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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 224/2014

of 10 March 2014

concerning restrictive measures in view of the situation in the Central African Republic

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision 2013/798/CFSP of 23 December 2013 concerning restrictive measures against the Central African Republic ⁽¹⁾,

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

Whereas:

- (1) In accordance with United Nations Security Council Resolution (UNSCR) 2127 (2013) of 5 December 2013 and UNSCR 2134 (2014) of 28 January 2014, Decision 2013/798/CFSP, as amended by Council Decision 2014/125/CFSP ⁽²⁾, provides for an arms embargo against the Central African Republic and the freezing of funds and economic resources of certain persons engaging in or providing support for acts that undermine the peace, stability or security of the Central African Republic.
- (2) Certain measures provided for in UNSCR 2127 (2013) and UNSCR 2134 (2014) fall within the scope of the Treaty on the Functioning of the European Union and therefore, with a view, in particular, to ensuring their uniform application by economic operators in all Member States, regulatory action at the level of the Union is necessary in order to implement them.
- (3) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, and in particular the rights to an effective remedy, to a

fair trial and to the protection of personal data. This Regulation has to be applied in accordance with those rights and principles.

- (4) The power to amend the list in Annex I to this Regulation should be exercised by the Council, in view of the specific threat to international peace and security in the region posed by the situation in the Central African Republic and in order to ensure consistency with the process for amending and reviewing the Annex to Decision 2014/125/CFSP.
- (5) The procedure for amending the list in Annex I to this Regulation should include providing to designated natural or legal persons, entities or bodies the reasons for their listing as transmitted by the Sanctions Committee of the United Nations Security Council established pursuant to paragraph 57 of UNSCR 2127 (2013), so as to give them an opportunity to present observations. Where observations are submitted or substantial new evidence is presented, the Council should review its decision in the light of those observations and inform the person, entity or body concerned accordingly.
- (6) For the implementation of this Regulation, and in order to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources must be frozen in accordance with this Regulation should be made public. Any processing of personal data of natural persons under this Regulation should comply with Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽³⁾ and Directive 95/46/EC of the European Parliament and of the Council ⁽⁴⁾.

⁽¹⁾ OJ L 352, 24.12.2013, p. 51.⁽²⁾ Council Decision 2014/125/CFSP of 10 March 2014 amending Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic (*see page 22 of this Official Journal*).⁽³⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).⁽⁴⁾ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

- (7) In order to ensure that the measures provided for in this Regulation are effective, it should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation, the following definitions apply:

- (a) 'brokering services' means:
- (i) the negotiation or arrangement of transactions for the purchase, sale or supply of goods and technology or of financial and technical services, from a third country to any other third country, or
 - (ii) the selling or buying of goods and technology or of financial and technical services that are located in a third country for their transfer to another third country;
- (b) 'claim' means any claim, whether asserted by legal proceedings or not, made before or after the date of entry into force of this Regulation, under or in connection with a contract or transaction, including in particular:
- (i) a claim for performance of any obligation arising under or in connection with a contract or transaction;
 - (ii) a claim for extension or payment of a bond, financial guarantee or indemnity of whatever form;
 - (iii) a claim for compensation in respect of a contract or transaction;
 - (iv) a counterclaim;
 - (v) a claim for the recognition or enforcement, including by the procedure of exequatur, of a judgment, an arbitration award or an equivalent decision, wherever made or given;
- (c) 'contract or transaction' means any transaction of whatever form and whatever the applicable law, whether comprising one or more contracts or similar obligations made between the same or different parties; for this purpose, 'contract' includes a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, and credit, whether legally independent or not, as well as any related provision arising under, or in connection with, the transaction;
- (d) 'competent authorities' means the competent authorities of the Member States as identified on the websites listed in Annex II;
- (e) 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds, but may be used to obtain funds, goods or services;
- (f) 'freezing of economic resources' means preventing the use of economic resources to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them;
- (g) 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
- (h) 'funds' means financial assets and benefits of every kind, including, but not limited to:
- (i) cash, cheques, claims on money, drafts, money orders and other payment instruments;
 - (ii) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
 - (iii) publicly- and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
 - (iv) interest, dividends or other income on or value accruing from or generated by assets;
 - (v) credit, right of set-off, guarantees, performance bonds or other financial commitments;
 - (vi) letters of credit, bills of lading, bills of sale; and
 - (vii) documents showing evidence of an interest in funds or financial resources;
- (i) 'Sanctions Committee' means the Committee of the United Nations Security Council which was established pursuant to paragraph 57 of United Nations Security Council Resolution UNSCR 2127 (2013);
- (j) 'technical assistance' means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services, including verbal forms of assistance;
- (k) 'territory of the Union' means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty, including their airspace.

Article 2

It shall be prohibited to provide, directly or indirectly:

- (a) technical assistance or brokering services related to the goods and technology listed in the Common Military List of the European Union ⁽¹⁾ (Common Military List) or related to the provision, manufacture, maintenance and use of goods included in that list, to any person, entity or body in the Central African Republic or for use in the Central African Republic;
- (b) financing or financial assistance related to the sale, supply, transfer or export of goods and technology listed in the Common Military List, including in particular grants, loans and export credit insurance, as well as insurance and reinsurance, for any sale, supply, transfer or export of such items, or for any provision of related technical assistance or brokering services to any person, entity or body in the Central African Republic or for use in the Central African Republic;
- (c) technical assistance, financing or financial assistance, brokering services or transport services related to the provision of armed mercenary personnel in the Central African Republic or for use in the Central African Republic.

Article 3

By way of derogation from Article 2, the prohibitions laid down in that Article shall not apply to the provision of technical assistance, financing or financial assistance or brokering services intended solely for the support of or use by the Mission for the Consolidation of Peace in Central African Republic (MICOPAX), the African-led International Support Mission to the Central African Republic (MISCA), the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) and its guard unit, the African Union-Regional Task Force (AU-RTF), the French forces deployed in the Central African Republic and the European Union operation in the Central African Republic (EUFOR RCA).

Article 4

By way of derogation from Article 2, and provided that the provision of such technical assistance or brokering services, financing or financial assistance has been approved in advance by the Sanctions Committee, the prohibitions laid down in that Article shall not apply to the provision of:

- (a) technical assistance or brokering services related to non-lethal military equipment intended solely for humanitarian or protective use;
- (b) technical assistance, financing or financial assistance to the sale, supply, transfer or export of goods and technology

listed in the Common Military List or for any provision of related technical assistance or brokering services.

