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Legislation

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I

(Legislative acts)

DECISIONS

DECISION (EU) 2015/1814 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 6 October 2015****concerning the establishment and operation of a market stability reserve for the Union
greenhouse gas emission trading scheme and amending Directive 2003/87/EC****(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) Directive 2003/87/EC of the European Parliament and of the Council ⁽³⁾ establishes a system for greenhouse gas emission allowance trading within the Union ('EU ETS') in order to promote reductions of greenhouse gas emissions in a cost-effective and economically efficient manner.
- (2) According to the European Council conclusions of 23 and 24 October 2014 on the 2030 climate and energy policy framework, a well-functioning, reformed EU ETS with an instrument to stabilise the market will be the main European instrument to achieve the Union's greenhouse gas emissions reduction target.
- (3) Article 10(5) of Directive 2003/87/EC provides that each year the Commission is to submit a report to the European Parliament and to the Council on the functioning of the European carbon market.
- (4) The report from the Commission to the European Parliament and to the Council on the state of the European carbon market in 2012 identified the need for measures in order to tackle structural supply-demand imbalances. The impact assessment on the 2030 climate and energy policy framework indicates that such imbalances are expected to continue, and would not be sufficiently addressed by adapting the linear trajectory to a more

⁽¹⁾ OJ C 424, 26.11.2014, p. 46.

⁽²⁾ Position of the European Parliament of 8 July 2015 (not yet published in the Official Journal) and decision of the Council of 18 September 2015.

⁽³⁾ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

stringent target within that framework. A change in the linear factor only gradually changes the Union-wide quantity of allowances (EU ETS cap). Accordingly, the surplus would also only gradually decline, such that the market would have to continue to operate for more than a decade with a surplus of around 2 billion allowances or more, thereby preventing the EU ETS from delivering the necessary investment signal to reduce CO₂ emissions in a cost-efficient manner and from being a driver of low-carbon innovation contributing to economic growth and jobs.

- (5) In order to address that problem and to make the EU ETS more resilient in relation to supply-demand imbalances, so as to enable the EU ETS to function in an orderly market, a market stability reserve (the 'reserve') should be established in 2018 and it should be operational as of 2019. The reserve will also enhance synergy with other climate and energy policies. In order to preserve a maximum degree of predictability, clear rules should be set for placing allowances in the reserve and releasing them from it. The reserve should function by triggering adjustments to the annual auction volumes. Where the conditions are met, beginning in 2019, an amount of allowances corresponding to 12 % of the number of allowances in circulation, as set out in the most recent publication of the total number of allowances in circulation by the Commission, should be deducted each year from the auction volumes and placed in the reserve. In any given year, a corresponding number of allowances should be released from the reserve to Member States in the same proportions and order as applied when placing them in the reserve, and should be added to auction volumes if the relevant total number of allowances in circulation is less than 400 million.
- (6) To this end, the Commission and the Member States should, without undue delay following the publication of the total number of allowances in circulation by the Commission by 15 May of a given year, ensure that the auction calendars of the common auction platform and, where applicable, of opt-out auction platforms are adjusted to take account of the allowances placed in or to be released from the reserve. The adjustment of the volume of allowances to be auctioned should be spread over a period of 12 months following the change to the relevant auctioning calendar. Given the need for a smooth operation of the auction process, further details on the adjustment, where necessary, should be set out in Commission Regulation (EU) No 1031/2010 ⁽¹⁾.
- (7) Furthermore, in addition to the establishment of the reserve, a few consequential amendments should be made to Directive 2003/87/EC in order to ensure consistency and the smooth operation of the EU ETS. In particular, the implementation of Directive 2003/87/EC may lead to large volumes of allowances being auctioned at the end of each trading period which could undermine market stability. Accordingly, in order to avoid an imbalanced market situation of supply of allowances at the end of one trading period and the beginning of the next with possibly disruptive effects for the market, provision should be made for the auctioning of part of any large increase of supply at the end of one trading period in the first two years of the next period. In order to further enhance the stability of the European carbon market and to avoid artificially increasing supply towards the end of the trading period which started in 2013, allowances not allocated to installations pursuant to Article 10a(7) of Directive 2003/87/EC and allowances not allocated to installations because of the application of Article 10a(19) and (20) of that Directive ('unallocated allowances'), should be placed in the reserve in 2020. The Commission should review Directive 2003/87/EC in relation to those unallocated allowances and, if appropriate, submit a proposal to the European Parliament and to the Council on options for further action.
- (8) The planned reintroduction of 300 million allowances in 2019 and 600 million allowances in 2020, as determined in Commission Regulation (EU) No 176/2014 ⁽²⁾, would undermine the aim of the reserve to tackle structural supply-demand imbalances. Accordingly, those 900 million allowances should not be auctioned in 2019 and 2020 but should instead be placed in the reserve.
- (9) It is important that the EU ETS incentivise carbon-efficient growth and that the competitiveness of the Union's industries at genuine risk of carbon leakage be protected. The abovementioned European Council conclusions on the 2030 climate and energy policy framework gave clear guidance on the continuation of free allocation and carbon leakage provisions after 2020. Building on this strategic guidance, the Commission should review Directive 2003/87/EC, in particular Article 10a thereof, and submit a proposal for the revision of that Directive within six months of the adoption of this Decision. In pursuing the goal of a level playing field, that review should also consider harmonised arrangements to compensate for indirect costs at Union level. The review

