 'al-Takfir' and 'al-Hijra'
21. TINGUALI, Mohammed (a.k.a. Mouh di Kouba), born 21.4.1964 in Blida (Algeria) — member of 'al-Takfir' and 'al-Hijra'
22. WALTERS, Jason Theodore James (a.k.a. Abdullah, a.k.a. David), born 6.3.1985 in Amersfoort (The Netherlands), passport (The Netherlands) No NE8146378 — member of the 'Hofstadgroep'

2. 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'
 3. 'Al-Aqsa e.V.'
 4. 'Al-Takfir' and 'Al-Hijra'
 5. 'Babbar Khalsa'
 6. 'Communist Party of the Philippines', including 'New People's Army' — 'NPA', Philippines
 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. 'Hizbul Mujahideen' — 'HM'
 11. 'Hofstadgroep'
 12. 'Holy Land Foundation for Relief and Development'
 13. 'International Sikh Youth Federation' — 'ISYF'
 14. 'Khalistan Zindabad Force' — 'KZF'
 15. 'Kurdistan Workers Party' — 'PKK' (a.k.a. 'KADEK', a.k.a. 'KONGRA-GEL')
 16. 'Liberation Tigers of Tamil Eelam' — 'LTTE'
 17. 'Ejército de Liberación Nacional' ('National Liberation Army')
 18. 'Palestinian Islamic Jihad' — 'PIJ'
 19. 'Popular Front for the Liberation of Palestine' — 'PFLP'
 20. 'Popular Front for the Liberation of Palestine — General Command' (a.k.a. 'PFLP — General Command')
 21. 'Fuerzas armadas revolucionarias de Colombia' — 'FARC' ('Revolutionary Armed Forces of Colombia')
 22. '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')
 23. 'Sendero Luminoso' — 'SL' ('Shining Path')
 24. 'Stichting Al Aqsa' (a.k.a. 'Stichting Al Aqsa Nederland', a.k.a. 'Al Aqsa Nederland')
 25. 'Teyrbazen Azadiya Kurdistan' — 'TAK' (a.k.a. 'Kurdistan Freedom Falcons', a.k.a. 'Kurdistan Freedom Hawks')
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COMMISSION IMPLEMENTING REGULATION (EU) No 688/2011

of 18 July 2011

derogating, for 2011, from Regulation (EC) No 501/2008 by establishing an additional timetable for presenting and selecting information and promotion programmes for fresh fruit and vegetables on the internal market and in third countries

THE EUROPEAN COMMISSION,

exporting fresh fruit and vegetable products produced in the EU to third countries should therefore be increased.

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 3/2008 of 17 December 2007 on information provision and promotion measures for agricultural products on the internal market and in third countries ⁽¹⁾, and in particular Article 15 thereof,

Whereas:

- (1) Article 3(1)(c) of Regulation (EC) No 3/2008 specifies that the sectors or products which may be the subject of information provision and promotion measures financed in full or in part from the budget of the European Union are to be determined bearing in mind in particular the need to tackle specific or short-term difficulties in individual sectors.
- (2) Article 3(2)(a) of Regulation (EC) No 3/2008 specifies that the products that may be the subject of information provision and promotion measures financed in full or in part from the budget of the European Union and to be carried out in third countries are specifically those for which export opportunities or potential new market outlets exist, especially where export refunds will not be required.
- (3) The fresh fruit and vegetable sector is being adversely affected by an unprecedented crisis on account of an epidemic caused by the *Escherichia coli* bacteria. This epidemic has led to a crisis of confidence among consumers which has led to a substantial drop in consumption. Consumer confidence in fresh fruit and vegetable products produced in the EU should therefore be strengthened.
- (4) This crisis of confidence has also led to acute economic difficulties, such that the economic survival of a significant number of farms in the EU fresh fruit and vegetable sector is in jeopardy. The opportunities for

- (5) In this context it is appropriate to offer trade organisations representing the fresh fruit and vegetable sector the opportunity to benefit from EU part-financing under Regulation (EC) No 3/2008, and to that end they should be allowed to submit information and promotion programmes to the competent national authorities within the next few weeks, with a view to their selection and possible adoption by the Commission before the end of this year. These programmes may be submitted independently of the annual timing for adopting programmes and the usual timetable laid down in Articles 8 and 11 of Commission Regulation (EC) No 501/2008 of 5 June 2008 laying down detailed rules for the application of Council Regulation (EC) No 3/2008 on information provision and promotion measures for agricultural products on the internal market and in third countries ⁽²⁾.
- (6) There is therefore reason to derogate, for 2011, for information and promotion programmes for fresh fruit and vegetables on the internal market and in third countries, from Regulation (EC) No 501/2008.
- (7) The Management Committee for the Common Organisation of Agricultural Markets has not issued an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For 2011 and notwithstanding the usual annual timetable provided for in the second subparagraph of Article 8(1) and in Article 11(1) and (3) of Regulation (EC) No 501/2008, the following additional timetable shall be applied for information and promotion programmes for fresh fruit and vegetables on the internal market and in third countries:

⁽¹⁾ OJ L 3, 5.1.2008, p. 1.

⁽²⁾ OJ L 147, 6.6.2008, p. 3.

(a) the trade and inter-branch organisations representing the fresh fruit and vegetable sector may submit their programmes to the Member States by 16 August 2011;

(b) Member States shall notify the Commission of the provisional list of the programmes selected by 15 September 2011;

(c) the Commission shall decide which programmes it can part-finance by 15 November 2011 at the latest.

Article 2

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 July 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 689/2011**of 18 July 2011****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 July 2011.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 July 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	49,0
	AR	19,4
	EC	19,4
	MK	43,1
	ZZ	32,7
0707 00 05	AR	22,0
	TR	105,8
	ZZ	63,9
0709 90 70	AR	24,9
	TR	109,4
	ZZ	67,2
0805 50 10	AR	60,7
	TR	62,0
	UY	65,3
	ZA	74,4
	ZZ	65,6
0808 10 80	AR	118,0
	BR	84,1
	CL	89,4
	CN	75,3
	EC	60,7
	NZ	117,7
	US	181,8
	ZA	92,6
	ZZ	102,5
0808 20 50	AR	82,6
	CL	122,1
	CN	54,5
	NZ	157,8
	ZA	106,2
	ZZ	104,6
0809 10 00	AR	75,0
	TR	209,6
	XS	143,2
	ZZ	142,6
0809 20 95	TR	306,0
	ZZ	306,0
0809 40 05	BA	56,1
	ZZ	56,1

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION IMPLEMENTING REGULATION (EU) No 690/2011**of 18 July 2011****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EU) No 867/2010 for the 2010/11 marketing year**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2010/11 marketing year are fixed by Commission Regulation (EU) No 867/2010 ⁽³⁾. These prices and duties have been last amended by Commission Implementing Regulation (EU) No 685/2011 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EU) No 867/2010 for the 2010/11 marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 July 2011.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 July 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 259, 1.10.2010, p. 3.

⁽⁴⁾ OJ L 187, 16.7.2011, p. 22.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 19 July 2011

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	48,41	0,00
1701 11 90 ⁽¹⁾	48,41	0,38
1701 12 10 ⁽¹⁾	48,41	0,00
1701 12 90 ⁽¹⁾	48,41	0,08
1701 91 00 ⁽²⁾	53,50	1,42
1701 99 10 ⁽²⁾	53,50	0,00
1701 99 90 ⁽²⁾	53,50	0,00
1702 90 95 ⁽³⁾	0,54	0,20

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.⁽³⁾ Per 1 % sucrose content.

DECISIONS

COUNCIL IMPLEMENTING DECISION 2011/421/CFSP

of 18 July 2011

implementing Decision 2010/145/CFSP renewing measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision 2010/145/CFSP of 8 March 2010 renewing measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) ⁽¹⁾, and in particular Article 2 thereof,

Whereas:

- (1) By Decision 2010/145/CFSP the Council renewed measures to prevent the entry into, or transit through, the territories of Member States of persons who are engaged in activities which help persons at large indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) to continue to evade justice, or who are otherwise acting in a manner which could obstruct the ICTY's effective implementation of its mandate.

- (2) Following the transfer of Ratko MLADIC to the custody of the ICTY on 31 May 2011, certain persons connected with Mr MLADIC should be removed from the list in the Annex to Decision 2010/145/CFSP.

- (3) The list contained in the Annex to Decision 2010/145/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2010/145/CFSP shall be replaced by the Annex to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 18 July 2011.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 58, 9.3.2010, p. 8.

ANNEX

'ANNEX

1. BILBIJA, Milorad
Son of Svetko BILBIJA
Date of birth/Place of birth: 13.8.1956, Sanski Most, Bosnia and Herzegovina
Passport No: 3715730
ID Card No: 03GCD9986
Personal ID No: 1308956163305
Aliases:
Address: Brace Pantica 7, Banja Luka, Bosnia and Herzegovina
2. BJELICA, Milovan
Date of birth/Place of birth: 19.10.1958, Rogatica, Bosnia and Herzegovina
Passport No: 0000148, issued on 26.7.1998 in Srpsko Sarajevo (annulled)
ID Card No: 03ETA0150
Personal ID No: 1910958130007
Aliases: Cicko
Address: CENTREK Company in Pale, Bosnia and Herzegovina
3. ECIM (EĆIM), Ljuban
Date of birth/Place of birth: 6.1.1964, Sviljanac, Bosnia and Herzegovina
Passport No: 0144290, issued on 21.11.1998 in Banja Luka (annulled)
ID Card No: 03GCE3530
Personal ID No: 0601964100083
Aliases:
Address: Ulica Stevana Mokranjca 26, Banja Luka, Bosnia and Herzegovina
4. HADZIC (HADŽIĆ), Goranka
Daughter of Branko and Milena HADZIC (HADŽIĆ)
Date of birth/Place of birth: 18.6.1962, Vinkovci Municipality, Croatia
Passport No:
ID Card No: 1806962308218 (JMBG), ID Card No 569934/03
Aliases:
Address: Aranž Janosa Street 9, Novi Sad, Serbia
Relationship to person indicted for war crimes (PIFWC): sister of Goran HADZIC (HADŽIĆ)
5. HADZIC (HADŽIĆ), Ivana
Daughter of Goran and Živka HADZIC (HADŽIĆ)
Date of birth/Place of birth: 25.2.1983, Vukovar, Croatia
Passport No:
ID Card No:
Aliases:
Address: Aranž Janosa Street 9, Novi Sad, Serbia
Relationship to PIFWC: daughter of Goran HADZIC (HADŽIĆ)
6. HADZIC (HADŽIĆ), Srećko (Srećko)
Son of Goran and Živka HADZIC (HADŽIĆ)
Date of birth/Place of birth: 8.10.1987, Vukovar, Croatia
Passport No:
ID Card No:
Aliases:
Address: Aranž Janosa Street 9, Novi Sad, Serbia
Relationship to PIFWC: son of Goran HADZIC (HADŽIĆ)

7. HADZIC (HADŽIĆ), Zivka (Živka)
Daughter of Branislav NUDIC (NUDIĆ)
Date of birth/Place of birth: 9.6.1957, Vinkovci, Croatia
Passport No:
ID Card No:
Aliases:
Address: Aranž Janosa Street 9, Novi Sad, Serbia
Relationship to PIFWC: spouse of Goran HADZIC (HADŽIĆ)
8. JOVICIC (JOVIČIĆ), Predrag
Son of Desmir JOVICIC (JOVIČIĆ)
Date of birth/Place of birth: 1.3.1963, Pale, Bosnia and Herzegovina
Passport No: 4363551
ID Card No: 03DYA0852
Personal ID No: 0103963173133
Aliases:
Address: Milana Simovica 23, Pale, Bosnia and Herzegovina
9. KESEROVIC (KESEROVIĆ), Dragomir
Son of Slavko
Date of birth/Place of birth: 8.6.1957, Piskavica/Banja Luka, Bosnia and Herzegovina
Passport No: 4191306
ID Card No: 04GCH5156
Personal ID No: 0806957100028
Aliases:
Address:
10. KIJAC, Dragan
Date of birth/Place of birth: 6.10.1955, Sarajevo, Bosnia and Herzegovina
Passport No:
ID Card No:
Personal ID No:
Aliases:
Address:
11. KOJIC (KOJIĆ), Radomir
Son of Milanko and Zlatana
Date of birth/Place of birth: 23.11.1950, Bijela Voda, Sokolac, Bosnia and Herzegovina
Passport No: 4742002, issued in 2002 in Sarajevo (expired in 2007)
ID Card No: 03DYA1935, issued on 7.7.2003 in Sarajevo
Personal ID No: 2311950173133
Aliases: Mineur or Ratko
Address: 115 Trifka Grabeza, Pale, or Hotel KRISTAL, Jahorina, Bosnia and Herzegovina
12. KOVAC (KOVAČ), Tomislav
Son of Vaso
Date of birth/Place of birth: 4.12.1959, Sarajevo, Bosnia and Herzegovina
Passport No:
ID Card No:
Personal ID No: 0412959171315
Aliases: Tomo
Address: Bijela, Montenegro; and Pale, Bosnia and Herzegovina

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13. KUJUNDZIC (KUJUNDŽIĆ), Predrag
Son of Vasilija
Date of birth/Place of birth: 30.1.1961, Suho Pole, Doboj, Bosnia and Herzegovina
Passport No:
ID Card No: 03GFB1318
Personal ID No: 3001961120044
Aliases: Predo
Address: Doboj, Bosnia and Herzegovina
14. LUKOVIC (LUKOVIĆ), Milorad Ulemek
Date of birth/Place of birth: 15.5.1968, Belgrade, Serbia
Passport No:
ID Card No:
Personal ID No:
Aliases: Legija (forged ID as IVANIC, Zeljko (IVANIĆ, Željko))
Address: incarcerated (Belgrade District Prison, Bacvanska 14, Belgrade)
15. MALIS (MALIŠ), Milomir
Son of Dejan MALIS (MALIŠ)
Date of birth/Place of birth: 3.8.1966, Bjelice
Passport No:
ID Card No:
Personal ID No: 0308966131572
Aliases:
Address: Vojvode Putnika, Foca, Bosnia and Herzegovina
16. MANDIC (MANDIĆ), Momcilo (Momčilo)
Date of birth/Place of birth: 1.5.1954, Kalinovik, Bosnia and Herzegovina
Passport No: 0121391, issued on 12.5.1999 in Srpsko Sarajevo, Bosnia and Herzegovina (annulled)
ID Card No:
Personal ID No: 0105954171511
Aliases: Momo
Address: incarcerated
17. MARIC (MARIĆ), Milorad
Son of Vinko MARIC (MARIĆ)
Date of birth/Place of birth: 9.9.1957, Visoko, Bosnia and Herzegovina
Passport No: 4587936
ID Card No: 04GKB5268
Personal ID No: 0909957171778
Aliases:
Address: Vuka Karadzica 148, Zvornik, Bosnia and Herzegovina
18. MICEVIC (MIČEVIĆ), Jelenko
Son of Luka and Desanka, maiden name: SIMIC (SIMIĆ)
Date of birth/Place of birth: 8.8.1947, Borci near Konjic, Bosnia and Herzegovina
Passport No: 4166874
ID Card No: 03BIA3452
Personal ID No: 0808947710266
Aliases: Filaret
Address: Milesevo monastery, Serbia