Article 5

- 1. All funds and economic resources belonging to, owned, held or controlled by any natural or legal person, entity or body listed in Annex I shall be frozen.
- 2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of any natural or legal person, entity or body listed in Annex I.
- 3. Annex I shall include natural or legal persons, entities and bodies identified by the Sanctions Committee as:
 - (a) engaging in or providing support for acts that undermine the peace, stability or security of the Central African Republic, including acts that threaten or violate transitional agreements, or that threaten or impede the political transition process, including a transition towards free and fair democratic elections, or that fuel violence;
 - (b) acting in violation of the arms embargo established in paragraph 54 of UNSCR 2127 (2013), or having directly or indirectly supplied, sold, or transferred to armed groups or criminal networks in the Central African Republic, or having been the recipient of arms or any related materiel, or any technical advice, training, or assistance, including financing and financial assistance, related to violent activities of armed groups or criminal networks in the Central African Republic;
 - (c) being involved in planning, directing, or committing acts that violate international human rights law or international humanitarian law, as applicable, or that constitute human rights abuses or violations, in the Central African Republic, including acts involving sexual violence, targeting of civilians, ethnic- or religious-based attacks, attacks on schools and hospitals, and abduction and forced displacement;
 - (d) recruiting or using children in armed conflict in the Central African Republic, in violation of applicable international law;
 - (e) providing support for armed groups or criminal networks through the illicit exploitation of natural resources, including diamonds and wildlife and wildlife products, in the Central African Republic;
 - (f) obstructing the delivery of humanitarian assistance to the Central African Republic, or access to, or distribution of, humanitarian assistance in the Central African Republic;

⁽¹⁾ OJ C 69, 18.3.2010, p. 19.

- (g) being involved in planning, directing, sponsoring, or conducting attacks against UN missions or international security presences, including BINUCA, MISCA, EUFOR RCA and the other forces who support them;
- (h) being leaders of, having provided support to, or having acted for or on behalf of or at the direction of, an entity designated by the Sanctions Committee;
- (i) acting on behalf of or at the direction of persons, entities or bodies listed in points (a) to (h), or entities owned or controlled by them.

Article 6

By way of derogation from Article 5, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, provided that the following conditions are met:

- (a) the competent authority concerned has determined that the funds or economic resources are:
 - (i) necessary to satisfy the basic needs of a natural or legal person, entity or body listed in Annex I, and dependent family members of such natural persons, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
 - (ii) intended exclusively for payment of reasonable professional fees or the reimbursement of incurred expenses associated with the provision of legal services; or
 - (iii) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; and
- (b) the Member State concerned has notified the Sanctions Committee of the determination referred to in point (a) and of its intention to grant an authorisation, and the Sanctions Committee has not objected to that course of action within five working days of notification.

Article 7

By way of derogation from Article 5, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, provided that the competent authority concerned has determined that the funds or economic resources are necessary for extraordinary expenses, and provided that the Member State concerned has notified the Sanctions Committee of that determination and the Sanctions Committee has approved it.

Article 8

By way of derogation from Article 5, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources where the following conditions are met:

- (a) the funds or economic resources in question are the subject of a judicial, administrative or arbitral lien established prior to the date on which the person, entity or body referred to in Article 5 was listed in Annex I, or of a judicial, administrative or arbitral judgment handed down prior to that date;
- (b) the funds or economic resources in question will be used exclusively to satisfy claims secured by such a lien or recognised as valid in such a judgment, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the lien or judgment is not for the benefit of a natural or legal person, entity or body listed in Annex I;
- (d) recognition of the lien or judgment is not contrary to public policy in the Member State concerned; and
- (e) the Sanctions Committee has been notified by the Member State of the lien or judgment.

Article 9

By way of derogation from Article 5, and provided that a payment by a natural or legal person, entity or body listed in Annex I is due under a contract or agreement that was concluded by, or under an obligation that arose for, the natural or legal person, entity or body concerned, before the date on which that natural or legal person, entity or body had been designated by the UN Security Council or the Sanctions Committee, the competent authorities of the Member States may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources, provided that the competent authority concerned has determined that:

- (a) the funds or economic resources shall be used for a payment by a natural or legal person, entity or body listed in Annex I;
- (b) the payment is not in breach of Article 5(2); and
- (c) the Sanctions Committee has been notified by the relevant Member State of the intention to grant an authorisation 10 working days in advance.

Article 10

1. Article 5(2) shall not prevent the crediting of the frozen accounts by financial or credit institutions that receive funds transferred by third parties into the account of a natural or legal person, entity or body listed in Annex I, provided that any additions to such accounts will also be frozen. The financial or credit institution shall inform the relevant competent authority about any such transaction without delay.

2. Article 5(2) shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts;
- (b) payments due under contracts, agreements or obligations that were concluded or that arose before the date on which the natural or legal person, entity or body referred to in Article 5 was included in Annex I; or
- (c) payments due under judicial, administrative or arbitral lien or judgment, as referred to in Article 8; and

provided that any such interest, other earnings and payments are frozen in accordance with Article 5(1).

Article 11

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy, natural and legal persons, entities and bodies shall:

- (a) supply immediately any information which would facilitate compliance with this Regulation, such as information on accounts and amounts frozen in accordance with Article 5, to the competent authority of the Member State where they are resident or located, and shall transmit any such information, either directly or through the Member State, to the Commission; and
- (b) co-operate with the competent authority in any verification of such information.

2. Any additional information received directly by the Commission shall be made available to the Member States.

3. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

Article 12

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Articles 2 and 5.

Article 13

1. The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person or entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen or withheld as a result of negligence.

2. Actions by natural or legal persons, entities or bodies shall not give rise to any liability of any kind on their part if they did not know, and had no reasonable cause to suspect, that their actions would infringe the prohibitions laid down in this Regulation.

Article 14

1. No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Regulation, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, in particular a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:

- (a) designated natural or legal persons, entities or bodies listed in Annex I;
- (b) any natural or legal person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in point (a).

2. In any proceedings for the enforcement of a claim, the onus of proving that satisfying the claim is not prohibited by paragraph 1 shall be on the natural or legal person, entity or body seeking the enforcement of that claim.

3. This Article is without prejudice to the right of the natural or legal persons, entities and bodies referred to in paragraph 1 to judicial review of the legality of the non-performance of contractual obligations in accordance with this Regulation.

Article 15

1. The Commission and the Member States shall inform each other of the measures taken under this Regulation and share any other relevant information at their disposal in connection with this Regulation, in particular information in respect of:

- (a) funds frozen under Article 5 and authorisations granted under Articles 6, 7 and 8;
- (b) violation and enforcement problems and judgments handed down by national courts.

2. The Member States shall immediately inform each other and the Commission of any other relevant information at their disposal which might affect the effective implementation of this Regulation.

Article 16

The Commission shall be empowered to amend Annex II on the basis of information supplied by Member States.

Article 17

1. Where the United Nations Security Council or the Sanctions Committee lists a natural or legal person, entity or body and has provided a statement of reasons for the designation, the Council shall include that natural or legal person, entity or body in Annex I. The Council shall communicate its decision and the statement of reasons to the natural or legal person, entity or body concerned, either directly, if the address is known, or through the publication of a notice, providing that natural or legal person, entity or body 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, entity or body accordingly.

3. Where the United Nations decides to de-list a person, entity or body, or to amend the identifying data of a listed person, entity or body, the Council shall amend Annex I accordingly.