⁽¹⁾ Commission Regulation (EU) No 1031/2010 of 12 November 2010 on the timing, administration and other aspects of auctioning of greenhouse gas emission allowances pursuant to Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowances trading within the Community (OJ L 302, 18.11.2010, p. 1).

⁽²⁾ Commission Regulation (EU) No 176/2014 of 25 February 2014 amending Regulation (EU) No 1031/2010 in particular to determine the volumes of greenhouse gas emission allowances to be auctioned in 2013-20 (OJ L 56, 26.2.2014, p. 11).

should also consider whether up to 50 million unallocated allowances should be used to supplement existing resources to promote projects referred to in Article 10a(8) of that Directive and low-carbon industrial innovation projects, with projects in all Member States including small-scale projects, before 2021.

- (10) The Commission should monitor the functioning of the reserve in the context of its annual carbon market report. That report should consider relevant effects on competitiveness, in particular in the industrial sector, including in relation to GDP, employment and investment indicators. In addition, the Commission should, within three years of the date of operation of the reserve and periodically thereafter, review the functioning of the reserve in the light of the experience gained from its application. The review of the functioning of the reserve should in particular consider whether the rules on placing allowances in the reserve and releasing them are appropriate with regard to the aim of tackling structural supply-demand imbalances. The review should include an analysis of the market balance, including all relevant factors affecting supply and demand, and of the appropriateness of the predefined range triggering adjustments to annual auction volumes, as well as the percentage rate applied to the total number of allowances in circulation. Where the analysis indicates that the range is no longer appropriate in the light of changes in market developments and new information available at the time of the review, the Commission should swiftly submit a proposal to address such a situation. The review should also look into the impact of the reserve on growth, jobs, the Union's industrial competitiveness and on the risk of carbon leakage. The review of the functioning of the reserve should be objective and take into account the need to preserve regulatory stability and ensure long-term predictability in the transition to a low-carbon economy.
- (11) Since the objectives of this Decision, namely to establish a market stability reserve and make it operational in the Union, cannot be sufficiently achieved by the Member States but can rather, by reason of their scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve those objectives.
- (12) Directive 2003/87/EC should therefore be amended accordingly,

HAVE ADOPTED THIS DECISION:

Article 1

Market stability reserve

1. A market stability reserve shall be established in 2018 and the placing of allowances in the reserve shall operate from 1 January 2019.
2. The quantity of 900 million allowances deducted from auctioning volumes during the period 2014-2016, as determined in Regulation (EU) No 176/2014 pursuant to Article 10(4) of Directive 2003/87/EC, shall not be added to the volumes to be auctioned in 2019 and 2020 but shall instead be placed in the reserve.
3. Allowances not allocated to installations pursuant to Article 10a(7) of Directive 2003/87/EC and allowances not allocated to installations because of the application of Article 10a(19) and (20) of that Directive shall be placed in the reserve in 2020. The Commission shall review Directive 2003/87/EC in relation to those unallocated allowances and, if appropriate, submit a proposal to the European Parliament and to the Council.
4. The Commission shall publish the total number of allowances in circulation each year, by 15 May of the subsequent year. The total number of allowances in circulation in a given year shall be the cumulative number of allowances issued in the period since 1 January 2008, including the number issued pursuant to Article 13(2) of Directive 2003/87/EC in that period and entitlements to use international credits exercised by installations under the EU ETS in respect of emissions up to 31 December of that given year, minus the cumulative tonnes of verified emissions from installations under the EU ETS between 1 January 2008 and 31 December of that same given year, any allowances cancelled in accordance with Article 12(4) of Directive 2003/87/EC and the number of allowances in the reserve. No account shall be taken of emissions during the three-year period starting in 2005 and ending in 2007 and allowances issued in respect of those emissions. The first publication shall take place by 15 May 2017.

5. Each year, a number of allowances equal to 12 % of the total number of allowances in circulation, as set out in the most recent publication as referred to in paragraph 4 of this Article, shall be deducted from the volume of allowances to be auctioned by the Member States under Article 10(2) of Directive 2003/87/EC and shall be placed in the reserve over a period of 12 months beginning on 1 September of that year, unless the number of allowances to be placed in the reserve would be less than 100 million. In the first year of the reserve's operation, placements shall also take place between 1 January and 1 September of that year of 8 % (representing 1 % for each calendar month) of the total number of allowances in circulation as set out in the most recent publication.

Without prejudice to the total amount of allowances to be deducted pursuant to this paragraph, until 31 December 2025, allowances referred to in point (b) of the first subparagraph of Article 10(2) of Directive 2003/87/EC shall not be taken into account when determining Member States' shares contributing to that total amount.

6. In any year, if the total number of allowances in circulation is less than 400 million, 100 million allowances shall be released from the reserve and added to the volume of allowances to be auctioned by the Member States under Article 10(2) of Directive 2003/87/EC. Where fewer than 100 million allowances are in the reserve, all allowances in the reserve shall be released under this paragraph.

7. In any year, if paragraph 6 of this Article is not applicable and measures are adopted under Article 29a of Directive 2003/87/EC, 100 million allowances shall be released from the reserve and added to the volume of allowances to be auctioned by the Member States under Article 10(2) of Directive 2003/87/EC. Where fewer than 100 million allowances are in the reserve, all allowances in the reserve shall be released under this paragraph.

8. Where, following the publication of the total number of allowances in circulation, action is taken pursuant to paragraph 5, 6 or 7, the auction calendars shall take account of the allowances placed in the reserve or to be released from the reserve. The allowances shall be placed in the reserve or released from it over a period of 12 months. Where there is a release of allowances pursuant to paragraph 6 or 7, irrespective of the period during which the release takes place, it shall follow the Member States' shares applicable at the time the allowances were placed in the reserve and it shall also follow the order in which the allowances were placed in the reserve.

Article 2

Amendments to Directive 2003/87/EC

Directive 2003/87/EC is amended as follows:

(1) Article 10 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. From 2019 onwards, Member States shall auction all allowances that are not allocated free of charge in accordance with Articles 10a and 10c and are not placed in the market stability reserve established by Decision (EU) 2015/1814 of the European Parliament and of the Council (*).

(*) Decision (EU) 2015/1814 of the European Parliament and of the Council of 6 October 2015 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending Directive 2003/87/EC (OJ L 264, 9.10.2015, p. 1).';

(b) the following paragraph is inserted after paragraph 1:

'1a. Where the volume of allowances to be auctioned by Member States in the last year of each period referred to in Article 13(1) of this Directive exceeds by more than 30 % the expected average auction volume for the first two years of the following period before application of Article 1(5) of Decision (EU) 2015/1814, two thirds of the difference between the volumes shall be deducted from the auction volumes in the last year of the period and added in equal instalments to the volumes to be auctioned by Member States in the first two years of the following period.'