19. NINKOVIC (NINKOVIĆ), Milan
Son of Simo
Date of birth/Place of birth: 15.6.1943, Doboj, Bosnia and Herzegovina
Passport No: 3944452
ID Card No: 04GFE3783
Personal ID No: 1506943120018
Aliases:
Address:
20. OSTOJIC (OSTOJIĆ), Velibor
Son of Jozo
Date of birth/Place of birth: 8.8.1945, Celebici, Foca, Bosnia and Herzegovina
Passport No:
ID Card No:
Personal ID No:
Aliases:
Address:
21. OSTOJIC (OSTOJIĆ), Zoran
Son of Mico OSTOJIC (OSTOJIĆ)
Date of birth/Place of birth: 29.3.1961, Sarajevo, Bosnia and Herzegovina
Passport No:
ID Card No: 04BSF6085
Personal ID No: 2903961172656
Aliases:
Address: Malta 25, Sarajevo, Bosnia and Herzegovina
22. PAVLOVIC (PAVLOVIĆ), Petko
Son of Milovan PAVLOVIC (PAVLOVIĆ)
Date of birth/Place of birth: 6.6.1957, Ratkovici, Bosnia and Herzegovina
Passport No: 4588517
ID Card No: 03GKA9274
Personal ID No: 0606957183137
Aliases:
Address: Vuka Karadjica 148, Zvornik, Bosnia and Herzegovina
23. POPOVIC (POPOVIĆ), Cedomir (Čedomir)
Son of Radomir POPOVIC (POPOVIĆ)
Date of birth/Place of birth: 24.3.1950, Petrovici
Passport No:
ID Card No: 04FAA3580
Personal ID No: 2403950151018
Aliases:
Address: Crnogorska 36, Bileca, Bosnia and Herzegovina
24. PUHALO, Branislav
Son of Djuro
Date of birth/Place of birth: 30.8.1963, Foca, Bosnia and Herzegovina
Passport No:
ID Card No:
Personal ID No: 3008963171929
Aliases:
Address:

25. RADOVIC (RADOVIĆ), Nade
Son of Milorad RADOVIC (RADOVIĆ)
Date of birth/Place of birth: 26.1.1951, Foca, Bosnia and Herzegovina
Passport No: old 0123256 (annulled)
ID Card No: 03GJA2918
Personal ID No: 2601951131548
Aliases:
Address: Stepe Stepanovica 12, Foca/Srbinje, Bosnia and Herzegovina
26. RATIC (RATIĆ), Branko
Date of birth/Place of birth: 26.11.1957, Mihaljevci Slavonska Pozega, Bosnia and Herzegovina
Passport No: 0442022, issued on 17.9.1999 in Banja Luka
ID Card No: 03GCA8959
Personal ID No: 2611957173132
Aliases:
Address: Ulica Krfška 42, Banja Luka, Bosnia and Herzegovina
27. ROGULJIC (ROGULJIĆ), Slavko
Date of birth/Place of birth: 15.5.1952, Srpska Crnja Hetin, Serbia
Non-valid passports No 3747158, issued on 12.4.2002 in Banja Luka, expired on 12.4.2007, and No 0020222, issued on 25.8.1988 in Banja Luka, expired on 25.8.2003
ID Card No: 04EFA1053
Personal ID No: 1505952103022
Aliases:
Address: 21 Vojvode Misica, Laktasi, Bosnia and Herzegovina
28. SAROVIC (ŠAROVIĆ), Mirko
Date of birth/Place of birth: 16.9.1956, Rusanovici-Rogatica, Bosnia and Herzegovina
Passport No: 4363471, issued at Istocno Sarajevo, with expiry date 8.10.2008
ID Card No: 04PEA4585
Personal ID No: 1609956172657
Aliases:
Address: Bjelopoljska 42, 71216 Srpsko Sarajevo, Bosnia and Herzegovina
29. SKOČAJIC (SKOČAJIĆ), Mrksa (Mrkša)
Son of Dejan SKOČAJIC (SKOČAJIĆ)
Date of birth/Place of birth: 5.8.1953, Blagaj, Bosnia and Herzegovina
Passport No: 3681597
ID Card No: 04GDB9950
Personal ID No: 0508953150038
Aliases:
Address: Trebinjskih Brigade, Trebinje, Bosnia and Herzegovina
30. VRACAR (VRAČAR), Milenko
Date of birth/Place of birth: 15.5.1956, Nisavici, Prijedor, Bosnia and Herzegovina
Non-valid passports No 3865548, issued on 29.8.2002 in Banja Luka, expired on 29.8.2007, and No 0280280, issued on 4.12.1999 in Banja Luka, expired on 4.12.2004, and No 0062130, issued on 16.9.1998 in Banja Luka, Bosnia and Herzegovina
ID Card No: 03GCE6934
Personal ID No: 1505956160012
Aliases:
Address: 14 Save Ljuboje, Banja Luka, Bosnia and Herzegovina

31. ZOGOVIC (ZOGOVIĆ), Milan

Son of Jovan

Date of birth/Place of birth: 7.10.1939, Dobruša

Passport No:

ID Card No:

Personal ID No:

Aliases:

Address:

COUNCIL IMPLEMENTING DECISION 2011/422/CFSP

of 18 July 2011

implementing Decision 2010/603/CFSP on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Decision 2010/603/CFSP of 7 October 2010 on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) ⁽¹⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) By Decision 2010/603/CFSP the Council adopted measures to freeze all funds and economic resources belonging to the natural persons listed in the Annex thereto, who had been indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY).
- (2) Following the transfer of Ratko MLADIC to the custody of the ICTY on 31 May 2011, his name should be removed from the list in the Annex to Decision 2010/603/CFSP.

- (3) The list contained in the Annex to Decision 2010/603/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2010/603/CFSP shall be replaced by the Annex to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 18 July 2011.

For the Council
The President
C. ASHTON

ANNEX

'ANNEX

List of persons referred to in Article 1

	Individual	Reason
1.	Name: HADZIC Goran (male) Date of birth: 7.9.1958 Place of birth: Vinkovci, Croatia National of Serbia	Indicted by the ICTY and still at large <i>Indictment: 4 June 2004</i> <i>Case No: IT-04-75'</i>

⁽¹⁾ OJ L 265, 8.10.2010, p. 15.

COUNCIL DECISION 2011/423/CFSP**of 18 July 2011****concerning restrictive measures against Sudan and South Sudan and repealing Common Position 2005/411/CFSP**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 30 May 2005, the Council adopted Common Position 2005/411/CFSP⁽¹⁾ concerning restrictive measures against Sudan. Common Position 2005/411/CFSP integrated the measures imposed by Common Position 2004/31/CFSP⁽²⁾ and the measures to be imposed pursuant to United Nations Security Council Resolution 1591 (2005) ('UNSCR 1591 (2005)') into a single legal instrument.
- (2) The scope of the restrictive measures imposed by Common Position 2005/411/CFSP should be adapted, and that Common Position should be replaced.
- (3) The procedure for amending the Annex to this Decision should include a requirement to communicate to the designated persons and entities the grounds for listing, as provided by the Sanctions Committee established under UNSCR 1591 (2005), so as to give them an opportunity to present observations. Where observations are submitted or where substantial new evidence is presented, the Council should review its decision in the light thereof and inform the person or entity concerned accordingly.
- (4) This Decision respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and notably the right to an effective remedy and to a fair trial, the right to property and the right to the protection of personal data. This Decision should be applied in accordance with those rights and principles.
- (5) This Decision also fully respects the obligations of Member States under the United Nations Charter and the legally binding nature of United Nations Security Council Resolutions.

- (6) The Union implementing measures are set out in Council Regulation (EC) No 131/2004 of 26 January 2004 concerning certain restrictive measures in respect of Sudan⁽³⁾ and Council Regulation (EC) No 1184/2005 of 18 July 2005 imposing certain specific restrictive measures directed against certain persons impeding the peace process and breaking international law in the conflict in the Darfur region in Sudan⁽⁴⁾,

HAS ADOPTED THIS DECISION:

Article 1

In accordance with United Nations Security Council Resolution (UNSCR) 1591 (2005), restrictive measures as set out in Articles 2(1) and 3(1) of this Decision shall be imposed against those individuals who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, violate the arms embargo and/or are responsible for offensive military overflights in and over the Darfur region, as designated by the Committee established by paragraph 3 of UNSCR 1591 (2005) (the 'Sanctions Committee').

The relevant persons are listed in the Annex to this Decision.

Article 2

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the persons referred to in Article 1.
2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.
3. Paragraph 1 shall not apply where the Sanctions Committee determines that travel is justified on the grounds of humanitarian need, including religious obligation, or where the Sanctions Committee concludes that an exemption would further the objectives of the United Nations Security Council Resolutions for the creation of peace and stability in Sudan and the region.
4. In cases where pursuant to paragraph 3, a Member State authorises the entry into, or transit through, its territory of persons designated by the Sanctions Committee, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.

⁽¹⁾ OJ L 139, 2.6.2005, p. 25.

⁽²⁾ OJ L 6, 10.1.2004, p. 55.

⁽³⁾ OJ L 21, 28.1.2004, p. 1.

⁽⁴⁾ OJ L 193, 23.7.2005, p. 9.

Article 3

1. All funds, other financial assets and economic resources owned or controlled directly or indirectly by the persons referred to in Article 1 or held by entities owned or controlled directly or indirectly by such persons or by any persons acting on their behalf or at their direction, as identified in the Annex, shall be frozen.

2. No funds, financial assets or economic resources shall be made available directly or indirectly to or for the benefit of such persons or entities.

3. Exemptions may be made for funds, other financial assets and economic resources which are:

- (a) necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for the payment of reasonable professional fees and the reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for the payment of fees or service charges, in accordance with national laws, for the routine holding or maintenance of frozen funds, other financial assets and economic resources;

after notification by the Member State concerned to the Sanctions Committee of the intention to authorise, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Sanctions Committee within 2 working days of such notification;

- (d) necessary for extraordinary expenses, after notification by the Member State concerned to and approval by the Sanctions Committee;
- (e) the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the UNSCR 1591 (2005), and is not for the benefit of a person or entity referred to in this Article, after notification by the Member State concerned to the Sanctions Committee.

4. Paragraph 2 shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts; or
- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to restrictive measures;

provided that any such interest, other earnings and payments continue to be subject to paragraph 1.

Article 4

1. The sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned to Sudan or South Sudan by nationals of Member States or from the territories of Member States, or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.

2. It shall also be prohibited to:

- (a) provide, directly or indirectly, technical assistance, brokering services or other services related to the items referred to in paragraph 1 or related to the provision, manufacture, maintenance and use of such items, to any natural or legal person, entity or body in, or for use in, Sudan or South Sudan;
- (b) provide, directly or indirectly, financing or financial assistance related to the items referred to in paragraph 1, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of such items, or for the provision of related technical assistance, brokering services or other services to any natural or legal person, entity or body in, or for use in, Sudan or South Sudan;
- (c) participate, knowingly and intentionally, in activities, the object or effect of which is to circumvent the prohibitions referred to in points (a) or (b).

Article 5

1. Article 4 shall not apply to:

- (a) the sale, supply, transfer or export of non-lethal military equipment intended solely for humanitarian, human rights monitoring or protective use, or for institution building programmes of the United Nations (UN), the African Union, the European Union, or of material intended for European Union, UN and African Union crisis management operations;
- (b) the sale, supply, transfer or export of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use of personnel of the European Union and its Member States in Sudan or South Sudan;
- (c) the provision of technical assistance, brokering services and other services related to such equipment or to such programmes and operations;

- (d) the provision of financing and financial assistance related to such equipment or to such programmes and operations;
- (e) the sale, supply, transfer or export of de-mining equipment and materiel for use in de-mining operations;
- (f) the provision of technical assistance, brokering and other services and financial assistance, and sales, supplies, transfers or exports in support of the implementation of the Comprehensive Peace Agreement;
- (g) the sale, supply, transfer or export of non-lethal military equipment intended solely for the support of the process of Security Sector Reform in South Sudan as well as the provision of financing, financial assistance or technical assistance related to such equipment;

on condition that such deliveries have been approved in advance by the competent authority of the Member State in question.

2. Article 4 shall also not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Sudan or South Sudan by United Nations personnel, personnel of the European Union, or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

3. Member States shall consider deliveries under this Article on a case-by-case basis, taking full account of the criteria set out in Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment⁽¹⁾. Member States shall require adequate safeguards against misuse of authorisations granted under this Article and, where appropriate, make provisions for repatriation of the equipment.

Article 6

The Council shall establish the list contained in the Annex and implement any modifications thereof on the basis of determinations made by the Sanctions Committee.

Article 7

1. Where the United Nations Security Council or the Sanctions Committee lists a person or entity, the Council shall include such person or entity in the Annex. The Council shall communicate its decision, including the grounds for

listing, to the person or entity concerned, either directly, if the address is known, or through the publication of a notice, providing such person or entity an opportunity to present observations.

2. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the person or entity concerned accordingly.

Article 8

1. The Annex shall include the grounds for the listing of listed persons and entities as provided by the United Nations Security Council or the Sanctions Committee.

2. The Annex shall also include, where available, information provided by the Security Council or by the Sanctions Committee necessary to identify the persons or entities concerned. With regard to persons, such information may include names including aliases, date and place of birth, nationality, passport and identity card numbers, gender, address, if known, and function or profession. With regard to entities, such information may include names, place and date of registration, registration number and place of business. The Annex shall also include the date of designation by the Security Council or by the Sanctions Committee.

Article 9

1. The measures referred to in Articles 2 and 3 shall be reviewed by 19 July 2012, in the light of the determinations of the United Nations Security Council regarding the situation in Sudan.

2. The measures referred to in Article 4 shall be reviewed by the date referred to in paragraph 1 of this Article, and every 12 months thereafter. They shall be repealed if the Council deems that their objectives have been met.

Article 10

Common Position 2005/411/CFSP is hereby repealed.

Article 11

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 18 July 2011.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 335, 13.12.2008, p. 99.