Article 18

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

Article 19

1. The Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

2. The Member States shall notify the rules referred to in paragraph 1 to the Commission without delay after the entry into force of this Regulation, and shall notify it of any subsequent amendment to them.

Article 20

1. The Member States shall designate the competent authorities referred to in this Regulation and identify them on the

websites listed in Annex II. The Member States shall notify the Commission of any changes in the addresses of their websites listed in Annex II.

2. The Member States shall notify the Commission of their competent authorities, including the contact details of those competent authorities, without delay after the entry into force of this Regulation, and shall notify it of any subsequent amendment.

3. Where this Regulation sets out a requirement to notify, inform or otherwise communicate with the Commission, the address and other contact details to be used for such communication shall be those indicated in Annex II.

Article 21

This Regulation shall apply:

- (a) within the territory of the Union, including its airspace;
- (b) on board any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person inside or outside the territory of the Union who is a national of a Member State;
- (d) to any legal person, entity or body, inside or outside the territory of the Union, which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.

Article 22

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, 10 March 2014.

For the Council
The President
G. VROUTSIS

*ANNEX I***List of persons and entities referred to in Article 5**

A. Persons

B. Entities

ANNEX II

Websites for information on the competent authorities and address for notifications to the European Commission

BELGIUM

<http://www.diplomatie.be/eusanctions>

BULGARIA

<http://www.mfa.bg/en/pages/135/index.html>

CZECH REPUBLIC

<http://www.mfcr.cz/mezinarodnisankce>

DENMARK

<http://um.dk/da/politik-og-diplomati/retsorden/sanktioner/>

GERMANY

<http://www.bmwi.de/DE/Themen/Aussenwirtschaft/aussenwirtschaftsrecht,did=404888.html>

ESTONIA

http://www.vm.ee/est/kat_622/

IRELAND

<http://www.dfa.ie/home/index.aspx?id=28519>

GREECE

<http://www.mfa.gr/en/foreign-policy/global-issues/international-sanctions.html>

SPAIN

<http://www.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/GlobalizacionOportunidadesRiesgos/Documents/ORGANISMOS%20COMPETENTES%20SANCIONES%20INTERNACIONALES.pdf>

FRANCE

<http://www.diplomatie.gouv.fr/autorites-sanctions/>

CROATIA

<http://www.mvep.hr/sankcije>

ITALY

http://www.esteri.it/MAE/IT/Politica_Europea/Deroghe.htm

CYPRUS

<http://www.mfa.gov.cy/sanctions>

LATVIA

<http://www.mfa.gov.lv/en/security/4539>

LITHUANIA

<http://www.urm.lt/sanctions>

LUXEMBOURG

<http://www.mae.lu/sanctions>

HUNGARY

http://www.kulugyminiszterium.hu/kum/hu/bal/Kulpolitikank/nemzetkozi_szankciok/

MALTA

http://www.doi.gov.mt/EN/bodies/boards/sanctions_monitoring.asp

NETHERLANDS

www.rijksoverheid.nl/onderwerpen/internationale-vrede-en-veiligheid/sancties

AUSTRIA

http://www.bmeia.gv.at/view.php?f_id=12750&LNG=en&version=

POLAND

<http://www.msz.gov.pl>

PORTUGAL

<http://www.portugal.gov.pt/pt/os-ministerios/ministerio-dos-negocios-estrangeiros/quero-saber-mais/sobre-o-ministerio/medidas-restritivas/medidas-restritivas.aspx>

ROMANIA

<http://www.mae.ro/node/1548>

SLOVENIA

http://www.mzz.gov.si/si/zunanja_politika_in_mednarodno_pravo/zunanja_politika/mednarodna_varnost/omejevalni_ukrepi/

SLOVAKIA

http://www.mzv.sk/sk/europske_zalezitosti/europske_politiky-sankcie_eu

FINLAND

<http://formin.finland.fi/kvyhteisty/pakotteet>

SWEDEN

<http://www.ud.se/sanktioner>

UNITED KINGDOM

<https://www.gov.uk/sanctions-embargoes-and-restrictions>

Address for notifications to the European Commission:

European Commission
Service for Foreign Policy Instruments (FPI)
EEAS 02/309
B-1049 Brussels
Belgium
E-mail: relex-sanctions@ec.europa.eu

COMMISSION IMPLEMENTING REGULATION (EU) No 225/2014**of 28 February 2014****entering a name in the register of protected designations of origin and protected geographical indications [Höri Bülle (PGI)]**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Germany's application to register the name 'Höri Bülle' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Höri Bülle' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the twentieth day following that 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, 28 February 2014.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 293, 9.10.2013, p. 16.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. Fruit, vegetables and cereals, fresh or processed

GERMANY

Höri Bülle (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 226/2014**of 7 March 2014****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Umbria (PDO)]**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Italy's application for the approval of amendments to the specification for the protected designation of origin 'Umbria', registered under Commission Regulation (EC) No 2325/97 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No

1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the twentieth day following that 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, 7 March 2014.

For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 322, 25.11.1997, p. 33.

⁽³⁾ OJ C 262, 11.9.2013, p. 6.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.5. Oils and fats (butter, margarine, oils, etc.)

ITALY

Umbria (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 227/2014

of 7 March 2014

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Hořické trubičky (PGI)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined the Czech Republic's application for the approval of amendments to the specification for the protected geographical indication 'Hořické trubičky', registered under Commission Regulation (EC) No 989/2007 ⁽²⁾ as amended by Regulation (EC) No 192/2008 ⁽³⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No

1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the twentieth day following that 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, 7 March 2014.

For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 219, 24.8.2007, p. 7

⁽³⁾ OJ L 57, 1.3.2008, p. 11.

⁽⁴⁾ OJ C 296, 12.10.2013, p. 11.

ANNEX

Agricultural products and foodstuffs listed in Annex I(l) to Regulation (EU) No 1151/2012:

Class 2.4. Bread, pastry, cakes, confectionery, biscuits and other baker's wares

THE CZECH REPUBLIC

Hořické trubičky (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 228/2014

of 10 March 2014

amending Regulation (EC) No 601/2006 implementing Regulation (EC) No 184/2005 of the European Parliament and of the Council on statistics concerning balance of payments, international trade in services and foreign direct investment, as regards the format and the procedure for the transmission of data

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 184/2005 of the European Parliament and of the Council of 12 January 2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment ⁽¹⁾, and in particular Article 7 thereof,

Whereas:

- (1) Commission Regulation (EC) No 601/2006 ⁽²⁾ laid down the implementing rules concerning the format and the procedure for transmission to the Commission (Eurostat) of the required data on balance of payments, international trade in services and foreign direct investment, and defined the technical specifications of the data structure.
- (2) Commission Regulation (EU) No 555/2012 ⁽³⁾ updated the data requirements and definitions of Regulation (EC) No 184/2005 to reflect new international standards which provide the general rules for the compilation of these statistics, such as the Balance of Payments and International Investment Position Manual of the International Monetary Fund (IMF), the Benchmark Definition of Foreign Direct Investment of the Organisation for Economic Co-operation and Development (OECD) and the Manual on Statistics of International Trade in Services of the United Nations (UN).
- (3) Under the international standards, the 'Statistical Data and Metadata eXchange standard' (SDMX) has been established as the common data reporting format in the electronic exchange of data and metadata and has been, or is planned to be, adopted by many international organisations and national data-producing authorities. The introduction of a broader definition of SDMX

compliant data formats and a new data structure definition designed in accordance with this standard is therefore required.