(2) In Article 13(2), the second subparagraph is replaced by the following:

'Member States shall issue allowances to persons for the current period to replace any allowances held by them which are cancelled in accordance with the first subparagraph. Similarly, allowances held in the market stability reserve and which are no longer valid shall be replaced by allowances which are valid for the current period.'

*Article 3***Review**

The Commission shall monitor the functioning of the reserve in the context of the report provided for in Article 10(5) of Directive 2003/87/EC. That report should consider relevant effects on competitiveness, in particular in the industrial sector, including in relation to GDP, employment and investment indicators. Within three years of the start of the operation of the reserve and at five-year intervals thereafter, the Commission shall, on the basis of an analysis of the orderly functioning of the European carbon market, review the reserve and submit a proposal, where appropriate, to the European Parliament and to the Council. Each review shall pay particular attention to the percentage figure for the determination of the number of allowances to be placed in the reserve pursuant to Article 1(5) of this Decision, as well as the numerical value of the threshold for the total number of allowances in circulation and the number of allowances to be released from the reserve pursuant to Article 1(6) or (7) of this Decision. In its review, the Commission shall also look into the impact of the reserve on growth, jobs, the Union's industrial competitiveness and on the risk of carbon leakage.

*Article 4***Transitional provision**

Article 10(1) of Directive 2003/87/EC as amended by Directive 2009/29/EC of the European Parliament and of the Council ⁽¹⁾ shall continue to apply until 31 December 2018.

*Article 5***Entry into force**

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

Done at Strasbourg, 6 October 2015.

For the European Parliament

The President

M. SCHULZ

For the Council

The President

N. SCHMIT

⁽¹⁾ Directive 2009/29/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading scheme of the Community (OJ L 140, 5.6.2009, p. 63).

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1815

of 8 October 2015

amending for the 238th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network ⁽¹⁾, and in particular Article 7(1)(a) and Article 7a(1) and (5) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 28, 29 and 30 September and 2 October 2015, by way of five decisions taken on 28, 29 and 30 September and 2 October 2015 respectively, the Sanctions Committee of the United Nations Security Council (UNSC) decided to add 18 individuals to the list of natural persons, groups and entities to whom the freezing of funds and economic resources should apply and two entities on that list. On 28 September 2015, the Sanctions Committee decided to delete two individuals on that list.
- (3) Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly.
- (4) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

Article 2

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

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

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

Done at Brussels, 8 October 2015.

*For the Commission,
On behalf of the President,
Head of the Service for Foreign Policy Instrument*

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

(1) the following entries shall be added under the heading 'Natural persons':