ANNEX

LIST OF PERSONS AND ENTITIES REFERRED TO IN ARTICLES 1 AND 3

1. Surname, first name(s): ELHASSAN, Gaffar Mohamed
Other information: Major-General and Commander of the Western Military Region for the Sudanese Armed Forces
Date of UN designation: 25 April 2006
 2. Surname, first name(s): HILAL, Sheikh Musa
Other information: Paramount Chief of the Jalul Tribe in North Darfur
Date of UN designation: 25 April 2006
 3. Surname, first name(s): SHANT, Adam Yacub
Other information: Sudanese Liberation Army (SLA) Commander
Date of UN designation: 25 April 2006
 4. Surname, first name(s): BADRI, Gabril Abdul Kareem
Other information: National Movement for Reform and Development (NMRD) Field Commander
Date of UN designation: 25 April 2006
-

COUNCIL DECISION 2011/424/CFSP**of 18 July 2011****appointing a European Union Special Representative for the Southern Mediterranean region**

THE COUNCIL OF THE EUROPEAN UNION,

impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

Having regard to the Treaty on European Union, and in particular Articles 28, 31(2) and 33 thereof,

HAS ADOPTED THIS DECISION:

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

*Article 1***Appointment**

Mr Bernardino LEÓN is hereby appointed European Union Special Representative (EUSR) for the Southern Mediterranean region until 30 June 2012. The mandate of the EUSR may be terminated earlier, if the Council so decides, on a proposal of the HR.

Whereas:

*Article 2***Policy objectives**

The mandate of the EUSR shall be based on the policy objectives of the Union regarding Southern Neighbourhood as set out in the European Council Declarations of 4 February and 11 March 2011, the Conclusions of 24-25 March 2011, and the Council Conclusions of 21 February and 20 June 2011, and taking into account the proposals of the HR and the Commission in their Communications of 8 March and 25 May 2011.

Those objectives include:

- (1) Recent developments in the Arab world call for a strengthened and comprehensive response from the European Union.
- (2) The European Council adopted Declarations on 4 February and 11 March 2011, and Conclusions on 24-25 March 2011 expressing the Union's intention to support all steps towards democratic transformation in its Southern Neighbourhood and to develop a new partnership with the region.
- (3) The Council adopted conclusions on 21 February 2011 on developments in the Southern Neighbourhood, and on 20 June 2011 on the European Neighbourhood Policy, welcoming the proposal of the High Representative of the Union for Foreign Affairs and Security Policy (HR) for a European Union Special Representative for the Southern Mediterranean region.
- (4) The HR and the European Commission have put forward proposals for a Partnership for Democracy and Shared Prosperity and a new approach to partnership with the Union's neighbours through the European Neighbourhood Policy in their Communications of 8 March and 25 May 2011.
- (5) There is a need for enhanced diplomacy by the Union in the countries of the region in order to support an orderly transition to sustainable democracy, as well as human rights and the rule of law.
- (6) A European Union Special Representative (EUSR) for the Southern Mediterranean region should therefore be appointed.
- (7) The mandate of the EUSR will be implemented in the context of a situation which may deteriorate and could

- (a) enhancing the Union's political dialogue, contributing to the partnership and broader relationship with the countries of the Southern Mediterranean region;
- (b) contributing to the response of the Union to the developments in the countries of the Southern Mediterranean region and, in particular, to strengthening democracy and institution building, the rule of law, good governance, respect for Human Rights and fundamental freedoms, peace and regional cooperation, including through the European Neighbourhood Policy and the Union for the Mediterranean;
- (c) enhancing the European Union's effectiveness, presence and visibility in the region and in relevant international forums. Establishing close coordination with relevant local partners and international and regional organisations such as the African Union, the Cooperation Council for the Arab States of the Gulf, the Organisation of the Islamic Conference, the League of Arab States and the United Nations.

*Article 3***Mandate**

In order to achieve the policy objectives, the mandate of the EUSR shall be to:

- (a) strengthen the overall political role of the Union with regard to the countries of the Southern Mediterranean region, in particular by enhancing dialogue with governments and international organisations, as well as with civil society and other relevant interlocutors, and promoting awareness among partners of the Union's approach;
- (b) maintain close contact with all parties involved in the process of democratic transformation in the region, foster stabilisation and reconciliation in full respect of local ownership and contribute to crisis management and prevention;
- (c) contribute to better coherence, consistency and coordination of the Union and Member States' policies and actions towards the region;
- (d) contribute to promoting coordination with international partners and organisations. Assist the HR, in coordination with the Commission, by contributing to the work of the Task Force for the Southern Mediterranean;
- (e) contribute to the implementation of the Union's human rights policy in the region, including the Union's Guidelines on human rights, in particular the Union's Guidelines on Children and Armed Conflict, as well as on violence against women and girls and combating all forms of discrimination against them, and the Union's policy on Women, Peace and Security, including by monitoring and reporting on developments, as well as formulating recommendations in this regard.

*Article 4***Implementation of the mandate**

1. The EUSR shall be responsible for the implementation of the mandate, acting under the authority of the HR.
2. The Political and Security Committee (PSC) shall maintain a privileged link with the EUSR and shall be the EUSR's primary point of contact with the Council. The PSC shall provide the EUSR with strategic guidance and political direction within the framework of the mandate, without prejudice to the powers of the HR.

3. The EUSR shall work in close coordination with the European External Action Service (EEAS).

*Article 5***Financing**

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR until 30 June 2012 shall be EUR 855 000.
2. The expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.
3. The management of the expenditure shall be subject to a contract between the EUSR and the Commission. The EUSR shall be accountable to the Commission for all expenditure.

*Article 6***Constitution and composition of the team**

1. Within the limits of the mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting a team. The team shall include the expertise on specific policy issues as required by the mandate. The EUSR shall keep the Council and the Commission promptly informed of the composition of the team.
2. Member States, the institutions of the Union and the EEAS may propose the secondment of staff to work with the EUSR. The salary of such seconded personnel shall be covered by the Member State, the institution of the Union concerned or the EEAS, respectively. Experts seconded by Member States to the institutions of the Union or the EEAS may also be posted to the EUSR. International contracted staff shall have the nationality of a Member State.
3. All seconded personnel shall remain under the administrative authority of the sending Member State, institution of the Union or the EEAS, and shall carry out their duties and act in the interest of the mandate of the EUSR.

*Article 7***Privileges and immunities of the EUSR and the staff of the EUSR**

The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission of the EUSR and the members of the EUSR's staff shall be agreed with the host party or parties, as appropriate. Member States and the Commission shall grant all necessary support to such effect.

*Article 8***Security of EU classified information**

The EUSR and the members of the EUSR's team shall respect the security principles and minimum standards established by Council Decision 2011/292/EU of 31 March 2011 on the security rules for protecting EU classified information ⁽¹⁾.

*Article 9***Access to information and logistical support**

1. Member States, the Commission and the General Secretariat of the Council shall ensure that the EUSR is given access to any relevant information.
2. The Union delegations and the Member States, as appropriate, shall provide logistical support in the region.

*Article 10***Security**

In accordance with the Union's policy on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, the EUSR shall, take all reasonably practicable measures, in conformity with the mandate and on the basis of the security situation in the geographical area of responsibility, for the security of all personnel under the direct authority of the EUSR, in particular by:

- (a) establishing a mission-specific security plan, providing for mission-specific physical, organisational and procedural security measures governing the management of the secure movement of personnel to, and within, the mission area and the management of security incidents, and providing for a contingency plan and a mission evacuation plan;
- (b) ensuring that all personnel deployed outside the Union are covered by high risk insurance, as required by the conditions in the mission area;
- (c) ensuring that all members of the EUSR's team to be deployed outside the Union, including locally contracted personnel, have received appropriate security training before or upon arriving in the mission area, based on the risk ratings assigned to the mission area;
- (d) ensuring that all agreed recommendations made following regular security assessments are implemented, and providing the Council, the HR and the Commission with written reports on their implementation and on other security issues within the framework of the mid-term and mandate implementation reports.

*Article 11***Reporting**

The EUSR shall regularly provide the PSC and the HR with oral and written reports. The EUSR shall also report to Council working parties as necessary. Regular written reports shall be circulated through the COREU network. Upon recommendation of the PSC or the HR, the EUSR may provide the Foreign Affairs Council with reports.

*Article 12***Coordination**

1. The EUSR shall promote overall Union political coordination and shall help ensure that all Union and Member States' instruments in the field are engaged coherently, to attain the Union's policy objectives. The activities of the EUSR shall be coordinated with those of the Member States and the Commission, as well as those of other European Union Special Representatives active in the region, including the EUSR for the Middle East Peace Process, as appropriate. The EUSR shall provide regular briefings to Member States' missions and the Union's delegations.

2. In the field, close liaison shall be maintained with the Heads of the Union delegations and Member States' Heads of Mission, who shall make best efforts to assist the EUSR in the implementation of the mandate. The EUSR shall also liaise with other international and regional actors in the field.

*Article 13***Review**

The implementation of this Decision and its consistency with other contributions from the Union to the region shall be kept under regular review. The EUSR shall present the Council, the HR and the European Commission with a progress report by the end of January 2012, and with a comprehensive implementation report on the mandate at the end thereof.

*Article 14***Entry into force**

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 18 July 2011.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 141, 27.5.2011, p. 17.

COUNCIL DECISION 2011/425/CFSP**of 18 July 2011****extending the mandate of the European Union Special Representative for Central Asia**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28, 31(2) and 33 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 5 October 2006, the Council adopted Decision 2006/670/CFSP⁽¹⁾ appointing Mr Pierre MOREL European Union Special Representative (EUSR) for Central Asia. The mandate of Mr Pierre MOREL will expire on 31 August 2011.

(2) The mandate of the EUSR should be extended until 30 June 2012.

(3) The mandate of the EUSR will be implemented in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action, as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

*Article 1***Appointment**

The mandate of Mr Pierre MOREL as the European Union Special Representative (EUSR) for Central Asia is hereby extended until 30 June 2012. The mandate of the EUSR may be terminated earlier, if the Council so decides, on a proposal of the High Representative of the Union for Foreign Affairs and Security Policy (HR).

*Article 2***Policy objectives**

The EUSR's mandate shall be based on the policy objectives of the Union for Central Asia. Those objectives include:

(a) promoting good and close relations between countries of Central Asia and the Union on the basis of common values and interests, as set out in relevant agreements;

(b) contributing to strengthening the stability and cooperation between the countries in the region;

(c) contributing to strengthening democracy, the rule of law, good governance and respect for human rights and fundamental freedoms in Central Asia;

(d) addressing key threats, especially specific problems with direct implications for the Union;

(e) enhancing the Union's effectiveness and visibility in the region, including through a closer coordination with other relevant partners and international organisations, such as the Organisation for Security and Cooperation in Europe (OSCE) and the United Nations.

*Article 3***Mandate**

1. In order to achieve the policy objectives, the mandate of the EUSR shall be to:

(a) promote overall Union political coordination in Central Asia and help to ensure consistency of the external actions of the Union in the region;

(b) monitor, on behalf of the HR and in accordance with the EUSR's mandate, together with the European External Action Service (EEAS) and the Commission the implementation process of the EU Strategy for a New Partnership with Central Asia, make recommendations and report to relevant Council bodies on a regular basis;

(c) assist the Council in further developing a comprehensive policy towards Central Asia;

(d) follow closely political developments in Central Asia by developing and maintaining close contacts with governments, parliaments, the judiciary, civil society and mass media;

(e) encourage Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan to cooperate on regional issues of common interest;

(f) develop appropriate contacts and cooperation with the main interested actors in the region, and all relevant regional and international organisations, including the Shanghai Cooperation Organisation (SCO), the Eurasian Economic Community (EurAsEC), the Conference on Interaction and

⁽¹⁾ OJ L 275, 6.10.2006, p. 65.

Confidence-Building Measures in Asia (CICA), the Collective Security Treaty Organisation (CSTO), the Central Asia Regional Economic Cooperation Program (CAREC) and the Central Asian Regional Information and Coordination Centre (CARICC);

- (g) contribute to the implementation of the EU human rights policy and EU Guidelines on Human Rights, in particular with regard to children and women in areas affected by conflict, especially by monitoring and addressing developments in this regard;
- (h) contribute, in close cooperation with the OSCE, to conflict prevention and resolution by developing contacts with the authorities and other local actors such as non-governmental organisations, political parties, minorities, religious groups and their leaders;
- (i) provide input to the formulation of energy security, anti-narcotics and water resource management aspects of the common foreign and security policy with respect to Central Asia.

2. The EUSR shall support the work of the HR and maintain an overview of all activities of the Union in the region.

Article 4

Implementation of the mandate

1. The EUSR shall be responsible for the implementation of the mandate, acting under the authority of the HR.
2. The Political and Security Committee (PSC) shall maintain a privileged link with the EUSR and shall be the EUSR's primary point of contact with the Council. The PSC shall provide the EUSR with strategic guidance and political direction within the framework of the mandate, without prejudice to the powers of the HR.
3. The EUSR shall work in close coordination with the EEAS.

Article 5

Financing

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR in the period from 1 September 2011 to 30 June 2012 shall be EUR 924 850.
2. The expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.
3. The management of the expenditure shall be subject to a contract between the EUSR and the Commission. The EUSR shall be accountable to the Commission for all expenditure.

Article 6

Constitution and composition of the team

1. Within the limits of the EUSR's mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting a team. The team shall include the expertise on specific policy issues as required by the mandate. The EUSR shall keep the Council and the Commission promptly informed of the composition of the team.

2. Member States, the institutions of the Union and the EEAS may propose the secondment of staff to the EUSR. The salary of such seconded personnel shall be covered by the Member State, the institution of the Union concerned or the EEAS, respectively. Experts seconded by Member States to the institutions of the Union or the EEAS may also be posted to the EUSR. International contracted staff is to have the nationality of a Member State.

3. All seconded personnel shall remain under the administrative authority of the sending Member State, the sending institution of the Union or the EEAS, and shall carry out their duties and act in the interest of the mandate of the EUSR.

Article 7

Privileges and immunities of the EUSR and the staff of the EUSR

The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the EUSR's mission and the members of the EUSR's staff shall be agreed with the host party or parties, as appropriate. Member States and the Commission shall grant all necessary support to such effect.

Article 8

Security of EU classified information

The EUSR and the members of the EUSR's team shall respect the security principles and minimum standards established by Council Decision 2011/292/EU of 31 March 2011 on the security rules for protecting EU classified information⁽¹⁾.

Article 9

Access to information and logistical support

1. Member States, the Commission and the General Secretariat of the Council shall ensure that the EUSR is given access to any relevant information.

2. The Union delegations and the Member States, as appropriate, shall provide logistical support in the region.

⁽¹⁾ OJ L 141, 27.5.2011, p. 17.