- (4) Regulation (EC) No 601/2006, in which the use of the data format 'Gesmes' was required as the exclusive means of transmitting data from Member States to the Commission (Eurostat), should be amended in order to also contain references to the SDMX.
- (5) The technical specifications of the data structure should not be of a legally binding nature. Instead, the technical specifications recommended by the Commission should be contained in Eurostat's Balance of Payments Vademecum ⁽⁴⁾, as revised yearly. Regulation (EC) No 601/2006 should be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Balance of Payments Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 601/2006 is amended as follows:

- (1) Article 2 is replaced by the following:

'Article 2

Data format

Member States shall use SDMX compliant data formats. The Commission (Eurostat) shall make available detailed documentation in relation to these formats and shall supply guidelines on how to implement these formats in accordance with the requirements of this Regulation.'

- (2) Article 3 is deleted.
- (3) The Annex is deleted.

⁽¹⁾ OJ L 35, 8.2.2005, p. 23.

⁽²⁾ Commission Regulation (EC) No 601/2006 of 18 April 2006 implementing Regulation (EC) No 184/2005 of the European Parliament and of the Council as regards the format and the procedure for the transmission of data (OJ L 106, 19.4.2006, p. 7).

⁽³⁾ Commission Regulation (EU) No 555/2012 of 22 June 2012 amending Regulation (EC) No 184/2005 of the European Parliament and of the Council on Community statistics concerning balance of payments, international trade in services and foreign direct investment, as regards the update of data requirements and definitions (OJ L 166, 27.6.2012, p. 22).

⁽⁴⁾ Available on the Communication and Information Resource Centre for Administrations, Businesses and Citizens of the European Commission (CIRCABC) direct [link](#)

Article 2

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

It shall apply from 1 June 2014.

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

Done at Brussels, 10 March 2014.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 229/2014**of 10 March 2014****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:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

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 to this Regulation.

Article 2

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, 10 March 2014.

*For the Commission,
On behalf of the President,*

*Jerzy PLEWA
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	MA	79,2
	TN	103,5
	TR	95,1
	ZZ	92,6
0707 00 05	EG	182,1
	JO	182,1
	MA	182,1
	TR	153,8
	ZZ	175,0
0709 91 00	EG	45,1
	ZZ	45,1
0709 93 10	MA	45,6
	TR	88,2
	ZZ	66,9
0805 10 20	EG	47,7
	IL	69,1
	MA	50,7
	TN	51,0
	TR	56,1
	ZZ	54,9
0805 50 10	TR	69,5
	ZZ	69,5
0808 10 80	CN	111,8
	MK	29,8
	US	209,1
	ZZ	116,9
0808 30 90	AR	103,5
	CL	165,8
	CN	68,3
	TR	158,2
	US	132,7
	ZA	91,8
	ZZ	120,1

⁽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'.

DIRECTIVES

COMMISSION DIRECTIVE 2014/38/EU

of 10 March 2014

amending Annex III to Directive 2008/57/EC of the European Parliament and of the Council as far as noise pollution is concerned

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community ⁽¹⁾, and in particular Article 30(3) thereof,

Whereas:

(1) More stringent national requirements relating to noise of new and upgraded rolling stock should be avoided as this would negatively affect interoperability of the railway system. Therefore Commission Decisions 2008/232/EC ⁽²⁾ and 2011/229/EU ⁽³⁾ adopted under Directive 2008/57/EC set maximum levels of noise for new high-speed and conventional rolling stock.

(2) Point 1.4.4 of Annex III of Directive 2008/57/EC provides that operation of the rail system must respect existing regulations on noise pollution. This essential requirement is necessary to specify the basic noise parameters as set out in points 4.2.1, 4.2.2 and 4.2.3 of the Annex to Decision 2011/229/EU and in points 4.2.6.5.2, 4.2.6.5.3, 4.2.6.5.4 and 4.2.7.6 of the Annex to Decision 2008/232/EC.

(3) Point 1.4.4 of Annex III to Directive 2008/57/EC refers to existing regulations which are not further specified. Therefore, in order to avoid ambiguity and stipulate the intended general objective of this Directive in relation to noise, that point should be amended.

(4) The measures provided for in this Directive are in accordance with the opinion of the Committee established pursuant to Article 29(1) of Directive 2008/57/EC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Point 1.4.4 of Annex III to Directive 2008/57/EC is replaced by the following:

‘1.4.4. The design and operation of the rail system must not lead to an inadmissible level of noise generated by it:

— in areas close to railway infrastructure, as defined in Article 3 of Directive 2012/34/EU, and

— in the driver's cab.’.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 2015 at the latest. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

3. The obligations for transposition and implementation of this Directive shall not apply to the Republic of Cyprus and the Republic of Malta for as long as no railway system is established within their territories.

⁽¹⁾ OJ L 191, 18.7.2008, p. 1.

⁽²⁾ Commission Decision 2008/232/EC of 21 February 2008 concerning a technical specification for interoperability relating to the rolling stock sub-system of the trans-European high-speed rail system (OJ L 84, 26.3.2008, p. 132).

⁽³⁾ Commission Decision 2011/229/EU of 4 April 2011 concerning the technical specifications of interoperability relating to the subsystem ‘rolling stock – noise’ of the trans-European conventional rail system (OJ L 99, 13.4.2011, p. 1).

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 10 March 2014.

For the Commission
The President
José Manuel BARROSO

DECISIONS

COUNCIL DECISION 2014/125/CFSP

of 10 March 2014

amending Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

(1) On 23 December 2013, the Council adopted Council Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic (CAR) ⁽¹⁾.

(2) On 28 January 2014, the United Nations Security Council adopted Resolution 2134 (2014).

(3) United Nations Security Council Resolution (UNSCR) 2134 (2014) requires that measures be taken for the application of travel restrictions, and for funds and assets of persons or entities to be designated by the Committee established pursuant to paragraph 57 of UNSCR 2127 (2013) to be frozen, in accordance with the criteria set out in UNSCR 2134 (2014).

(4) UNSCR 2134 (2014) also reconfirms and extends the arms embargo established by UNSCR 2127 (2013). UNSCR 2134 (2014) furthermore determines that the arms embargo shall not apply to supplies intended solely for the support of or use by the European Union operation in the CAR (EUFOR RCA).