- (a) 'Aqsa **Mahmood** (*alias* Umm Layth); Date of birth: 11.5.1994; Place of birth: Glasgow, Scotland, United Kingdom; Address: a) Syrian Arab Republic (as at November 2013), b) United Kingdom (previous address); Nationality: British; Passport No: 720134834 (British passport issued on 27.6.2012, expires on 27.6.2022); Other information: a) Sex: female, b) Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 28.9.2015.'
- (b) 'Nasser Ahmed **Muthana** (*alias* (a) Nasir Muthana, (b) Abdul Muthana, (c) Abu Muthana, (d) Abu Al-Yemeni Muthana, (e) Abu Muthanna); Date of birth: 29.4.1994; Place of birth: Heath, Cardiff, United Kingdom; Address: a) Syrian Arab Republic (as at November 2013), b) United Kingdom (previous address until November 2013); Nationality: British; Passport No.: 210804241 (British passport issued on 27.7.2010, expires on 27 Jul. 2020) Other information: a) Physical description: hair colour: brown/black, b) Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 28.9.2015.'
- (c) 'Omar Ali **Hussain** (*alias* Abu- Sa'id Al Britani); Date of birth: 21.3.1987; Place of birth: High Wycombe, Buckinghamshire, United Kingdom; Address: a) Syrian Arab Republic (as at Jan. 2014), b) United Kingdom (previous address until January 2014); Nationality: British; Passport No: 205939411 (British passport issued on 21.7.2004, expired on 21.4.2015); Other information: a) Physical description: eye colour: brown; hair colour: brown/black, b) Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 28.9.2015.'
- (d) 'Sally-Anne Frances **Jones** (*alias* (a) Umm Hussain al-Britani, (b) Sakinah Hussain); Date of birth: 17.11.1968; Place of birth: Greenwich, Greater London, United Kingdom; Address: a) Syrian Arab Republic (as at 2013), b) United Kingdom (previous location until 2013); Nationality: British; Passport No: 519408086 (British passport issued on 23.9.2013, expires on 23.9.2023); Other information: a) Sex: female, b) Husband's name is: Junaid Hussain, c) Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 28.9.2015.'
- (e) 'Boubaker Ben Habib **Ben Al-Hakim** (*alias* (a) Boubakeur el-Hakim, (b) Boubaker el Hakim, (c) Abou al Moukatel, (d) Abou Mouqatel, (e) Abu-Muqatil al-Tunisi); Date of birth: 1.8.1983; Place of birth: Paris, France; Address: Syrian Arab Republic (as at Sep. 2015); Nationality: (a) French (b) Tunisian. Date of designation referred to in Article 7d(2)(i): 29.9.2015.'
- (f) 'Peter **Cherif**; Date of birth: 26.8.1982; Place of birth: Paris, France; Address: Al Mukalla, Hadramawt province, Yemen; Nationality: French. Date of designation referred to in Article 7d(2)(i): 29.9.2015.'
- (g) 'Maxime **Hauchard** (*alias* Abou Abdallah al Faransi); Date of birth: 13.3.1992; Place of birth: Normandy, France; Address: Syrian Arab Republic (as at Sep. 2015); Nationality: French. Date of designation referred to in Article 7d(2)(i): 29.9.2015.'
- (h) 'Amru **Al-Absi** (*alias* (a) Amr al Absi, (b) Abu al Athir Amr al Absi, (c) Abu al-Athir, (d) Abu al-Asir, (e) Abu Asir, (f) Abu Amr al Shami, (g) Abu al-Athir al-Shami, (h) Abu-Umar al-Absi); Date of birth: approximately 1979; Place of birth: Saudi Arabia; Address: Homs, Syrian Arab Republic (location as at Sep. 2015). Date of designation referred to in Article 7d(2)(i): 29.9.2015.'
- (i) 'Mu'tassim Yahya 'Ali **Al-Rumaysh** (*alias* (a) Rayhanah, (b) Abu-Rayhanah, (c) Handalah, (d) Abu-Rayhanah al-'Ansari al-Jeddawi); Date of birth: 4.1.1973; Place of birth: Jeddah, Saudi Arabia; Nationality: Yemeni; Passport No: 01055336 (Yemeni passport); National identification No: Saudi Arabian alien registration number 2054275397, issued on 22.7.1998. Date of designation referred to in Article 7d(2)(i): 29.9.2015.'
- (j) 'Tarad Mohammad **Aljarba** (*alias* (a) Tarad Aljarba, (b) Abu-Muhammad al-Shimali); Date of birth: 20.11.1979; Place of birth: Iraq; Nationality: Saudi Arabian; Passport No: E704088 (Saudi Arabian passport issued on 26.8.2003, expired on 2.7.2008). Date of designation referred to in Article 7d(2)(i): 29.9.2015.'