*Article 10***Security**

In accordance with the Union's policy on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, the EUSR shall take all reasonably practicable measures, in accordance with the EUSR's mandate and the security situation in the geographical area of responsibility, for the security of all personnel under the direct authority of the EUSR, in particular by:

- (a) establishing a mission-specific security plan, providing for mission-specific physical, organisational and procedural security measures governing the management of the secure movement of personnel to, and within, the mission area and the management of security incidents, and providing for a contingency plan and a mission evacuation plan;
- (b) ensuring that all personnel deployed outside the Union are covered by high risk insurance, as required by the conditions in the mission area;
- (c) ensuring that all members of the EUSR's team to be deployed outside the Union, including locally contracted personnel, have received appropriate security training before or upon arriving in the mission area, based on the risk ratings assigned to the mission area;
- (d) ensuring that all agreed recommendations made following regular security assessments are implemented, and providing the Council, the HR and the Commission with written reports on their implementation and on other security issues within the framework of the mid-term report and the report on the implementation of the mandate.

*Article 11***Reporting**

The EUSR shall regularly provide the PSC and the HR with oral and written reports. The EUSR shall also report to Council working parties as necessary. Regular written reports shall be

circulated through the COREU network. Upon recommendation of the PSC or the HR, the EUSR may provide the Foreign Affairs Council with reports.

*Article 12***Coordination**

1. The EUSR shall promote overall Union political coordination and shall help ensure that all Union instruments in the field are engaged coherently to attain the Union's policy objectives. The activities of the EUSR shall be coordinated with those of the Commission and of the European Union Special Representative in Afghanistan. The EUSR shall provide regular briefings to Member States' missions and the Union's delegations.

2. In the field, close liaison shall be maintained with the Heads of the Union delegations and Member States' Heads of Mission, who shall make best efforts to assist the EUSR in the implementation of the mandate. The EUSR shall also liaise with other international and regional actors in the field.

*Article 13***Review**

The implementation of this Decision and its consistency with other contributions from the Union to the region shall be kept under regular review. The EUSR shall present the Council, the HR and the Commission with a progress report by the end of January 2012, and, at the end of the EUSR's mandate, with a comprehensive report on the implementation of the mandate.

*Article 14***Entry into force**

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 18 July 2011.

For the Council

The President

C. ASHTON

COUNCIL DECISION 2011/426/CFSP

of 18 July 2011

appointing the European Union Special Representative in Bosnia and Herzegovina

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28, 31(2) and 33 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 11 March 2009 the Council adopted Joint Action 2009/181/CFSP⁽¹⁾ appointing Mr Valentin INZKO European Union Special Representative (EUSR) in Bosnia and Herzegovina.
- (2) On 11 August 2010 the Council adopted Decision 2010/442/CFSP⁽²⁾ extending the mandate of the EUSR in Bosnia and Herzegovina until 31 August 2011.
- (3) Mr Peter SØRENSEN should be appointed EUSR in Bosnia and Herzegovina from 1 September 2011 to 30 June 2015.
- (4) On 21 March 2011 the Council adopted conclusions setting out the Union's overall approach to Bosnia and Herzegovina.
- (5) The Union is further strengthening its policy and its presence on the ground through a single, reinforced Union representative who will take a lead in supporting Bosnia and Herzegovina on Union-related matters to support the country's progress towards integration with the Union including through a broad and balanced set of instruments.
- (6) The EUSR's mandate should be implemented in coordination with the European Commission in order to ensure consistency with other relevant activities falling within the competence of the Union.
- (7) The Council foresees that the powers and authorities of the EUSR and the powers and authorities of the Head of the European Union Delegation Office in Bosnia and Herzegovina will be vested in the same person.

- (8) The EUSR will implement his mandate in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

*Article 1***European Union Special Representative**

Mr Peter SØRENSEN is hereby appointed as the European Union Special Representative (EUSR) in Bosnia and Herzegovina (BiH) from 1 September 2011 until 30 June 2015. The mandate of the EUSR may be terminated earlier, if the Council so decides, on a proposal from the High Representative of the Union for Foreign Affairs and Security Policy (HR).

*Article 2***Policy objectives**

The mandate of the EUSR shall be based on the following policy objectives of the Union in BiH: continued progress in the Stabilisation and Association Process, with the aim of a stable, viable, peaceful and multiethnic and united BiH, cooperating peacefully with its neighbours and irreversibly on track towards membership of the Union. The Union will also continue to support the implementation of the General Framework Agreement for Peace (GFAP) in BiH.

*Article 3***Mandate**

In order to achieve the policy objectives, the mandate of the EUSR shall be to:

- (a) offer the Union's advice and facilitate the political process;
- (b) ensure consistency and coherence of Union action;
- (c) facilitate progress on political, economic and European priorities;
- (d) monitor and advise the executive and legislative authorities at all levels of government in BiH, and liaise with the authorities and political parties in BiH;

⁽¹⁾ OJ L 67, 12.3.2009, p. 88.

⁽²⁾ OJ L 211, 12.8.2010, p. 26.

- (e) ensure the implementation of the Union's efforts in the whole range of activities in the field of the rule of law and the security sector reform, promote overall Union coordination of, and give local political direction to Union efforts in tackling organised crime and corruption and, in this context, provide the HR and the Commission with assessments and advice as necessary;
- (f) provide the Head of Mission of the European Union Police Mission (EUPM) with local political guidance; the EUSR and the Civilian Operation Commander shall consult each other as required; consult with the Head of the EUPM before taking political action that may have an impact on the police and security situation; provide support for a reinforced and more effective interface between criminal justice and the police in BiH, in close liaison with the EUPM;
- (g) without prejudice to the military chain of command, offer the EU Force Commander political guidance on military issues with a local political dimension, in particular concerning sensitive operations, relations with local authorities and with the local media. Consult with the EU Force Commander before taking political action that may have an impact on the security situation;
- (h) coordinate and implement the Union's communication efforts on Union issues towards the public in BiH;
- (i) promote the process of integration with the Union through targeted public diplomacy and Union outreach activities designed to ensure a broader understanding and support from the BiH public on matters relating to the Union, including by means of engagement of local civil-society actors;
- (j) contribute to the development and consolidation of respect for human rights and fundamental freedoms in BiH, in accordance with the Union's human rights policy and the Union Guidelines on Human Rights;
- (k) engage with relevant BiH authorities on their full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY);
- (l) in line with the Union integration process, advise, assist, facilitate and monitor political dialogue on the necessary constitutional changes;
- (m) maintain close contacts and consultations with the High Representative in BiH and other relevant international organisations working in the country;
- (n) provide advice to the HR as necessary concerning natural or legal persons on whom restrictive measures could be imposed in view of the situation in BiH;

- (o) without prejudice to the applicable chains of command, help to ensure that all Union instruments in the field are applied coherently to attain the Union's policy objectives.

Article 4

Implementation of the mandate

1. The EUSR shall be responsible for the implementation of the mandate, acting under the authority of the HR.
2. The Political and Security Committee (the PSC) shall maintain a privileged link with the EUSR and shall be the EUSR's primary point of contact with the Council. The PSC shall provide the EUSR with strategic guidance and political direction within the framework of the mandate, without prejudice to the powers of the HR.
3. The EUSR shall work in close coordination with the European External Action Service (EEAS).

Article 5

Financing

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR in the period from 1 September 2011 to 30 June 2012 shall be EUR 3 740 000.
2. The financial reference amount for the subsequent periods for the EUSR in BiH shall be decided by the Council.
3. The expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the European Union. Nationals of the countries of the Western Balkans region shall be allowed to tender for contracts.
4. The management of the expenditure shall be subject to a contract between the EUSR and the Commission. The EUSR shall be accountable to the Commission for all expenditure.

Article 6

Constitution and composition of the team

1. A dedicated staff shall be assigned to assist the EUSR to implement his mandate and to contribute to the coherence, visibility and effectiveness of Union action in BiH overall. Within the limits of his mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting a team. The team shall include members having expertise on the specific policy issues required by the mandate. The EUSR shall keep the Council and the Commission promptly informed of the composition of the team.

2. Member States, institutions of the Union and the EEAS may propose the secondment of staff to work with the EUSR. The salary of such seconded personnel shall be covered by the Member State, the institution of the Union concerned or the EEAS, respectively. Experts seconded by Member States to the institutions of the Union or the EEAS may also be posted to the EUSR. International contracted staff shall have the nationality of a Member State.

3. All seconded personnel shall remain under the administrative authority of the sending Member State, institution of the Union or the EEAS and shall carry out their duties and act in the interest of the mandate of the EUSR.

Article 7

Privileges and immunities of the EUSR and his staff

The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission of the EUSR and the members of his staff shall be agreed with the host party or parties, as appropriate. Member States and the Commission shall grant all necessary support to such effect.

Article 8

Security of EU classified information

The EUSR and the members of his team shall respect the security principles and minimum standards established by Council Decision 2011/292/EU of 31 March 2011 on the security rules for protecting EU classified information⁽¹⁾.

Article 9

Access to information and logistical support

1. Member States, the Commission and the General Secretariat of the Council shall ensure that the EUSR is given access to any relevant information.

2. The Union delegations and/or Member States, as appropriate, shall provide logistical support in the region.

Article 10

Security

In accordance with the Union's policy on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, the EUSR shall take all reasonably practicable measures, in conformity with his mandate and the security situation in his geographical area of responsibility, for the security of all personnel under his direct authority, in particular by:

- (a) establishing a mission-specific security plan, including mission-specific physical, organisational and procedural

security measures, governing the management of the secure movement of personnel to, and within, the mission area, as well as the management of security incidents and including a mission contingency and evacuation plan;

- (b) ensuring that all personnel deployed outside the Union are covered by high risk insurance as required by the conditions in the mission area;

- (c) ensuring that all members of his team to be deployed outside the Union, including locally contracted personnel, have received appropriate security training before or upon arriving in the mission area, based on the risk ratings assigned to the mission area;

- (d) ensuring that all agreed recommendations made following regular security assessments are implemented, and providing the Council, the HR and the Commission with written reports on their implementation and on other security issues within the framework of the mid-term report and the report on the implementation of the mandate.

Article 11

Reporting

The EUSR shall regularly provide the PSC and the HR with oral and written reports. The EUSR shall also report to Council working parties as necessary. Regular written reports shall be circulated through the COREU network. Upon recommendation of the PSC or the HR, the EUSR may provide the Foreign Affairs Council with reports.

Article 12

Coordination

1. The activities of the EUSR shall be coordinated with those of the Commission, as well as those of other EUSRs active in the region as appropriate. The EUSR shall provide Member States' missions with regular briefings.

In the field, close liaison shall be maintained with Member States' Heads of Mission. They shall make their best efforts to assist the EUSR in the implementation of the mandate. The EUSR shall also liaise with international and regional actors in the field, and in particular maintain close coordination with the High Representative in BiH.

2. In support of Union crisis management operations, the EUSR, with other Union actors present in the field, shall improve the dissemination and sharing of information by those Union actors with a view to achieving a high degree of common situation awareness and assessment.

⁽¹⁾ OJ L 141, 27.5.2011, p. 17.

*Article 13***Review**

The implementation of this Decision and its consistency with other contributions from the Union to the region shall be kept under regular review. Every year the EUSR shall present the Council, the HR, and the Commission with a progress report at the end of December and a comprehensive mandate implementation report at the end of June.

*Article 14***Entry into force**

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 18 July 2011.

For the Council
The President
C. ASHTON

COUNCIL DECISION 2011/427/CFSP**of 18 July 2011****extending the mandate of the European Union Special Representative in Afghanistan**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28, Article 31(2) and Article 33 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 22 March 2010, the Council adopted Decision 2010/168/CFSP⁽¹⁾ appointing Mr Vygaudas UŠACKAS as European Union Special Representative ('EUSR') in Afghanistan.
- (2) The mandate of the EUSR should be extended until 30 June 2012.
- (3) The EUSR will implement his mandate in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

*Article 1***European Union Special Representative**

The mandate of Mr Vygaudas UŠACKAS as the European Union Special Representative ('EUSR') in Afghanistan is hereby extended until 30 June 2012. The mandate of the EUSR may be terminated earlier, if the Council so decides, upon a proposal from the High Representative of the Union for Foreign Affairs and Security Policy ('HR').

*Article 2***Policy objectives**

The EUSR shall represent the European Union and promote Union policy objectives in Afghanistan, in close coordination with Member States' representatives in Afghanistan. More specifically, the EUSR shall:

- (a) contribute to the implementation of the EU-Afghanistan Joint Declaration and lead the implementation of the EU Action Plan on Afghanistan and Pakistan, in so far as it concerns Afghanistan, thereby working with Member States' representatives in Afghanistan;

- (b) support Union-Afghanistan political dialogue;

- (c) support the pivotal role played by the United Nations ('UN') in Afghanistan with particular emphasis on contributing to better coordinated international assistance, thereby promoting the implementation of the London and Kabul Conference Communiqués, as well as relevant UN Resolutions.

*Article 3***Mandate**

In order to fulfil the mandate, the EUSR shall, in close cooperation with Member States' representatives in Afghanistan:

- (a) promote the views of the Union on the political process and developments in Afghanistan;
- (b) maintain close contact with, and support the development of, relevant Afghan institutions, in particular the government and the parliament as well as the local authorities. Contact should also be maintained with other Afghan political groups and other relevant actors in Afghanistan;
- (c) maintain close contact with relevant international and regional stakeholders in Afghanistan, notably the Special Representative of the Secretary-General of the UN and the Senior Civilian Representative of the North Atlantic Treaty Organisation and other key partners and organisations;
- (d) advise on the progress achieved in meeting the objectives of the EU-Afghanistan Joint Declaration, of the EU Action Plan for Afghanistan and Pakistan, in so far as it concerns Afghanistan, and of the London, Kabul and forthcoming Bonn Conferences, in particular in the following areas:
 - civilian capacity building, notably at sub-national level,
 - good governance and the establishment of institutions necessary for the existence of the rule of law, in particular an independent judiciary,
 - electoral reforms,
 - security sector reforms, including the strengthening of judicial institutions, the national army and the police force,
 - promotion of growth, namely through agriculture and rural development,

⁽¹⁾ OJ L 75, 23.3.2010, p. 22.