(5) In addition, it is necessary to amend the scope of the derogation concerning the sale, supply, transfer or export of arms and related materiel intended solely for the support of or use by the Mission for the Consolidation

of Peace in Central African Republic (MICOPAX), African-led International Support Mission to the Central African Republic (MISCA), United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) and its guard unit, the African Union-Regional Task Force (AU-RTF), the French forces deployed in the CAR, and the EUFOR RCA to include the provision of technical and financial assistance.

(6) Further Union action is needed in order to implement certain measures.

(7) Decision 2013/798/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2013/798/CFSP is amended as follows:

(1) in Article 2(1), point (a) is replaced by the following:

‘(a) the sale, supply, transfer or export of arms and related materiel, and the provision of related technical assistance or financing and financial assistance, intended solely for the support of or use by the Mission for the Consolidation of Peace in Central African Republic (MICOPAX), African-led International Support Mission to the Central African Republic (MISCA), United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) and its guard unit, the African Union-Regional Task Force (AU-RTF), the French forces deployed in the CAR, and the European Union operation in the CAR (EUFOR RCA).’.

⁽¹⁾ Council Decision 2013/798/CFSP of 23 December 2013 concerning restrictive measures against the Central African Republic (OJ L 352, 24.12.2013, p. 51).

(2) The following Articles are inserted:

Article 2a

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the persons designated by the Committee established pursuant to paragraph 57 of UNSCR 2127 (2013) ("the Committee") as persons engaging in or providing support for acts that undermine the peace, stability or security of the CAR, including acts that threaten or violate transitional agreements, or that threaten or impede the political transition process, including a transition towards free and fair democratic elections, or that fuel violence, including persons:

- (a) acting in violation of the arms embargo established in paragraph 54 of UNSCR 2127 (2013) and Article 1 of this Decision, or having directly or indirectly supplied, sold, or transferred to armed groups or criminal networks in the CAR, or having been the recipient of arms or any related materiel, or any technical advice, training, or assistance, including financing and financial assistance, related to violent activities of armed groups or criminal networks in the CAR;
- (b) involved in planning, directing, or committing acts that violate international human rights law or international humanitarian law, as applicable, or that constitute human rights abuses or violations, in the CAR, including acts involving sexual violence, targeting of civilians, ethnic- or religious-based attacks, attacks on schools and hospitals, and abduction and forced displacement;
- (c) recruiting or using children in armed conflict in the CAR, in violation of applicable international law;
- (d) providing support for armed groups or criminal networks through the illicit exploitation of natural resources, including diamonds and wildlife and wildlife products, in the CAR;
- (e) obstructing the delivery of humanitarian assistance to the CAR, or access to, or distribution of, humanitarian assistance in the CAR;
- (f) involved in planning, directing, sponsoring, or conducting attacks against UN missions or international security presences, including BINUCA, MISCA, the European Union operation (EUFOR RCA) and the other forces who support them;

- (g) who are leaders of, have provided support to, or acted for or on behalf of or at the direction of, an entity designated by the Committee;

as listed in the Annex to this Decision.

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 entry or transit is necessary for the fulfilment of a judicial process.

4. Paragraph 1 shall not apply where the Committee determines, on a case-by-case basis, that:

- (a) travel is justified on the grounds of humanitarian need, including religious obligation;
- (b) an exemption would further the objectives of peace and national reconciliation in the CAR and regional stability.

5. In cases where, pursuant to paragraph 3 or 4, a Member State authorises the entry into, or transit through, its territory of a person listed in the Annex, the authorisation shall be limited to the purpose for which it was granted and to the person concerned thereby.

Article 2b

1. All funds and economic resources owned or controlled directly or indirectly by the persons or entities designated by the Committee as engaging in or providing support for acts that undermine the peace, stability or security of the CAR, including acts that threaten or violate transitional agreements, or that threaten or impede the political transition process, including a transition towards free and fair democratic elections, or that fuel violence, including persons and entities:

- (a) acting in violation of the arms embargo established in paragraph 54 of UNSCR 2127 (2013) and Article 1 of this Decision, or having directly or indirectly supplied, sold, or transferred to armed groups or criminal networks in the CAR, or having been the recipient of arms or any related materiel, or any technical advice, training, or assistance, including financing and financial assistance, related to violent activities of armed groups or criminal networks in the CAR;

- (b) involved in planning, directing, or committing acts that violate international human rights law or international humanitarian law, as applicable, or that constitute human rights abuses or violations, in the CAR, including acts involving sexual violence, targeting of civilians, ethnic- or religious-based attacks, attacks on schools and hospitals, and abduction and forced displacement;
- (c) recruiting or using children in armed conflict in the CAR, in violation of applicable international law;
- (d) providing support for armed groups or criminal networks through the illicit exploitation of natural resources, including diamonds and wildlife and wildlife products, in the CAR;
- (e) obstructing the delivery of humanitarian assistance to the CAR, or access to, or distribution of, humanitarian assistance in the CAR;
- (f) involved in planning, directing, sponsoring, or conducting attacks against UN missions or international security presences, including BINUCA, MISCA, the European Union operation (EUFOR RCA) and the other forces who support them;
- (g) who are leaders of, have provided support to, or acted for or on behalf of or at the direction of, an entity designated by the Committee;

or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, shall be frozen.

The persons and entities referred to in this paragraph are listed in the Annex to this Decision.

2. No funds, financial assets or economic resources shall be made available, directly or indirectly, to or for the benefit of any person or entity referred to in paragraph 1.

3. A Member State may allow for exemptions from the measures referred to in paragraphs 1 and 2 in respect of funds 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 for routine holding or maintenance of frozen funds, other financial assets and economic resources;

after notification by the Member State concerned to the Committee of the intention to authorise, where appropriate, access to such funds and economic resources, and in the absence of a negative decision by the Committee within five working days of such notification.

4. A Member State may also allow for exemptions from the measures referred to in paragraphs 1 and 2 in respect of funds and economic resources which are:

- (a) necessary for extraordinary expenses, after notification by the Member State concerned to the Committee and approval by the latter;
- (b) the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered into prior to 28 January 2014, 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 Committee.

5. Paragraph 1 shall not prevent a designated person or entity from making payment due under a contract entered into before the listing of such a person or entity, provided that the relevant Member State has determined that the payment is not directly or indirectly received by a person or entity referred to in paragraph 1 and after notification by the relevant Member State to the Committee of the intention to make or receive such payments or to authorise, where appropriate, the unfreezing of funds or economic resources for this purpose, 10 working days prior to such authorisation.

6. 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 that arose prior to the date on which those accounts became subject to restrictive measures under this Decision;

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

Article 2c

The Council shall establish the list in the Annex and shall amend it in accordance with determinations made by the United Nations Security Council or by the Committee.

Article 2d

1. Where the United Nations Security Council or the Committee designates a person or entity, the Council shall include that person or entity in the Annex. The Council shall communicate its decision, including the grounds for listing that person or entity, to the person or entity concerned, either directly, if the address is known, or through the publication of a notice, providing that person or entity with 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 accordingly.