- (k) 'Lavdrim **Muhaxheri** (*alias* (a) Abu Abdullah al Kosova, (b) Abu Abdallah al-Kosovi, (c) Abu Abdallah al-Kosovo); Date of birth: (a) 3.12.1989, (b) approximately 1987; Place of birth: Kaqanik/Kacanik; Address: Syrian Arab Republic (location as at September 2015). Date of designation referred to in Article 7d(2)(i): 29.9.2015.'
- (l) 'Aseel **Muthana**; Date of birth: 22.11.1996; Place of birth: Cardiff, United Kingdom; Address: a) Syrian Arab Republic (as at February 2014); Nationality: British; Passport No.: 516088643 (British passport issued on 7.1.2014, expires on 7.1.2024); Other information: Physical description: hair colour: brown/black. Date of designation referred to in Article 7d(2)(i): 30.9.2015.'
- (m) 'Maghommed Maghomedzakirovich **Abdurakhmanov** (*alias* (a) Abu Banat, (b) Abu al Banat); Date of birth: 24.11.1974; Place of birth: Khadzhalma Village, Levashinskiy District, Republic of Dagestan, Russian Federation; Nationality: Russian; Passport No.: 515458008 (Russian foreign travel passport number, expires 30.5.2017); National identification No.: 8200203535 (Russian national passport number); Address: (a) Turkey (possible location), (b) Syrian Arab Republic (previous confirmed location since September 2012); Other information: a) Physical description: eye colour brown, hair colour: dark, build: strong, straight nose, height: 180-185 cm, speaks Russian, English, Arabic, b) Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 2.10.2015.'
- (n) 'Islam Seit-Umarovich **Atabiev** (*alias* Abu Jihad) Date of birth: 29.9.1983; Place of birth: Ust-Dzheguta, Republic of Karachayevo-Cherkessia, Russian Federation; Nationality: Russian; Passport No.: 620169661 (Russian foreign travel passport number); National identification No.: 9103314932 (Russian national passport number issued on 15.8.2003 by Department of the Federal Migration Service of the Russian Federation for the Republic Karachayevo-Cherkessia); Address: (a) Moscovskiy Microrayon 6, App. 96, Ust-Dzheguta, Republic of Karachayevo-Cherkessia, Russian Federation, (b) Syrian Arab Republic (located in as at Aug. 2015); Other information: Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 2.10.2015.'
- (o) 'Akhmed Rajapovich **Chataev** (*alias* (a) Akhmad Shishani, (b) David Mayer, (c) Elmir Sene, (d) Odnorukiyy) Date of birth: 14.7.1980; Place of birth: Vedeno Village, Vedenskiy District, Republic of Chechnya, Russian Federation; Address: a) Syrian Arab Republic (located in as at Aug. 2015), b) Iraq (possible alternative location as at August 2015); National identification No.: 9600133195 (Russian national passport number issued in Vedenskiy District, Republic of Chechnya, Russian Federation by Department of Internal Affairs); Other information: a) Physical description: eye colour: brown, hair colour: black, build: solid; distinguishing marks: oval face, beard, missing a right hand and left leg, speaks Russian, Chechen and possibly German and Arabic. b) Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 2.10.2015.'
- (p) 'Tarkhan Ismailovich **Gaziev** (*alias* (a) Ramzan Oduiev, (b) Tarkhan Isaevich Gaziev, (c) Husan Isaevich Gaziev, (d) Umar Sulimov, (e) Wainakh, (f) Sever, (g) Abu Bilalal, (h) Abu Yasir, (i) Abu Asim, (j) Husan); Date of birth: 11.11.1965; Place of birth: Bugaroy Village, Itum-Kalinskiy District, Republic of Chechnya, Russian Federation; Address: a) Syrian Arab Republic (located in as at August 2015), b) Iraq (possible alternative location as at August 2015); Nationality: (Not registered as a citizen of the Russian Federation); Passport No.: 620169661 (Russian foreign travel passport number); Other information: Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 2.10.2015.'
- (q) 'Zaurbek Salimovich **Guchaev** (*alias* (a) Bach, (b) Fackih, (c) Vostochniy, (d) Muslim, (e) Aziz, (f) Abdul Aziz); Date of birth: 7.9.1975; Place of birth: Chegem-1 Village, Chegemskiy District, Republic of Kabardino-Balkaria, Russian Federation; Address: a) Syrian Arab Republic (located in as at August 2015), b) Iraq (possible alternative location as at August 2015); Nationality: Russian; Passport No.: 622641887 (Russian foreign travel passport number); National identification No.: 8304661431 (Russian national passport number); Other information: Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 2.10.2015.'
- (r) 'Shamil Magomedovich **Ismailov** (*alias* (a) Shamil Magomedovich Aliev, (b) Abu Hanifa); Date of birth: 29.10.1980; Place of birth: Astrakhan, Russian Federation; Address: a) Syrian Arab Republic (located in as at August 2015), b) Iraq (possible alternative location as at August 2015); Nationality: Russian; Passport No.: 514448632 (Russian foreign travel passport number issued on 8.9.2010 in Alexandria, Egypt by Consulate General of the Russian Federation); National identification No.: 1200075689 (Russian national passport number issued on 15 Dec. 2000 by Russian Federation); Other information: a) Physical description: eye colour: brown, hair colour: black, build: slim, height 175-180 cm. Distinguishing marks: long face, speech defect, b) Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 2.10.2015.;