- respect for Afghanistan's international human rights obligations, including respect for the rights of persons belonging to minorities and the rights of women and children,
 - respect of democratic principles and the rule of law,
 - fostering participation by women in public administration and civil society,
 - respect for Afghanistan's international obligations, including cooperation in international efforts to combat terrorism, illicit drug trafficking, trafficking in human beings and proliferation of arms and weapons of mass destruction and related materials,
 - facilitation of humanitarian assistance and the orderly return of refugees and internally displaced persons, and
 - enhancing the effectiveness of Union presence and activities in Afghanistan and contributing to the formulation of the regular 6-monthly implementation reports on the EU Action Plan, as requested by the Council;
- (e) actively participate in local coordination forums such as the Joint Coordination and Monitoring Board, while keeping non-participating Member States fully informed of decisions taken at these levels;
- (f) advise on the participation and the positions of the Union in international conferences with regard to Afghanistan and contribute to promoting regional cooperation;
- (g) contribute to the implementation of the Union's human rights policy and the Union Guidelines on Human Rights, in particular with regard to women and children in conflict-affected areas, especially by monitoring and addressing developments in this regard.

Article 4

Implementation of the mandate

1. The EUSR shall be responsible for the implementation of the mandate, acting under the authority of the HR.
2. The Political and Security Committee ('PSC') shall maintain a privileged link with the EUSR and shall be the EUSR's primary point of contact with the Council. The PSC shall provide the EUSR with strategic guidance and political direction within the framework of the mandate, without prejudice to the powers of the HR.
3. The EUSR shall work in close coordination with the European External Action Service ('EEAS').

Article 5

Financing

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR in the period from 1 September 2011 to 30 June 2012 shall be EUR 3 560 000.
2. The expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.
3. The management of the expenditure shall be subject to a contract between the EUSR and the Commission. The EUSR shall be accountable to the Commission for all expenditure.

Article 6

Constitution and composition of the team

1. Within the limits of his mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting his team. The team shall include the expertise on specific policy issues as required by the mandate. The EUSR shall promptly and regularly inform the Council and the Commission of the composition of his team.
2. Member States, institutions of the Union and the EEAS may propose the secondment of personnel to work with the EUSR. The salary of such seconded personnel shall be covered by the Member State, the institution of the Union concerned or the EEAS, respectively. Experts seconded by Member States to the institutions of the Union or the EEAS may also be posted to work with the EUSR. Internationally contracted personnel shall have the nationality of a Member State.
3. All seconded personnel shall remain under the administrative authority of the sending Member State, institution of the Union or the EEAS and shall carry out their duties and act in the interest of the mandate of the EUSR.

Article 7

Privileges and immunities of the EUSR and his personnel

The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission of the EUSR and the members of his staff shall be agreed with the host party or parties, as appropriate. Member States and the Commission shall grant all necessary support to such effect.

Article 8

Security of EU classified information

The EUSR and the members of his team shall respect the security principles and minimum standards established by Council Decision 2011/292/EU of 31 March 2011 on the security rules for protecting EU classified information ⁽¹⁾.

⁽¹⁾ OJ L 141, 27.5.2011, p. 17.

*Article 9***Access to information and logistical support**

1. Member States, the Commission and the General Secretariat of the Council shall ensure that the EUSR is given access to any relevant information.
2. Union delegations and/or Member States, as appropriate, shall provide logistical support in the region.

*Article 10***Security**

In accordance with the Union's policy on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, the EUSR shall take all reasonably practicable measures, in conformity with his mandate and the security situation in his geographical area of responsibility, for the security of all personnel under his direct authority, notably by:

- (a) establishing a mission-specific security plan, including mission-specific physical, organisational and procedural security measures, governing management of the secure movement of personnel to, and within, the mission area, as well as management of security incidents and a mission contingency and evacuation plan;
- (b) ensuring that all personnel deployed outside the Union are covered by high-risk insurance as required by the conditions in the mission area;
- (c) ensuring that all members of his team to be deployed outside the Union, including locally contracted personnel, have received appropriate security training before or upon arriving in the mission area, based on the risk ratings assigned to the mission area;
- (d) ensuring that all agreed recommendations made following regular security assessments are implemented and providing the HR, the Council and the Commission with written reports on their implementation and on other security issues within the framework of the mid-term and mandate implementation reports.

*Article 11***Reporting**

The EUSR shall regularly provide the HR and the PSC with oral and written reports. The EUSR shall also report, as necessary, to

Council working parties. Regular written reports shall be circulated through the COREU network. Upon recommendation of the HR or the PSC, the EUSR shall provide the Foreign Affairs Council with reports.

*Article 12***Coordination**

1. The EUSR shall promote overall Union political coordination. He shall help ensure that all Union instruments in the field are engaged coherently to attain the Union's policy objectives. The activities of the EUSR shall be coordinated with those of the Commission, as well as with those of the EUSR for Central Asia and with the Union's Delegation in Pakistan. The EUSR shall provide Member States' missions and Union delegations with regular briefings.

2. In the field, close liaison shall be maintained with the Heads of the Union delegations and Member States' Heads of Mission. They shall make every effort to assist the EUSR in the implementation of the mandate. The EUSR shall provide the Head of the EU Police Mission in Afghanistan (EUPOL AFGHANISTAN) with local political guidance. The EUSR and the Civilian Operation Commander shall consult each other as required. The EUSR shall also liaise with other international and regional actors in the field.

*Article 13***Review**

The implementation of this Decision and its consistency with other contributions from the Union to the region shall be kept under regular review. The EUSR shall present the HR, the Council and the Commission with a progress report at the end of January 2012 and a comprehensive mandate implementation report at the end of the mandate.

*Article 14***Entry into force**

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 18 July 2011.

For the Council

The President

C. ASHTON

COUNCIL DECISION 2011/428/CFSP**of 18 July 2011****in support of United Nations Office for Disarmament Affairs activities to implement the United Nations Programme of Actions to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 26(2) and Article 31(1) thereof,

Whereas:

- (1) On 20 July 2001, the States participating in the ad-hoc Conference adopted the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (the Programme of Action). On 8 December 2005, the United Nations General Assembly adopted an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (International Tracing Instrument). Both these international instruments declare that States will cooperate, as appropriate, with the United Nations to support their effective implementation.
- (2) The 2008 Third Biennial Meeting of States to Consider the Implementation of the Programme of Action noted in its final report the importance of regional approaches to the implementation of the Programme of Action and the usefulness, therefore, of convening regional meetings sponsored by interested States and international, regional and sub-regional organisations in a position to do so. The final report also encouraged States to support and make full use of existing mechanisms that support the implementation of the Programme of Action and the matching of needs with resources, such as the Programme of Action Implementation Support System.
- (3) On 15-16 December 2005, the European Council adopted the EU Strategy to combat the illicit accumulation and trafficking of small arms and light weapons (SALW) and their ammunition (the EU SALW Strategy). The EU SALW Strategy identifies support for the UN Programme of Action as the first priority for action at international level, and calls for the adoption of a legally binding international instrument on the tracing and marking of SALW and ammunition.
- (4) Following the adoption of the international tracing instrument, the European Union supported its full implementation through the adoption and implementation of

Council Joint Action 2008/113/CFSP of 12 February 2008 in support of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (SALW) ⁽¹⁾. The implementation of that Joint Action was positively assessed by the Council of the European Union.

- (5) On 2 December 2009, the United Nations General Assembly adopted Resolution A/RES/64/50 on the illicit trade in small arms and light weapons in all its aspects which encourages all initiatives, including those of international, regional and sub-regional organisations, for the successful implementation of the Programme of Action and emphasises that initiatives by the international community with respect to international cooperation and assistance remain essential and complementary to national implementation efforts.
- (6) Resolution A/RES/64/50 also provided that the fourth biennial meeting of States to consider the national, regional and global implementation of the Programme of Action should be held in New York from 14 to 18 June 2010, and that a conference to review progress made in implementation of the Programme of Action will be convened for a period of 2 weeks in New York, no later than in 2012.
- (7) Also on 2 December 2009, the United Nations General Assembly adopted Resolution A/RES/64/51 on Problems arising from the accumulation of conventional ammunition stockpiles in surplus, which encourages States in a position to do so to contribute to the development within the United Nations of technical guidelines for the stockpile management of conventional ammunition, in order to assist States in improving their national stockpile management capacity, preventing the growth of conventional ammunition surpluses,

HAS ADOPTED THIS DECISION:

Article 1

1. With a view to supporting the preparation of the Review Conference of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects to be held in 2012, the Union shall pursue the following objectives:

⁽¹⁾ OJ L 40, 14.2.2008, p. 16.

- the promotion of the implementation of the UN Programme of Action on SALW both at global and regional level,
- supporting the implementation of the International Tracing Instrument (ITI),
- supporting the development and implementation of UN technical guidelines for ammunition stockpile management.

2. In order to achieve the objectives referred to in paragraph 1, the Union shall undertake the following measures:

- developing the Programme of Action Implementation Support System as an effective tool to coordinate international efforts to implement the UN Programme of Action, including through support to the informal Group of Interested States on SALW,
- organising up to eight 2-day regional meetings on advancing the implementation of the Programme of Action at regional level,
- organising regional training-of-trainers courses on the International Tracing Instrument for countries in West Africa, and setting-up marking facilities and expertise in countries of the region lacking such equipment,
- supporting the development of UN technical guidelines on ammunition stockpile management,
- supporting the implementation of the guidelines through regional training-of-trainers programmes for law enforcement officials in the African Great Lakes region, Latin America and the Caribbean,
- supporting individual States in critical need of assistance in the management of their ammunition stockpiles, by providing technical, legal and policy assistance and specialised training.

A detailed description of these measures is set out in the Annex.

Article 2

1. The High Representative of the Union for Foreign Affairs and Security Policy (the HR) shall be responsible for the implementation of this Decision.
2. The implementation of the measures referred to in Article 1(2) shall be carried out by the UN Office for Disarmament Affairs (hereinafter UNODA).

3. UNODA shall perform its task under the responsibility of the HR. For this purpose, the HR shall enter into the necessary arrangements with UNODA.

Article 3

1. The financial reference amount for the implementation of the measures referred to in Article 1(2) shall be EUR 2 150 000.

2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.

3. The Commission shall supervise the proper management of the expenditure of the amount referred to in paragraph 1. For this purpose, it shall conclude a financing agreement with UNODA. The agreement shall stipulate that UNODA is to ensure the visibility of the Union's contribution, appropriate to its size.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the financing agreement.

Article 4

The HR shall report to the Council on the implementation of this Decision on the basis of regular bi-monthly reports prepared by UNODA. Those reports shall form the basis for the evaluation carried out by the Council. The Commission shall report on the financial aspects of the implementation of the measures referred to in Article 1(2).

Article 5

1. This Decision shall enter into force on the date of its adoption.

2. This Decision shall expire 24 months after the date of conclusion of the financing agreement referred to in Article 3(3). However, it shall expire 6 months after the date of its entry into force if that financing agreement has not been concluded by that time.

Done at Brussels, 18 July 2011.

For the Council
The President
C. ASHTON

ANNEX

1. Objectives

The overall objectives of this Decision are the promotion of the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UN PoA on SALW) in view of the Review Conference to be held in 2012; the promotion of the implementation of the International Tracing Instrument; and the development and implementation of UN technical guidelines on ammunition stockpile management. Maximum synergy will be ensured with other relevant Union financial instruments.

2. Description of the measures**2.1. Promotion of the implementation of the UN Programme of Action on SALW both at global and regional levels****2.1.1. Objective of the measure**

To promote the implementation of the UN Programme of Action by third States.

To support the development of the Programme of Action Implementation Support System (PoA ISS) as an effective tool to coordinate international efforts to implement the UN Programme of Action, including through the development of and support to the informal 'Group of Interested States on practical disarmament measures' (GIS).

2.1.2. Description of the measure

Organisation by UNODA, where relevant assisted by its Regional Disarmament Centres, of up to eight 2-day regional meetings on advancing the implementation of the PoA at regional level. These meetings will aim at further familiarising relevant third countries with the regional aspects of the UN PoA and the recommendations of the Third and Fourth Biennial Meetings of States in preparation of the 2012 Review Conference. During the seminars beneficiary countries will, inter alia, take stock of existing regional implementation plans for the period 2010-2012 and will be encouraged to formulate regional implementation plans for the period 2013-2014 including measurable, achievable and time-bound targets.

Development and enhancement of the PoA-ISS as an effective tool to coordinate international efforts to implement the UN PoA, by integrating a web-based tool for matching SALW needs and resources into the PoA-ISS platform, by developing an electronic reporting function for the PoA national reports, by developing regional and thematic sections in the PoA-ISS, and by developing multilingual versions of the existing PoA-ISS platform. Support to the informal GIS as a forum to promote coordination, information and knowledge sharing between donors and the UN system as well as other stakeholders of the PoA about their small arms activities including on submitted project outlines and about policy making (see, e.g. the General Assembly Resolution on Practical Disarmament Measures, A/RES/63/62) will include support to the organisation and servicing of regular meetings of this Group (two to three times per year).

2.1.3. Results of the measure

Improved regional implementation of the UN Programme of Action, effective preparation of beneficiary States for the Review Conference in 2012, and laying the groundwork for the development of realistic, achievable, measurable and time-bound regional implementation plans for the period 2012-2014.

Improved, multilingual, user-friendly and reliable information on implementation needs related to the Programme of Action, making the Implementation Support System the primary tool to facilitate the implementation of the international instrument; rationalised management of international assistance through enhancement of the coordinating role of the Group of Interested States.

2.1.4. Seminar venues

UNODA will propose a list of potential venues for the regional seminars which will then be endorsed by the HR in consultation with the competent Council bodies. The criteria used for choosing the venues for the seminars will include the willingness and commitment of a relevant State in a particular region to host a seminar, the level of commitment to the implementation of the UN Programme of Action in the region and, if relevant, the commitment of a relevant regional or sub-regional organisation.

2.1.5. Beneficiaries of the measure

States in need of assistance in the implementation of the UN Programme of Action. The selection of specific beneficiaries to participate in the regional seminars will take into account the commitments and implementation efforts made by potential beneficiaries in the area of SALW. UNODA will propose a short-list of beneficiaries which will then be endorsed by the HR in consultation with the competent Council bodies.

2.2. Support to the implementation of the International Tracing Instrument (ITI)

2.2.1. Objective of the measure

To support the implementation of the ITI, through the enhancement of skills of relevant state officials in West Africa in identifying, marking, tracing and record keeping of SALW, and the provision of relevant equipment.

2.2.2. Description of the measure

Organisation of regional training-of-trainers courses on essential aspects of the ITI for selected West African officials.

Setting-up marking facilities and expertise in countries of the region lacking such equipment, including through acquisition of marking machines, the setting-up of record-keeping facilities, and training of law enforcement officials in marking and tracing.

Consultations with the HR, with relevant Council bodies, and coordination with the West Africa Coast Initiative and the United Nations Development Programme, will ensure there is no duplication of other Union Programmes in West Africa.

2.2.3. Results of the measure

Reduction in the security threats posed by the volume of illicit SALW, through enhanced control over the volume and types of SALW, enhanced national multi-agency expertise to counter the proliferation of SALW and 'craft arms', and improved cooperation in the security sector among States on the ITI.