Article 2e

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

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

(3) An Annex as set out in the Annex to this Decision is added.

Article 2

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

Done at Brussels, 10 March 2014.

For the Council

The President

G. VROUTSIS

ANNEX

"ANNEX

List of persons referred to in Article 2a and of persons and entities referred to in Article 2b

A. Persons

B. Entities".

POLITICAL AND SECURITY COMMITTEE DECISION EU OPERATIONS CENTRE/1/2014**of 27 February 2014****on the appointment of the Head of the EU Operations Centre for the Common Security and Defence Policy missions and operation in the Horn of Africa**

(2014/126/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular the third paragraph of Article 38 thereof,

Having regard to Council Decision 2012/173/CFSP of 23 March 2012 on the activation of the EU Operations Centre for the Common Security and Defence Policy missions and operation in the Horn of Africa ⁽¹⁾, and in particular Article 3 thereof,

Whereas:

- (1) By virtue of Article 3(1) of Decision 2012/173/CFSP, Captain (Navy) Ad VAN DER LINDE was appointed Head of the EU Operations Centre until 23 March 2014.
- (2) By Decision 2013/725/CFSP ⁽²⁾, the Council amended Decision 2012/173/CFSP. Pursuant to Article 3(1a) of Decision 2012/173/CFSP, the Political and Security Committee is authorised, in accordance with Article 38 of the Treaty, to take decisions on the appointment of the subsequent Heads of the EU Operations Centre.
- (3) On 28 November 2013, Spain proposed Captain (Navy) Francisco CORNAGO as the new Head of the EU Operations Centre to succeed Captain (Navy) Ad VAN DER LINDE.

- (4) On 19 December 2013 the EU Military Committee agreed to recommend that the Political and Security Committee appoint Captain (Navy) Francisco CORNAGO as Head of the EU Operations Centre,

HAS ADOPTED THIS DECISION:

Article 1

Captain (Navy) Francisco CORNAGO is hereby appointed Head of the EU Operations Centre for the Common and Defence Policy missions and operation in the Horn of Africa as from 24 March 2014.

Article 2

This Decision shall enter into force on 24 March 2014.

Done at Brussels, 27 February 2014.

For the Political and Security Committee
The Chairperson
W. STEVENS

⁽¹⁾ OJ L 89, 27.3.2012, p. 66.

⁽²⁾ Council Decision 2013/725/CFSP of 9 December 2013 amending and extending Decision 2012/173/CFSP on the activation of the EU Operations Centre for the Common Security and Defence Policy missions and operation in the Horn of Africa (OJ L 329, 10.12.2013, p. 39).

COMMISSION IMPLEMENTING DECISION

of 7 March 2014

amending Annex I to Decision 2004/211/EC as regards the entry for China in the list of third countries and parts thereof from which imports into the Union of live equidae and semen, ova and embryos of the equine species are authorised

*(notified under document C(2014) 1386)***(Text with EEA relevance)**

(2014/127/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC ⁽¹⁾, and in particular Article 17(3)(a) thereof,

Having regard to Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae ⁽²⁾, and in particular Article 12(1) and (4), and the introductory phrase and points (a) and (b) of Article 19 thereof,

Whereas:

- (1) Directive 92/65/EEC lays down conditions applicable to imports into the Union, *inter alia*, of semen, ova and embryos of the equine species. Those conditions are to be at least equivalent to those applicable to trade between Member States.
- (2) Directive 2009/156/EC lays down animal health conditions for the importation into the Union of live equidae. It provides that imports of equidae into the Union are only authorised from those third countries that meet certain animal health requirements.
- (3) Commission Decision 2004/211/EC ⁽³⁾ establishes a list of third countries, or parts thereof where regionalisation

applies, from which Member States are to authorise the importation of equidae and semen, ova and embryos thereof, and indicates the other conditions applicable to such imports. That list is set out in Annex I to Decision 2004/211/EC.

- (4) In order to host an equestrian event of the Global Champions Tour in October 2013, carried out under the auspices of the World Equestrian Federation (FEL), the competent Chinese authorities requested the recognition of an equine disease-free zone in the Metropolitan area of Shanghai, directly accessible from the nearby international airport. In view of the temporary nature of the purpose build facilities at the EXPO 2010 parking it is appropriate to foresee only a temporary approval of that zone.
- (5) In the light of the guarantees and information provided by the Chinese authorities and in order to allow for a limited period of time from a part of the territory of China the re-entry of registered horses after temporary export in accordance with the requirements of Commission Decision 93/195/EEC ⁽⁴⁾, the Commission adopted Implementing Decision 2013/259/EU ⁽⁵⁾ by which the region CN-2 was temporarily approved.
- (6) Because the equestrian event was deferred for technical reasons to 6-8 June 2014, and the animal health conditions have remained unchanged, it is necessary to adapt for the region CN-2 the date in column 15 of the table in Annex I to Decision 2004/211/EC accordingly.

⁽¹⁾ OJ L 268, 14.9.1992, p. 54.

⁽²⁾ OJ L 192, 23.7.2010, p. 1.

⁽³⁾ Commission Decision 2004/211/EC of 6 January 2004 establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species, and amending Decisions 93/195/EEC and 94/63/EC (OJ L 73, 11.3.2004, p. 1).

⁽⁴⁾ Commission Decision 93/195/EEC of 2 February 1993 on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export (OJ L 86, 6.4.1993, p. 1).

⁽⁵⁾ Commission Implementing Decision 2013/259/EU of 31 May 2013 amending Annex I to Decision 2004/211/EC as regards the entries for Bahrain and China in the list of third countries and parts thereof from which imports into the Union of live equidae and semen, ova and embryos of the equine species are authorised (OJ L 150, 4.6.2013, p. 28).

(7) Decision 2004/211/EC should therefore be amended accordingly.

words 'Valid from 24 September to 24 October 2013' are replaced by the words: 'Valid from 30 May to 30 June 2014'.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

Article 2

This Decision is addressed to the Member States.

HAS ADOPTED THIS DECISION:

Done at Brussels, 7 March 2014.