(2) the following entries shall be added under the heading 'Legal persons, groups and entities':

- (a) 'Mujahidin Indonesian Timur (MIT) (*alias* (a) Mujahidin of Eastern Indonesia, (b) East Indonesia Mujahideen, (c) Mujahidin Indonesia Timor, (d) Mujahidin Indonesia Barat (MIB), (e) Mujahidin of Western Indonesia) Address: Indonesia; Other information: Operates in Java and Sulawesi, Indonesia and also active in Indonesia's eastern provinces. Its leader is Abu Wardah, a.k.a. Santoso (not listed). Date of designation referred to in Article 7d(2)(i): 29.9.2015.'
- (b) 'Jund Al-Khilafah In Algeria (JAK-A) (*alias* (a) Jund al Khalifa, (b) Jund al-Khilafah fi Ard al-Jaza'ir, (c) Jund al-Khalifa fi Ard al- Jazayer, (d) Soldiers of the Caliphate in Algeria, (e) Soldiers of the Caliphate of Algeria, (f) Soldiers of the Caliphate in the Land of Algeria); Address: Kabylie region, Algeria. Date of designation referred to in Article 7d(2)(i): 29.9.2015.;

(3) the following entries under the heading 'Natural persons' are deleted:

- (a) 'Ismail Abdallah Sbaitan **Shalabi** (*alias* (a) Ismain Shalabe, (b) Ismail Abdallah Sbaitan Shalabi). Address: Germany. Date of birth: 30.4.1973. Place of birth: Beckum, Germany. Nationality: Jordanian of Palestinian origin. Passport No: (a) E778675 (Passport of the Hashemite Kingdom of Jordan, issued in Rusaifah on 23.6.1996, valid until 23.6.2001); (b) H401056, JOR 9731050433 (Passport of the Hashemite Kingdom of Jordan, issued on 11.4.2001, valid until 10.4.2006). Remark: Other information: (a) Father's name is Abdullah Shalabi; (b) Mother's name is Ammnihi Shalabi; (c) Associated with Djamel Moustfa, Mohamed Abu Dhess and Aschraf al-Dagma. Date of designation referred to in Article 2a(4)(b): 23.9.2003.'
- (b) 'Mohamed Ghassan Ali **Abu Dhess** (*alias* (a) Yaser Hassan, (b) Abu Ali Abu Mohamed Dhees, (c) Mohamed Abu Dhess). Address: Germany. Date of birth: (a) 22.6.1966, (b) 1.2.1966. Place of birth: (a) Irbid, Jordan; (b) Hasmija; (c) Hashmija, Iraq. Nationality: Jordanian. Passport No: (a) German International travel document No 0695982, expired; (b) German International travel document No 0785146, valid until 8.4.2004. Other information: (a) Father's name is Mouhemad Saleh Hassan; (b) Mother's name is Mariam Hassan, née Chalabia; (c) Associated with Ismail Abdallah Sbaitan Shalabi, Djamel Moustfa and Aschraf Al-Dagma. Date of designation referred to in Article 2a(4)(b): 23.9.2003.'
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COMMISSION IMPLEMENTING REGULATION (EU) 2015/1816**of 8 October 2015****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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽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 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.
- (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, 8 October 2015.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽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	51,8
	MA	163,0
	MK	31,3
	TR	81,7
	ZZ	82,0
0707 00 05	AL	34,9
	TR	107,9
	ZZ	71,4
0709 93 10	TR	147,7
	ZZ	147,7
0805 50 10	AR	126,9
	BO	160,8
	CL	149,1
	TR	112,3
	UY	86,6
	ZA	130,7
	ZZ	127,7
0806 10 10	BR	257,8
	EG	184,4
	MK	96,2
	TR	159,9
	ZZ	174,6
0808 10 80	CL	130,0
	MK	23,1
	NZ	171,1
	US	137,2
	ZA	120,7
0808 30 90	ZZ	116,4
	AR	131,8
	TR	133,2
	XS	87,9
	ZA	149,1
	ZZ	125,5