2.2.4. Beneficiaries of the measure

Law enforcement agencies of all 15 Members of the Economic Community of West African States (ECOWAS); ECOWAS and its small arms programme ECOSAP; civil society and local communities.

2.3. Support to the development and implementation of UN technical guidelines for ammunition stockpile management

2.3.1. Objective of the measure

To support the development and implementation of UN technical guidelines for ammunition stockpile management.

2.3.2. Description of the measure

To conclude the development of UN technical guidelines for ammunition stockpile management. This will include: organising a meeting of the Technical Review Panel for the development of the guidelines, and processing and incorporating the results of that meeting in the final version of the guidelines, and the translation and publication of the guidelines.

To support the operational use and implementation of the guidelines by conducting regional training-of-trainers programmes for law enforcement officials in the African Great Lakes region and Latin America and Caribbean, including through UNODA Regional Disarmament Centres. These advanced training programmes will include topics on the principles and essentials of stockpile management; risk management; ammunition accounting; transport; and security and destruction. The training programmes in Latin America/Caribbean will build upon and complement the training imparted previously supported by the Union in these regions.

On the basis of the findings of those advanced training programmes, to identify States that are in critical need of assistance for the control and storage of ammunition stockpiles and provide them (directly or through regional organisations) with:

- the necessary technical assistance to develop the essential policy and legal frameworks for the implementation of the guidelines, including on-the-job mentoring,
- support and assistance to put in place adequate infrastructure for stockpile management through the provision of guidance on the practical application of the technical guidelines to the facilities used for the storage of ammunition.

2.3.3. Results of the measure

Technical guidelines that are fully developed and ready for implementation.

Reduced threat to national and regional security through improved stockpile management at the national level in two key regions.

2.3.4. Beneficiaries of the measure

Governments and international and regional organisations; civil society and groups and individuals adversely affected by the uncontrolled proliferation of SALW.

The selection of States that will benefit from specific assistance and training will take into account the specific needs and commitments made by potential beneficiaries in the field of ammunition stockpile management. UNODA will propose a short-list of beneficiaries which will then be endorsed by the HR in consultation with the competent Council bodies.

3. **Duration**

The total estimated duration of the measures will be 24 months.

4. **Implementing entity**

The technical implementation of this Decision will be entrusted to UNODA which will perform its task under the responsibility of the HR.

5. **Reporting**

UNODA will prepare regular reports, as well as reports after the completion of each of the activities described. The reports should be submitted to the HR no later than 6 weeks after the completion of the relevant activities.

6. **Estimated total cost of the measures and the Union's financial contribution**

The total cost of the measures is EUR 2 150 000.

COUNCIL DECISION 2011/429/CFSP

of 18 July 2011

relating to the position of the European Union for the Seventh Review Conference of the States Parties to the Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction (BTWC)

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 12 December 2003, the European Council adopted the EU Strategy against proliferation of weapons of mass destruction which aims, *inter alia*, at reinforcing the Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction (BTWC), continuing the discussion on the verification of the BTWC, supporting universalisation and national implementation of the BTWC, including through the means of criminal legislation, and strengthening compliance with it.
- (2) On 28 April 2004, the United Nations Security Council unanimously adopted Resolution 1540 (2004), describing the proliferation of weapons of mass destruction and their means of delivery as a threat to international peace and security. On 27 April 2006, the UN Security Council unanimously adopted Resolution 1673 (2006) in order to intensify the efforts to promote the full implementation of Resolution 1540 (2004). Implementation of the provisions of these Resolutions contributes to the implementation of the BTWC.
- (3) On 26 August 1988, the UN Security Council adopted Resolution 620 (1988) which, *inter alia*, encourages the Secretary-General to carry out promptly investigations in response to allegations concerning the use of chemical and bacteriological (biological) or toxin weapons that constitute a violation of the 1925 Geneva Protocol. On 8 September 2006, the General Assembly adopted the United Nations Global Counter-Terrorism Strategy, annexed to Resolution 60/288, under which Member States encourage the Secretary-General to update the roster of experts and laboratories, as well as the technical guidelines and procedures, available to the Secretary-General for the timely and efficient investigation of allegations.
- (4) The Sixth Review Conference of the States Parties to the BTWC decided that the Seventh Review Conference is to be held in Geneva not later than 2011 and should review the operation of the BTWC, taking into account, *inter*

alia, new scientific and technological developments relevant to the BTWC, as well as progress made by the States Parties to the BTWC (hereinafter the 'States Parties') in the implementation of the obligations under the BTWC and in the implementation of the decisions and recommendations agreed upon at the Sixth Review Conference.

- (5) On 27 February 2006, the Council adopted Joint Action 2006/184/CFSP ⁽¹⁾ and on 10 November 2008, the Council adopted Joint Action 2008/858/CFSP ⁽²⁾. Both joint actions promote universality of the BTWC and support its implementation by the States Parties. Moreover, Joint Action 2008/858/CFSP promotes the submission of confidence building measures (CBM) declarations by the States Parties, and provides support for the BTWC intersessional process.
- (6) In parallel to Joint Action 2006/184/CFSP, the European Union agreed an EU Action Plan on biological and toxin weapons, complementary to the EU Joint Action in support of the BTWC ⁽³⁾ in respect of the BTWC in which Member States undertook to submit CBM declarations to the UN in April every year and lists of relevant experts and laboratories to the UN Secretary-General to facilitate any investigation of alleged use of (chemical) biological and toxin weapons.
- (7) In the light of the forthcoming BTWC Seventh Review Conference from 5 to 22 December 2011, it is appropriate to update the position of the European Union,

HAS ADOPTED THIS DECISION:

Article 1

The objectives of the Union at the Seventh Review Conference of the States Parties to the Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons convention and on their destruction (BTWC) shall be to review the operations of the BTWC and explore options to strengthen it further.

To attain these objectives, the Union shall put forward concrete proposals to the Seventh Review Conference due to take place from 5 to 22 December 2011.

⁽¹⁾ OJ L 65, 7.3.2006, p. 51.

⁽²⁾ OJ L 302, 13.11.2008, p. 29.

⁽³⁾ OJ C 57, 9.3.2006, p. 1.

Article 2

At the Seventh Review Conference, the Union shall work, in particular, to ensure that the States Parties to the BTWC (hereinafter the 'States Parties') address the following priorities:

- (a) building confidence in compliance with the BTWC;
- (b) supporting its national implementation; and
- (c) promoting its universality.

Article 3

For the purposes of the objectives laid down in Article 1 and the priorities laid down in Article 2, the Union shall:

- (a) contribute to a full review of the operation of the BTWC at the Seventh Review Conference, including the implementation of undertakings made by the States Parties under the BTWC;
- (b) support a further substantive intersessional process during the period between the Seventh and Eighth Review Conferences and identify specific areas and enhanced arrangements for further progress under this process;
- (c) support the Eighth Review Conference, to be held no later than 2016;
- (d) build consensus for the successful outcome of the Seventh Review Conference, on the basis of the framework established by the previous conferences, and promote, inter alia, the following key issues:
 - (i) working towards identifying and strengthening effective mechanisms to build confidence in compliance within the BTWC;
 - (ii) States Parties should be able to demonstrate compliance by means of information exchange and enhanced transparency about their capabilities and actions for implementation and intentions towards compliance. This can be achieved by means of declarations, consultations and on-site activities, representing increasing levels of transparency and scrutiny, but also by information exchange and review during the intersessional process. While recognising that there is currently no consensus on verification, which remains a central element of a complete and effective disarmament and non proliferation regime, the Union is willing to work towards identifying options that could achieve similar goals;

- (iii) effective implementation and full compliance with all obligations under the BTWC by all States Parties; supporting and strengthening, where necessary, national implementation measures, including criminal legislation, and control over pathogenic micro-organisms and toxins in the framework of the BTWC, inter alia, by increasing the capacity of the Implementation Support Unit of the UN Office for Disarmament Affairs (ISU) to support national implementation and taking it up as an intersessional topic. Further action could be considered and decisions taken on ways and means to enhance national implementation. The Union will encourage discussions on possible options in this regard, especially in the area of national legislation, coordination among national stakeholders and regional and sub-regional cooperation; and implementation of appropriate biosafety and biosecurity management standards for life science institutions;
- (iv) universal adherence of all States to the BTWC, including calling on all States not party to the BTWC to adhere to it without further delay and to commit legally to the disarmament and non-proliferation of biological and toxin weapons; and, pending adherence of those States to the BTWC, encouraging them to participate as observers in the meetings of the States Parties and to implement, on a voluntary basis, the provisions of the BTWC. Working towards the ban on biological and toxin weapons being declared a universally binding Rule of International Law, including through universalisation of the BTWC; and therefore recommending the adoption of an action plan on universalisation, coordinated by the ISU, and evaluated during dedicated sessions during the intersessional process;
- (v) efforts to enhance transparency and build confidence in compliance include the confidence building measures (CBM) mechanism. The Union is willing to work on the enhancement of this mechanism by identifying measures to increase the participation, quality and comprehensiveness of the CBM mechanism;
- (vi) enhancing transparency about cooperation and assistance related to Article X of the BTWC and taking into account the work and the expertise of other international organisations. The Union will continue to support the concrete implementation of Article X of the BTWC through its various assistance programmes and is willing to continue the elaboration of common understandings, which forms the basis for effective action with regard to cooperation for peaceful purposes in the framework of the BTWC. Further action could be considered and decisions taken on the enhancement of international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, and on promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases;

- (vii) strengthening the UN Secretary-General's mechanism for investigation of alleged use of biological and toxin weapons. Further action could be considered and decisions taken on the provision of assistance and coordination in the context of Article VII of the BTWC with relevant organisations upon request by any State Party in the case of alleged use of biological and toxin weapons, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems. Work done separately on strengthening the UN Secretary-General's mechanism for investigation of alleged use of biological and toxin weapons can further help indirectly strengthen Articles VI and VII of the BTWC;
- (viii) supporting a process of more frequent assessments of relevant scientific and technological developments, which may have implications for the BTWC, such as the increasing convergence of chemistry and biology and in the rapidly developing fields of synthetic biology and nanotechnology;
- (ix) compliance with the obligations under UN Security Council Resolutions 1540 (2004) and 1673 (2006), in particular to eliminate the risk of biological and toxin weapons being acquired or used for terrorist purposes, including possible terrorist access to materials, equipment, and knowledge that could be used in the development and production of biological and toxin weapons;
- (x) the G8 Global Partnership programmes targeted at support for disarmament, control and security of sensitive materials, facilities, and expertise;
- (xi) consideration of, and decisions on further action on the basis of the work undertaken pursuant to the intersessional process during the period from 2007 to 2010 and the efforts to discuss, and promote common understanding and effective action on the adoption of necessary national measures to implement the prohibition set out in the BTWC.

Article 4

In order to strengthen compliance with the BTWC, the Union shall promote:

- (a) measures related to CBM declarations:
 - (i) examining annual CBM declarations as the regular national declaration tool on implementation and compliance and developing them further with this objective in mind;
 - (ii) increasing the quality of CBM declarations by:
 - reducing to the largest extent possible the complexity of CBM forms and removing potential

ambiguities. The detailed and concrete proposals for the modification of the CBM are based on the reports of the Geneva Forum Workshop,

- supporting the compilation of the information provided in the CBM forms. To that end, the Union would support the ISU playing a greater role in supporting the national points of contact and the national authorities responsible for ensuring compliance. This support could include elements such as setting up a reference library, a 'helpdesk'-function, providing the CBM forms in several languages, introducing an electronic format, and giving regional seminars for national points of contact,
 - introducing incentives for CBM submission, such as integrating details about Article X of the BTWC related information into the CBM mechanism (using the current form D or creating a new form);
- (iii) increasing relevance and comprehensiveness of CBM forms by:
- referring to all relevant Articles of the BTWC, taking into careful account the need to achieve an appropriate balance between providing useful information and the effort required to obtain it. This is to avoid increasing complexity and workload, which could potentially deter participation,
 - modifying the CBM via a possible two-step approach, the modifications that would need further examination being left to a new intersessional process;
- (b) measures related to the UN Secretary-General's mechanism for investigation of alleged use of biological and toxin weapons; reaffirming the need for the States Parties to ensure the effectiveness of the provisions of that mechanism and to take practical steps to this end, such as providing support for training programmes, and developing an analytical laboratory system.

Article 5

In addition to the objectives laid down in Article 1 and the priorities laid down in Article 2, the Union shall support the strengthening of the role of the ISU. In particular, the Union shall support:

- (a) the prolongation of the ISU's mandate for another five years;
- (b) the following activities being included in the mandate of the ISU:
 - (i) establishing a communication and information platform on policy, scientific and other activities relevant to the BTWC (setting up a 'reference library'/electronic database for building awareness with States Parties, academia and industry);

- (ii) liaising and sharing information with other relevant international organisations;
- (iii) further strengthening the national implementation of the BTWC by facilitating the exchange of information and advice on national implementation;
- (iv) further supporting the CBM system by participating to a review process of the CBM declarations. Based on information supplied by means of revised CBMs, the ISU could be mandated to compile Article X of the BTWC related information into an online database;
- (v) developing a system to review scientific and technological developments and their impact on the BTWC;
- (vi) developing an action plan on universalisation;
- (c) an adequate expansion of the current ISU staff in order to enable the ISU to carry out the activities referred to in point (b).

Article 6

In order to support the review and strengthening of the intersessional process, the Union shall in particular:

- (a) support the following topics for a new intersessional process either as intersessional topics or through dedicated working groups:
 - (i) national implementation;
 - (ii) universalisation;
 - (iii) further post-RevCon work on CBM;
 - (iv) assistance and cooperation under Articles VII and X of the BTWC, including identification of requirements for assistance in the development and adoption of appropriate regulatory frameworks (focusing on biosafety and biosecurity in the first instance);
 - (v) developments in science and technology;
- (b) support a process of more frequent assessments of relevant scientific and technological developments. The ISU could play a role via its renewed mandate. In addition to a detailed discussion in the intersessional process, States Parties could decide on alternative ways to discuss science and technology issues (i.e. to create a new working group,

to have a science and technology item included on the agenda of Meetings of States Parties, to have a dedicated experts meeting for science and technology, to set up an advisory panel or to set up an open-ended science and technology forum);

- (c) support the development of national regulatory frameworks, in particular on biosafety and biosecurity. The adoption of appropriate management standards for biosafety and biosecurity for laboratories and industry, although they are not in any way a substitute for a compliance regime, can help States Parties in the long term with the implementation of the obligations set out in the BTWC. They could also prove to be a useful tool, along with other measures, to contribute to a future enhanced compliance regime. Discussion on this development, i.e. with the relevant industry, could be part of a new intersessional process;
- (d) support the reinforcement of the decisional character of the intersessional process by exploring a range of options such as making the final report of the States Parties' Meetings binding, agreeing on road maps, considering the possibility of working groups on specific issues, action plans or recommendations.