Article 1

In column 15 of the line corresponding to the region CN-2 of China in the table in Annex I to Decision 2004/211/EC, the

For the Commission

Tonio BORG

Member of the Commission

COMMISSION IMPLEMENTING DECISION

of 10 March 2014

on the approval of the light emitting diodes low beam module 'E-Light' as an innovative technology for reducing CO₂ emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council

(Text with EEA relevance)

(2014/128/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emissions performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles⁽¹⁾, and in particular Article 12(4) thereof,

Whereas:

- (1) The supplier Automotive Lighting Reutlingen GmbH (the 'Applicant') submitted an application for the approval of the light emitting diodes (LEDs) low beam module, 'E-Light', as an innovative technology on 9 July 2013. The completeness of the application was assessed in accordance with Article 4 of Commission Implementing Regulation (EU) No 725/2011⁽²⁾. The application was found to be complete and the period for the Commission's assessment of the application started on the day following the date of official receipt, i.e. 10 July 2013.
- (2) The application has been assessed in accordance with Article 12 of Regulation (EC) No 443/2009, Implementing Regulation (EU) No 725/2011 and the Technical Guidelines for the preparation of applications for the approval of innovative technologies pursuant to Regulation (EC) No 443/2009 (the Technical Guidelines)⁽³⁾.
- (3) The application refers to the LED low beam module 'E-Light', which is a lighting technology based on a so called refraction-reflection system. The E-Light module uses the reflection and refraction of light through lenses to concentrate the light produced by small number of LED lamps. This technology is significantly different from the LED lighting system approved as an eco-innovation in Commission Implementing Decision

2013/128/EU⁽⁴⁾. It should also be noted that the application by Automotive Lighting is based on the simplified approach described in the Technical Guidelines, whereas the previously approved application was based on the comprehensive approach.

- (4) The Commission finds that the information provided in the application demonstrates that the conditions and criteria referred to in Article 12 of Regulation (EC) No 443/2009 and in Articles 2 and 4 of Implementing Regulation (EU) No 725/2011 have been met.
- (5) The Applicant has demonstrated that the use of the E-Light module in passenger cars did not exceed 3 % of the new passenger cars registered in the reference year 2009. In support of this the Applicant has referred to the Technical Guidelines, which provides for the summary of the CLEPA LIGHT Sight Safety report. The Applicant has used predefined functions and averaged data in line with the simplified approach specified in the Technical Guidelines.
- (6) The Applicant has in accordance with the simplified approach described in the Technical Guidelines used halogen lighting as baseline technology for demonstrating the CO₂ reducing capacity of the 'E-Light' module.
- (7) The Applicant has provided a methodology for testing the CO₂ reductions which includes formulae that are consistent with the formulae described in the Technical Guidelines for the simplified approach with regard to lighting functions. The Commission considers that the testing methodology will provide testing results that are verifiable, repeatable and comparable and that it is capable of demonstrating in a realistic manner the CO₂ emissions benefits of the innovative technology with strong statistical significance in accordance with Article 6 of Implementing Regulation (EU) No 725/2011.
- (8) Against that background the Commission finds that the Applicant has demonstrated satisfactorily that the emission reduction achieved by the innovative technology is at least 1 g CO₂/km.

⁽¹⁾ OJ L 140, 5.6.2009, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 725/2011 of 25 July 2011 establishing a procedure for the approval and certification of innovative technologies for reducing CO₂ emissions from passenger cars (OJ L 194, 26.7.2011, p. 19).

⁽³⁾ http://ec.europa.eu/clima/policies/transport/vehicles/cars/docs/guidelines_en.pdf

⁽⁴⁾ Commission Implementing Decision 2013/128/EU of 13 March 2013 on the approval of the use of light emitting diodes in certain lighting functions of an M1 vehicle as an innovative technology for reducing CO₂ emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 70, 14.3.2013, p. 7).

- (9) Since the activation of the lighting in the low beam is not required for the CO₂ emissions type approval test referred to in Regulation (EC) No 715/2007 of the European Parliament and of the Council ⁽¹⁾ and Commission Regulation (EC) No 692/2008 ⁽²⁾, the Commission is satisfied that the lighting functions in question are not covered by the standard test cycle.
- (10) The activation of the lighting functions concerned is mandatory to ensure the safe operation of the vehicle and as a consequence not dependant on the choice of the driver. On that basis the Commission finds that the manufacturer should be considered accountable for the CO₂ emission reduction due to the use of the LEDs.
- (11) The Commission finds that the verification report has been prepared by FAKT S.r.l. which is an independent and certified body and that the report supports the findings set out in the application.
- (12) Against that background, the Commission finds that no objections should be raised as regards the approval of the innovative technology in question.
- (13) Any manufacturer wishing to benefit from a reduction of its average specific CO₂ emissions for the purpose of meeting its specific emissions target by means of the CO₂ savings from the use of the innovative technology approved by this Decision, should in accordance with

Article 11(1) of Implementing Regulation (EU) No 725/2011, refer to this Decision in its application for an EC type-approval certificate for the vehicles concerned,

HAS ADOPTED THIS DECISION:

Article 1

1. The LED low beam module 'E-Light' intended for use in M1 vehicles is approved as an innovative technology within the meaning of Article 12 of Regulation (EC) No 443/2009.
2. The CO₂ emissions reduction from the use of the LED low beam module 'E-Light' referred to in paragraph 1 shall be determined using the methodology set out in the Annex.

Article 2

This Decision shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 10 March 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 171, 29.6.2007, p. 1).

⁽²⁾ Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 199, 28.7.2008, p. 1).

ANNEX

METHODOLOGY FOR DETERMINING THE REDUCTION IN CO₂ EMISSIONS DUE TO THE USE OF THE LEDS LOW BEAM MODULE E-LIGHT, IN AN M1 VEHICLE

1. Introduction

In order to determine the CO₂ reductions that can be attributed to the use of the LEDs in Low Beam module, named E-Light, in an M1 vehicle, it is necessary to establish the following:

- (a) the testing conditions;
- (b) the test procedure;
- (c) the formulae for calculating the CO₂ savings;
- (d) the formulae for calculating the standard deviation;
- (e) the determination of the CO₂ savings for the certification by type approval authorities.

2. Testing conditions

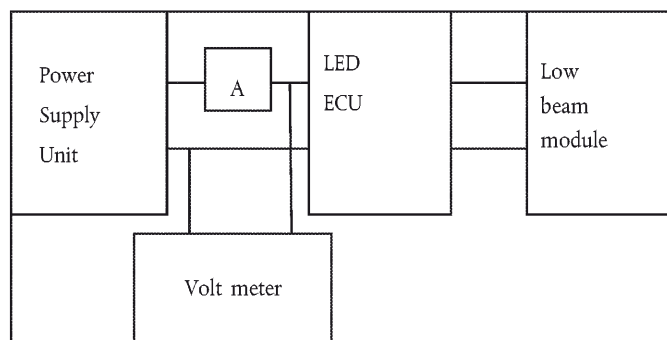
The requirements of UN/ECE Regulation No 112 ⁽¹⁾ on Uniform provisions concerning the approval of motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or light-emitting diode (LED) modules shall apply. For determining the power consumption, the reference is to be made to point 6.1.4 of Regulation No 112, and points 3.2.1 and 3.2.2 of Annex 10 to Regulation No 112.

In addition, a warming-up of the equipment under test (EUT) during 30 minutes shall take place by delivering a current of 0,78 A to the EUT, with a voltage of 13,4 V. The EUT consists of the electronic control unit (ECU) of the LED lamp and the low beam module.

3. The testing procedure

Measurements are to be performed as shown in the figure. The following equipment is to be used:

- Two Digital Multi Meters, one for measuring the DC-current, and the other for measuring the DC-voltage.
- A power supply unit.