Article 7

In order to support universality, the Union shall:

- (a) support the adoption of an action plan on universalisation, managed by the ISU, setting out concrete steps and activities. The action plan might include activities such as outreach events, joint demarches, the translation of relevant documents, incentives such as information exchange on assistance offers, and assistance visits to complete the first CBM submissions. This action plan would be evaluated and, if necessary, modified at each States Parties' Meeting;
- (b) support the organisation of dedicated sessions or working group meetings on universalisation during the intersessional process in order to coordinate outreach activities between various actors and plan regional initiatives.

Article 8

The Union shall support the review of the implementation of Article X of the BTWC at the Seventh Review Conference. This review shall aim at:

- (a) exploring how to integrate information related to assistance in the CBM, by revising Form D or creating a new form, in order to allow States Parties to exchange information about activities concerning cooperation and assistance;
- (b) mandating the ISU to compile Article X of the BTWC related information into an online database, which could be on the restricted area of the website.

Article 9

Action taken by the Union for the purposes referred to in Articles 1 to 8, shall comprise:

(a) on the basis of the position set out in Articles 1 to 8, proposals by the Union of specific, practical and feasible arrangements for the effective enhancement of the implementation of the BTWC for consideration by the States Parties at the Seventh Review Conference;

(b) *démarches* by the High Representative of the Union for Foreign Affairs and Security Policy or the Union delegations;

(c) statements delivered by the High Representative of the Union for Foreign Affairs and Security Policy or the Union Delegation to the UN in the run up to and during the Seventh Review Conference.

Article 10

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 18 July 2011.

For the Council

The President

C. ASHTON

COUNCIL DECISION 2011/430/CFSP**of 18 July 2011****updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 27 December 2001, the Council adopted Common Position 2001/931/CFSP on the application of specific measures to combat terrorism⁽¹⁾.
- (2) On 12 July 2010, by Decision 2010/386/CFSP⁽²⁾, the Council updated the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP.
- (3) On 31 January 2011, by Decision 2011/70/CFSP⁽³⁾ the Council further updated the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP and repealed Decision 2010/386/CFSP except in so far as it concerns the group mentioned in entry number 25 in Part 2 of the Annex thereto.
- (4) In accordance with Article 1(6) of Common Position 2001/931/CFSP, it is necessary to carry out a complete review of the list of persons, groups and entities to which Decisions 2010/386/CFSP and 2011/70/CFSP apply.
- (5) This Decision sets out the result of that review, which has been carried out by the Council.
- (6) The Council has determined that there are no longer grounds for keeping certain persons and groups on the list of persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply.
- (7) The Council has concluded that the persons, groups and entities listed in the Annex to this Decision have been

involved in terrorist acts within the meaning of Article 1(2) and (3) of Common Position 2001/931/CFSP, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that Common Position, and that they should continue to be subject to the specific restrictive measures provided for therein.

- (8) The list of the persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply should be updated accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The list of persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply shall be that set out in the Annex to this Decision.

Article 2

Decision 2010/386/CFSP, in so far as it concerns the group mentioned in entry number 25 in Part 2 of the Annex thereto, and Decision 2011/70/CFSP are hereby repealed.

Article 3

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

Done at Brussels, 18 July 2011.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 344, 28.12.2001, p. 93.

⁽²⁾ OJ L 178, 13.7.2010, p. 28.

⁽³⁾ OJ L 28, 2.2.2011, p. 57.

ANNEX

List of persons, groups and entities referred to in Article 1 to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply

1. PERSONS

1. ABOU, Rabah Naami (a.k.a. Naami Hamza, a.k.a. Mihoubi Faycal, a.k.a. Fellah Ahmed, a.k.a. Dafri Rème Lahdi), born 1.2.1966 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
2. ABOUD, Maisi (a.k.a. The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria), — member of 'al-Takfir' and 'al-Hijra'
3. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia
4. AL YACOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
5. ARIOUA, Kamel (a.k.a. Lamine Kamel), born 18.8.1969 in Costantine (Algeria) — member of 'al-Takfir' and 'al-Hijra'
6. ASLI, Mohamed (a.k.a. Dahmane Mohamed), born 13.5.1975 in Ain Taya (Algeria) — member of 'al-Takfir' and 'al-Hijra'
7. ASLI, Rabah, born 13.5.1975 in Ain Taya (Algeria) — member of 'al-Takfir' and 'al-Hijra'
8. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR, a.k.a. SOBIAR, a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands) — member of the 'Hofstadgroep'
9. DARIB, Noureddine (a.k.a. Carreto, a.k.a. Zitoun Mourad), born 1.2.1972 in Algeria — member of 'al-Takfir' and 'al-Hijra'
10. DJABALI, Abderrahmane (a.k.a. Touil), born 1.6.1970 in Algeria — member of 'al-Takfir' and 'al-Hijra'
11. EL FATMI, Noureddine (a.k.a. Nouriddin EL FATMI, a.k.a. Nouriddine EL FATMI, a.k.a. Noureddine EL FATMI, a.k.a. Abu AL KA'E KA'E, a.k.a. Abu QAE QAE, a.k.a. FOUAD, a.k.a. FZAD, a.k.a. Nabil EL FATMI, a.k.a. Ben MOHAMMED, a.k.a. Ben Mohand BEN LARBI, a.k.a. Ben Driss Muhand IBN LARBI, a.k.a. Abu TAHAR, a.k.a. EGGIE), born 15.8.1982 in Midar (Morocco), passport (Morocco) No. N829139 — member of the 'Hofstadgroep'
12. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
13. IZZ-AL-DIN, Hasan (a.k.a. GARBAYA, Ahmed, a.k.a. SA-ID, a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
14. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem, a.k.a. BIN KHALID, Fahd Bin Adballah, a.k.a. HENIN, Ashraf Refaat Nabith, a.k.a. WADOOD, Khalid Adbul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
15. MOKTARI, Fateh (a.k.a. Ferdi Omar), born 26.12.1974 in Hussein Dey (Algeria) — member of 'al-Takfir' and 'al-Hijra'
16. NOUARA, Farid, born 25.11.1973 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
17. RESSOUS, Hoari (a.k.a. Hallasa Farid), born 11.9.1968 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
18. SEDKAOUI, Noureddine (a.k.a. Nounou), born 23.6.1963 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
19. SELMANI, Abdelghani (a.k.a. Gano), born 14.6.1974 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
20. SENOUCI, Sofiane, born 15.4.1971 in Hussein Dey (Algeria) — member of 'al-Takfir' and 'al-Hijra'
21. TINGUALI, Mohammed (a.k.a. Mouh di Kouba), born 21.4.1964 in Blida (Algeria) — member of 'al-Takfir' and 'al-Hijra'
22. WALTERS, Jason Theodore James (a.k.a. Abdullah, a.k.a. David), born 6.3.1985 in Amersfoort (The Netherlands), passport (The Netherlands) No. NE8146378 — member of the 'Hofstadgroep'

2. 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'
 3. 'Al-Aqsa e.V.'
 4. 'Al-Takfir' and 'Al-Hijra'
 5. 'Babbar Khalsa'
 6. 'Communist Party of the Philippines', including 'New People's Army' — 'NPA', Philippines
 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. 'Hizbul Mujahideen' — 'HM'
 11. 'Hofstadgroep'
 12. 'Holy Land Foundation for Relief and Development'
 13. 'International Sikh Youth Federation' — 'ISYF'
 14. 'Khalistan Zindabad Force' — 'KZF'
 15. 'Kurdistan Workers' Party' — 'PKK', (a.k.a. 'KADEK', a.k.a. 'KONGRA-GEL')
 16. 'Liberation Tigers of Tamil Eelam' — 'LTTE'
 17. 'Ejército de Liberación Nacional' ('National Liberation Army')
 18. 'Palestinian Islamic Jihad' — 'PIJ'
 19. 'Popular Front for the Liberation of Palestine' — 'PFLP'
 20. 'Popular Front for the Liberation of Palestine — General Command' (a.k.a. 'PFLP — General Command')
 21. 'Fuerzas armadas revolucionarias de Colombia' — 'FARC' ('Revolutionary Armed Forces of Colombia')
 22. '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')
 23. 'Sendero Luminoso' — 'SL' ('Shining Path')
 24. 'Stichting Al Aqsa' (a.k.a. 'Stichting Al Aqsa Nederland', a.k.a. 'Al Aqsa Nederland')
 25. 'Teyrbazen Azadiya Kurdistan' — 'TAK' (a.k.a. 'Kurdistan Freedom Falcons', a.k.a. 'Kurdistan Freedom Hawks')
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COMMISSION IMPLEMENTING DECISION

of 11 July 2011

on a Union financial contribution towards Member States' fisheries control, inspection and surveillance programmes for 2011

(notified under document C(2011) 4852)

(Only the Bulgarian, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovenian, Spanish and Swedish texts are authentic)

(2011/431/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea ⁽¹⁾, and in particular Article 21 thereof,

Whereas:

(1) Member States have submitted to the Commission their fisheries control programmes for 2011, in accordance with Article 20 of Regulation (EC) No 861/2006, inclusive of the applications for a Union financial contribution towards the expenditure to be incurred in carrying out the projects contained in such programme.

(2) Applications concerning actions listed in Article 8(a) of Regulation (EC) No 861/2006 may qualify for Union funding.

(3) The applications for Union funding have been assessed with regard to their compliance with the rules set out in Commission Regulation (EC) No 391/2007 ⁽²⁾.

(4) It is appropriate to fix the maximum amounts and the rate of the Union financial contribution within the limits set by Article 15 of Regulation (EC) No 861/2006 and to lay down the conditions under which such contribution may be granted.

(5) In order to encourage investment in the priority actions defined by the Commission in its letter of 6 December 2010 ⁽³⁾, which announced that priority and higher contribution rates would be given to projects required by the implementation of Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽⁴⁾, and in view of the negative impact of the financial crisis on Member States' budgets, expenditure related to automation and management of data, electronic recording and reporting systems, electronic recording and reporting devices (ERS) and vessel monitoring systems (VMS), as well as to traceability and control of engine power should benefit from a high co-financing rate, within the limits laid down in Article 15 of Regulation (EC) No 861/2006.

(6) In order to encourage investments in the priorities defined by the Commission and given budgetary constraints, all the Member States' applications for a Union financial contribution towards projects related to training, to initiatives raising awareness of CFP rules as well as to the purchase and modernisation of fisheries patrol vessels and aircraft were rejected.

(7) In order to qualify for the contribution, automatic localisation devices should satisfy the requirements fixed by Commission Regulation (EC) No 2244/2003 of 18 December 2003 laying down detailed provisions regarding satellite-based Vessel Monitoring Systems ⁽⁵⁾.

(8) In order to qualify for the contribution, electronic recording and reporting devices on board fishing vessels should satisfy the requirements laid down by Commission Regulation (EC) No 1077/2008 of 3 November 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 1966/2006 on electronic recording and reporting of fishing activities and on means of remote sensing and repealing Regulation (EC) No 1566/2007 ⁽⁶⁾.

⁽¹⁾ OJ L 160, 14.6.2006, p. 1.

⁽²⁾ OJ L 97, 12.4.2007, p. 30.

⁽³⁾ Ares(2010) 905537, 6.12.2010.

⁽⁴⁾ OJ L 343, 22.12.2009, p. 1.

⁽⁵⁾ OJ L 333, 20.12.2003, p. 17.

⁽⁶⁾ OJ L 295, 4.11.2008, p. 3.

- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

This Decision provides for a Union financial contribution towards expenditure incurred by Member States in 2011 in implementing the monitoring and control systems applicable to the common fisheries policy (CFP), as referred to in Article 8(a) of Regulation (EC) No 861/2006.

Article 2

Closure of outstanding commitments

All payments in respect of which a reimbursement is claimed shall be made by the Member State concerned by 30 June 2015. Payments made by a Member State after that deadline shall not be eligible for reimbursement. The budgetary appropriations related to this Decision shall be decommitted at the latest by 31 December 2016.

Article 3

New technologies & IT networks

1. Expenditure incurred, in respect of projects referred to in Annex I, on the setting up of new technologies and IT networks in order to allow efficient and secure collection and management of data in connection with monitoring, control and surveillance of fisheries activities, shall qualify for a financial contribution of 90 % of the eligible expenditure, within the limits laid down in that Annex.

2. Any other expenditure incurred, in respect of projects referred in Annex I, shall qualify for a financial contribution of 50 % of the eligible expenditure, within the limits laid down in that Annex.

Article 4

Automatic localisation devices

1. Expenditure incurred, in respect of projects referred to in Annex II, on the purchase and fitting on board of fishing vessels of automatic localisation devices enabling vessels to be monitored at a distance by a fisheries monitoring centre

through a vessel monitoring system (VMS) shall qualify for a financial contribution of 90 % of the eligible expenditure, within the limits established in that Annex.

2. The financial contribution referred to in paragraph 1 shall be calculated on the basis of a price capped at EUR 2 500 per vessel.

3. In order to qualify for the financial contribution referred to in paragraph 1, automatic localisation devices shall satisfy the requirements laid down in Regulation (EC) No 2244/2003.

Article 5

Electronic recording and reporting systems

Expenditure incurred, in respect of projects referred to in Annex III, on the development, purchase, and installation of, as well as technical assistance for, the components necessary for electronic recording and reporting systems (ERS), in order to allow efficient and secure data exchange related to monitoring, control and surveillance of fisheries activities, shall qualify for a financial contribution of 90 % of the eligible expenditure, within the limits laid down in that Annex.

Article 6

Electronic recording and reporting devices

1. Expenditure incurred, in respect of projects referred to in Annex IV, on the purchase and fitting on board of fishing vessels of ERS devices enabling vessels to record and report electronically to a Fisheries Monitoring Centre data on fisheries activities, shall qualify for a financial contribution of 90 % of the eligible expenditure, within the limits established in that Annex.

2. The financial contribution referred to in paragraph 1 shall be calculated on the basis of a price capped at EUR 3 000 per vessel, without prejudice of paragraph 4.

3. In order to qualify for a financial contribution, ERS devices shall satisfy the requirements established pursuant to Regulation (EC) No 1077/2008.

4. In case of devices combining ERS and VMS functions, and fulfilling the requirements laid down in Regulations (EC) No 2244/2003 and (EC) No 1077/2008, the financial contribution referred to in paragraph 1 of this Article shall be calculated on the basis of a price capped at EUR 4 500 per vessel.

Article 7

Pilot projects

Expenditure incurred, in respect of projects referred to in Annex V, on pilot projects on new control technologies shall qualify for a financial contribution of 50 % of the eligible expenditure, within the limits laid down in that Annex.

Article 8

Total maximum Union contribution per Member State

The planned expenditure, the eligible share thereof, and the maximum Community contribution per Member State are as follows:

(EUR)

Member State	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Belgium	1 362 000	212 000	190 800
Bulgaria	79 251	53 686	48 318
Cyprus	555 000	130 000	105 000
Denmark	8 657 750	5 057 415	4 546 308
Germany	2 967 500	1 771 500	1 575 950
Estonia	459 584	448 280	400 140
Ireland	55 448 000	3 405 000	2 824 500
Greece	7 150 000	4 100 000	3 690 000
Spain	1 351 154	890 751	801 675
France	7 145 920	6 591 920	4 906 008
Italy	25 012 000	5 590 000	3 367 000
Latvia	140 885	140 885	126 796
Lithuania	360 966	149 887	134 899
Malta	159 693	97 885	86 497
Netherlands	932 500	632 500	569 250
Poland	381 565	338 686	304 817
Portugal	5 661 152	1 758 079	1 582 271
Romania	597 000	136 000	94 000
Slovenia	597 800	591 400	531 900
Finland	2 470 000	2 055 000	1 729 500
Sweden	6 574 335	3 847 033	3 284 814
United Kingdom	8 119 733	4 916 541	4 327 317
Total	136 183 788	42 914 447	35 227 760

Article 9

Addressees

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Poland, the Portuguese Republic, Romania, The Republic of Slovenia, the Republic of Finland, the Kingdom of Sweden, and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 11 July 2011.

For the Commission

Maria DAMANAKI

Member of the Commission

ANNEX I

NEW TECHNOLOGIES & IT NETWORKS

(EUR)

Member State & project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Belgium			
BE/11/02	20 000	20 000	18 000
BE/11/03	40 000	40 000	36 000
BE/11/06	1 150 000	0	0
Sub-Total	1 210 000	60 000	54 000
Bulgaria			
BG/11/01	15 339	15 339	13 805
BG/11/04	15 339	15 339	13 805
BG/11/05	23 008	23 008	20 708
Sub-Total	53 686	53 686	48 318
Cyprus			
CY/11/01	100 000	100 000	90 000
CY/11/02	4 000	0	0
CY/11/03	10 000	0	0
CY/11/06	10 000	10 000	5 000
CY/11/08	55 000	0	0
Sub-Total	179 000	110 000	95 000
Denmark			
DK/11/01	804 894	804 894	724 405
DK/11/02	1 556 128	1 556 128	1 400 515
DK/11/03	335 372	335 372	301 835
DK/11/04	201 223	201 223	181 101
DK/11/05	134 149	134 149	120 734
DK/11/06	469 522	469 522	422 569
DK/11/08	1 341 489	1 341 489	1 207 341
DK/11/09	134 149	134 149	120 734
DK/11/12	13 414	13 414	6 707
Sub-Total	4 990 340	4 990 340	4 485 941
Germany			
DE/11/02	14 000	14 000	12 600
DE/11/10	6 000	6 000	3 000
DE/11/11	40 000	40 000	20 000
DE/11/13	20 000	20 000	18 000
DE/11/24	50 000	0	0
DE/11/25	50 000	50 000	45 000
DE/11/26	100 000	100 000	90 000
DE/11/27	50 000	50 000	45 000
DE/11/28	95 500	95 500	85 950
DE/11/29	101 000	101 000	90 900
DE/11/30	200 000	170 000	153 000
DE/11/16	10 000	0	0
Sub-Total	736 500	646 500	563 450
Estonia			
EE/11/02	8 280	8 280	4 140
EE/11/03	350 000	350 000	315 000
Sub-Total	358 280	358 280	319 140
Ireland			
IE/11/02	218 000	0	0
IE/11/03	60 000	60 000	54 000
IE/11/04	30 000	30 000	27 000
IE/11/05	400 000	400 000	360 000

(EUR)				
Member State & project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Maximum Union contribution	
Greece	IE/11/10	400 000	400 000	200 000
	IE/11/11	1 000 000	1 000 000	900 000
	IE/11/12	225 000	225 000	202 500
	IE/11/15	100 000	0	0
	Sub-Total	2 433 000	2 115 000	1 743 500
Spain	EL/11/05	750 000	750 000	675 000
	EL/11/01	2 300 000	2 300 000	2 070 000
	Sub-Total	3 050 000	3 050 000	2 745 000
France	ES/11/09	250 070	250 070	225 063
	ES/11/01	237 931	237 931	214 138
	ES/11/04	5 400	0	0
	ES/11/05	1 300	0	0
	ES/11/06	106 687	106 687	96 018
	Sub-Total	601 388	594 688	535 219
Italy	FR/11/04	532 000	532 000	478 800
	FR/11/10	19 800	19 800	9 900
	FR/11/12	761 120	761 120	685 008
	FR/11/11	2 220 000	2 220 000	1 110 000
	Sub-Total	3 532 920	3 532 920	2 283 708
Lithuania	IT/11/04	375 000	375 000	337 500
	IT/11/03	325 000	325 000	292 500
	IT/11/02	300 000	300 000	270 000
	IT/11/05	190 000	190 000	171 000
	IT/11/07	7 000 000	0	0
	IT/11/08	120 000	0	0
	IT/11/11	260 000	260 000	130 000
	IT/11/12	100 000	0	0
	IT/11/13	150 000	0	0
	IT/11/01	3 900 000	3 900 000	1 950 000
	Sub-Total	12 720 000	5 350 000	3 151 000
Malta	LT/11/04	18 000	18 000	16 200
	LT/11/05	41 887	41 887	37 698
	LT/11/01	30 000	30 000	27 000
	Sub-Total	89 887	89 887	80 898
Netherlands	MT/11/01	93 885	93 885	84 497
	MT/11/04	4 000	4 000	2 000
	Sub-Total	97 885	97 885	86 497
Poland	NL/11/01	345 000	345 000	310 500
	NL/11/02	300 000	0	0
	NL/11/03	235 000	235 000	211 500
	Sub-Total	880 000	580 000	522 000
Portugal	PL/11/01	338 686	338 686	304 817
	Sub-Total	338 686	338 686	304 817
	PT/11/02	1 093 579	1 093 579	984 221
	PT/11/06	150 000	150 000	135 000
	PT/11/11	81 500	0	0

(EUR)			
Member State & project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Maximum Union contribution
PT/11/12 01	12 196	0	0
PT/11/12 02	406	0	0
PT/11/14	125 000	125 000	112 500
PT/11/15	105 000	0	0
PT/11/16	1 500 000	0	0
PT/11/17	200 000	0	0
PT/11/18	108 000	80 500	72 450
PT/11/20	98 000	98 000	88 200
Sub-Total	3 473 681	1 547 079	1 392 371
Romania			
RO/11/04	120 000	0	0
RO/11/05	26 000	26 000	13 000
RO/11/07	30 000	30 000	15 000
RO/11/08	15 000	15 000	7 500
RO/11/09	50 000	50 000	45 000
Sub-Total	241 000	121 000	80 500
Slovenia			
SI/11/02	150 000	150 000	135 000
SI/11/05	40 000	40 000	36 000
SI/11/06	900	900	450
SI/11/07	15 000	15 000	13 500
SI/11/08	10 500	10 500	9 450
SI/11/09	400	0	0
SI/11/10	15 000	15 000	13 500
Sub-Total	231 800	231 400	207 900
Finland			
FI/11/01	1 500 000	1 500 000	1 350 000
FI/11/06	300 000	300 000	150 000
FI/11/07	130 000	0	0
FI/11/08	170 000	0	0
Sub-Total	2 100 000	1 800 000	1 500 000
Sweden			
SE/11/01	852 275	852 275	767 048
SE/11/04	535 764	0	0
SE/11/07	277 368	277 368	249 631
SE/11/09	221 894	221 894	199 705
SE/11/10	332 841	332 841	299 557
SE/11/06	221 894	221 894	199 705
SE/11/11	110 947	0	0
SE/11/12	554 736	554 736	499 262
SE/11/13	554 736	554 736	499 262
Sub-Total	3 662 455	3 015 745	2 714 170
United Kingdom			
UK/11/06	8 139	0	0
UK/11/07	1 163	0	0
UK/11/09	52 325	52 325	47 093
UK/11/34	3 488	3 488	1 744
UK/11/35	4 390	4 390	2 195
UK/11/36	3 488	3 488	1 744
UK/11/37	9 564	0	0
UK/11/38	4 535	0	0
UK/11/43	401 163	401 163	361 047
UK/11/44	668 605	668 605	601 744
UK/11/48	156 977	156 977	141 279
UK/11/49	3 488	0	0

(EUR)			
Member State & project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Maximum Union contribution
UK/11/50	5 215	0	0
UK/11/55	418 605	418 605	376 744
UK/11/63	1 727	0	0
UK/11/65	11 703	0	0
UK/11/64	5 227	0	0
Sub-Total	1 759 802	1 709 041	1 533 590
Total	42 740 311	30 392 137	24 447 019

ANNEX II

AUTOMATIC LOCALISATION DEVICES

(EUR)			
Member State & project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Germany			
DE/11/04	437 500	0	0
DE/11/07	67 000	50 000	45 000
DE/11/15	48 000	40 000	36 000
Sub-Total	552 500	90 000	81 000
Estonia			
EE/11/01	101 304	90 000	81 000
Sub-Total	101 304	90 000	81 000
Ireland			
IE/11/06	200 000	200 000	180 000
Sub-Total	200 000	200 000	180 000
Greece			
EL/11/06	400 000	0	0
EL/11/02	2 100 000	1 050 000	945 000
Sub-Total	2 500 000	1 050 000	945 000
Spain			
ES/11/02	356 600	0	0
Sub-Total	356 600	0	0
France			
FR/11/01	1 730 000	1 730 000	1 557 000
Sub-Total	1 730 000	1 730 000	1 557 000
Italy			
IT/11/06	240 000	240 000	216 000
Sub-Total	240 000	240 000	216 000
Lithuania			
LT/11/03	164 198	0	0
Sub-Total	164 198	0	0
Netherlands			
NL/11/04	52 500	52 500	47 250
Sub-Total	52 500	52 500	47 250
Slovenia			
SI/11/03	30 000	30 000	27 000
Sub-Total	30 000	30 000	27 000
Finland			
FI/11/02	120 000	75 000	67 500
Sub-Total	120 000	75 000	67 500
Sweden			
SE/11/03	429 920	387 500	348 750
Sub-Total	429 920	387 500	348 750
United Kingdom			
UK/11/04	17 441	15 000	13 500
UK/11/40	797 674	490 000	441 000
UK/11/45	166 860	102 500	92 250
UK/11/52	366 279	225 000	202 500
Sub-Total	1 348 255	832 500	749 250
Total	7 825 278	4 777 500	4 299 750

ANNEX III

ELECTRONIC RECORDING AND REPORTING SYSTEMS

(EUR)

Member State & project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Belgium			
BE/11/01	100 000	100 000	90 000
BE/11/04	32 000	32 000	28 800
BE/11/05	20 000	20 000	18 000
Sub-Total	152 000	152 000	136 800
Denmark			
DK/11/07	67 074	67 074	60 367
Sub-Total	67 074	67 074	60 367
Germany			
DE/11/18	5 000	0	0
DE/11/20	50 000	50 000	45 000
DE/11/21	370 000	370 000	333 000
DE/11/22	13 500	0	0
Sub-Total	438 500	420 000	378 000
Ireland			
IE/11/07	200 000	200 000	180 000
IE/11/13	450 000	450 000	405 000
Sub-Total	650 000	650 000	585 000
Spain			
ES/11/07	296 063	296 063	266 457
Sub-Total	296 063	296 063	266 457
Latvia			
LV/11/01	140 885	140 885	126 796
Sub-Total	140 885	140 885	126 796
Lithuania			
LT/11/02	79 574	60 000	54 000
Sub-Total	79 574	60 000	54 000
Slovenia			
SI/11/01	330 000	330 000	297 000
Sub-Total	330 000	330 000	297 000
Total	2 154 096	2 116 022	1 904 420

ANNEX IV

ELECTRONIC RECORDING AND REPORTING DEVICES

(EUR)

Member State & project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Germany			
DE/11/05	135 000	135 000	121 500
DE/11/06	417 000	375 000	337 500
DE/11/14	105 000	105 000	94 500
Sub-Total	657 000	615 000	553 500
Ireland			
IE/11/08	600 000	240 000	216 000
Sub-Total	600 000	240 000	216 000
France			
FR/11/02	1 002 000	1 002 000	901 800
Sub-Total	1 002 000	1 002 000	901 800
Portugal			
PT/11/05	211 000	211 000	189 900
Sub-Total	211 000	211 000	189 900
Romania			
RO/11/03	100 000	15 000	13 500
Sub-Total	100 000	15 000	13 500
Finland			
FI/11/04	180 000	180 000	162 000
Sub-Total	180 000	180 000	162 000
United Kingdom			
UK/11/05	26 744	26 744	24 070
UK/11/08	53 489	53 489	48 139
UK/11/39	364 535	364 535	328 081
UK/11/41	455 814	455 814	410 233
UK/11/42	534 884	534 884	481 396
UK/11/46	27 907	27 907	25 116
UK/11/47	37 209	37 209	33 489
UK/11/53	213 953	213 953	192 558
UK/11/54	427 907	427 907	385 116
Sub-Total	2 142 442	2 142 442	1 928 198
Total	4 892 442	4 405 442	3 964 898

ANNEX V

PILOT PROJECTS

(EUR)			
Member State & project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Cyprus			
CY/11/04	20 000	20 000	10 000
Sub-Total	20 000	20 000	10 000
Ireland			
IE/11/01	200 000	200 000	100 000
Sub-Total	200 000	200 000	100 000
France			
FR/11/05	227 000	227 000	113 500
FR/11/06	148 000	0	0
FR/11/07	100 000	100 000	50 000
FR/11/09	208 000	0	0
FR/11/08	150 000	0	0
Sub-Total	833 000	327 000	163 500
Portugal			
PT/11/04	89 500	0	0
Sub-Total	89 500	0	0
Sweden			
SE/11/05	221 895	221 895	110 947
SE/11/08	221 894	221 894	110 947
Sub-Total	443 789	443 789	221 894
United Kingdom			
UK/11/51	232 558	232 558	116 279
Sub-Total	232 558	232 558	116 279
Total	1 818 847	1 223 347	611 673

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★ **Commission Implementing Decision of 11 July 2011 on a Union financial contribution towards Member States’ fisheries control, inspection and surveillance programmes for 2011** (*notified under document C(2011) 4852*) 50

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