Figure

Test set-up (A is Amperemeter, LED ECU is electronic control unit for LED lamp)

In total ten measurements is to be done with the following voltages: 9,0 V; 10,0 V; 11,0 V; 12,0 V; 13,0 V; 13,2 V; 13,4 V; 14,0 V; 15,0 V; 16,0 V (where values of 13,2 V and 13,4 V are typical values for the voltages in passenger's vehicles).

For each voltage the current is to be measured respectively.

The exact installed voltages and the measured current is to be recorded in four decimals.

⁽¹⁾ E/ECE/324/Rev.2/Add.111/Rev.3 – E/ECE/TRANS/505/Rev.2/Add.111/Rev.3, 9 January 2013.

4. Formulae

The following steps are to be taken to determine the CO₂ savings and to determine whether the threshold value of 1 g CO₂/km is met:

Step 1: Calculate the power savings;

Step 2: Calculate the CO₂ savings;

Step 3: Calculate the error in the CO₂ savings;

Step 4: Verify the threshold value.

4.1. Calculate the power savings

For each of the 10 measurements the power which is used is to be calculated by multiplying the installed voltage with the measured current. This is to result in 10 values. Each value is to be expressed in four decimals. Then the mean value of the used power is to be calculated, which is the sum of the 10 values for the power divided by 10.

The resulting power savings are to be calculated with the following formula:

$$\text{Formula (1)} \quad \Delta P = P_{\text{baseline}} - P_{\text{eco-innovation}}$$

Where:

ΔP : Power savings in W;

P_{baseline} : Power of the baseline, which is 137 W;

$P_{\text{eco-innovation}}$: Mean value of the used power of the eco-innovation in W.

4.2. Calculate the CO₂ savings

The formulae to calculate the CO₂ savings of the eco-innovation are:

For a petrol-fuelled vehicle:

$$\text{Formula (2)} \quad C_{\text{CO}_2} = \Delta P \cdot UF \cdot V_{\text{Pe-P}} / \eta_A \cdot CF_P / v$$

For a diesel-fuelled vehicle:

$$\text{Formula (3)} \quad C_{\text{CO}_2} = \Delta P \cdot UF \cdot V_{\text{Pe-D}} / \eta_A \cdot CF_D / v$$

Where in these formulae CO₂ is the CO₂ savings in g CO₂/km.

The input data for the formulae (2) and (3) are:

ΔP : Saved electrical power in W, which is the result of step 1

UF: Usage factor which is 0,33 for a low beam lamp

v: mean driving speed of the NEDC, which is 33,58 km/h

$V_{\text{Pe-P}}$: consumption of effective power for petrol-fuelled vehicles, which is 0,264 l/kWh

$V_{\text{Pe-D}}$: consumption of effective power for diesel-fuelled vehicles, which is 0,22 l/kWh

η_A : efficiency of the alternator, which is 0,67

CF_P : conversion factor for petrol fuel, which is 2 330 g CO₂/l

CF_D : conversion factor for diesel fuel, which is 2 640 g CO₂/l

4.3. Calculate the statistical error in the CO₂ savings

The statistical error in the CO₂ savings is to be determined in two steps. In the first step the error value of the power is to be determined as a standard deviation being equivalent to a confidence interval of 68 %.

This is to be done by formula (4).

$$\text{Formula (4)} \quad S_{\bar{x}} = \sqrt{\frac{\sum_{i=1}^n (x_i - \bar{x})^2}{n(n-1)}}$$

Where:

$S_{\bar{x}}$: standard deviation of arithmetic mean [W];

x_i : measurement value [W];

$\bar{x}$: arithmetic mean [W];

n : number of measurements, which is 10.

Then the error in the CO₂ savings is to be determined using the propagation law, which is expressed in formula (5).

$$\text{Formula (5)} \quad \overline{\Delta C_{CO_2}} = \sqrt{\sum_{i=1}^n \left(\frac{\partial C_{CO_2}}{\partial P} \cdot eP_i \right)^2}$$

Where:

ΔC_{CO_2} : mean total error of the CO₂ saving (gCO₂/km)

$\partial C_{CO_2}/\partial P$: sensitivity of calculated CO₂ saving related to input value x_i

eP_i : error of input value (W)

Substituting formula (2) in formula (5) leads for petrol fueled vehicles to:

$$\text{Formula (6)} \quad \Delta C_{CO_2} = 0,0090 \text{ gCO}_2/\text{kmW} \cdot eP$$

Where:

ΔC_{CO_2} : the error in the CO₂ savings (g CO₂/km);

eP : the error in the power consumption (W).

Substituting formula (2) in formula (5) leads for diesel fueled vehicles to:

$$\text{Formula (7)} \quad \Delta C_{CO_2} = 0,0085 \text{ gCO}_2/\text{kmW} \cdot eP$$

Where:

ΔC_{CO_2} : the error in the CO₂ savings (g CO₂/km);

eP : error in the power consumption (W).

4.4. Verify the threshold value

By means of formula (8) the threshold value is verified. The minimum threshold value is 1,0 g CO₂/km.

$$\text{Formula (8): } MT \leq C_{CO_2} - \overline{\Delta C_{CO_2}}$$

Where:

MT : minimum threshold (g CO₂/km)

C_{CO_2} : total CO₂ saving (g CO₂/km), which must be expressed in 4 decimals,

$\overline{\Delta C_{CO_2}}$: mean total error of the CO₂ saving (g CO₂/km), which must be expressed in 4 decimals.

5. Eco-innovation code to be entered into type approval documentation

For the purposes of determining the general eco-innovation code to be used in the relevant type approval documents in accordance with Annexes I, VIII and IX to Directive 2007/46/EC of the European Parliament and of the Council ⁽¹⁾, the individual code to be used for the innovative technology approved through this Decision shall be '5'.

E.g. the code of the eco-innovation in the case of eco-innovation savings certified by the German type approval authority shall be 'e1 5'.

⁽¹⁾ Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 263, 9.10.2007, p. 1).

CORRIGENDA**Corrigendum to Council Decision 2014/119/CFSP of 5 March 2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine**

(Official Journal of the European Union L 66 of 6 March 2014)

On page 29, Annex I, entry 12, Serhii Petrovych Kliuiev, column 'Identifying information':

for: 'born on 12 August 1969, businessman, brother of Mr. Andrii Kliuiev',

read: 'born on 19 August 1969, businessman, brother of Mr. Andrii Kliuiev'.

Council Regulation (EU) No 208/2014 of 5 March 2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine

(Official Journal of the European Union L 66 of 6 March 2014)

Page 7, Annex I, entry 12, Serhii Petrovych Kliuiev, column 'Identifying information'

for: 'born on 12 August 1969, businessman, brother of Mr. Andrii Kliuiev'

read: 'born on 19 August 1969, businessman, brother of Mr. Andrii Kliuiev'.

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