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL DECISION (EU) 2015/1817

of 6 October 2015

on the position to be adopted on behalf of the European Union in the 66th session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Union is a key actor in the areas of the United Nations High Commissioner for Refugees ('UNHCR') mandate, both through its activities in international protection, including the Union resettlement policy and the establishment of the Common European Asylum System, and as a major donor of humanitarian aid and development assistance. However, the arrangements currently in place concerning the Union's participation in the Executive Committee of the High Commissioner's Programme ('Executive Committee of the UNHCR') do not correspond to the Union's significant role in those areas.
- (2) All Member States, with the exception of Lithuania and Malta, are members of the Executive Committee of the UNHCR.
- (3) On 25 and 26 September 2014, the Council agreed a position ⁽¹⁾ on the arrangements for additional participatory rights for the Union within the formal and informal bodies of the UNHCR, inviting the Commission, in close coordination with the High Representative, to approach the UNHCR and the Member States as members or observers of the Executive Committee of the UNHCR to support this initiative.
- (4) Consequently, by letter of 7 September 2015 to the Chair of the Executive Committee of the UNHCR, the Head of the Delegation of the European Union to the United Nations in Geneva requested an examination of the ways and means of updating the relevant arrangements concerning the Union's participation in the governing bodies of the UNHCR, with a view to the Union's potential participation in informal preparatory consultations of the UNHCR.
- (5) By letter of 11 September 2015 to the members of the Executive Committee of the UNHCR, the Chair of the Executive Committee of the UNHCR, at the request of the Bureau of the Executive Committee of the UNHCR, proposed to amend the Rules of Procedure of the Executive Committee of the High Commissioner's Programme ('Rules of Procedure of the UNHCR') in order to accommodate the Union's request.
- (6) Rule 46 of the Rules of Procedure of the UNHCR states that any of those rules may be amended by the Executive Committee of the UNHCR.
- (7) It is expected that the Executive Committee of the UNHCR will be called upon to adopt the proposed amendments at its 66th session on 5 to 9 October 2015.

⁽¹⁾ Document ST 13046/1/14 REV 1, available at: <http://www.consilium.europa.eu/register/en/content/int/?lang=EN&typ=ADV>

- (8) It is therefore appropriate to determine the Union's position in relation to those amendments to the Rules of Procedure of the UNHCR.
- (9) In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, those Member States are not taking part in the adoption of this Decision and are not bound by it or subject to its application.
- (10) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be adopted on the Union's behalf with regard to the amendments to the Rules of Procedure of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, which is to be expressed, acting jointly in the interest of the European Union, by the Member States, is set out in the Annex to this Decision.
2. Minor amendments to the annexed amendment may be agreed without further decision of the Council.

Article 2

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

Done at Luxembourg, 6 October 2015.

For the Council
The President
P. GRAMEGNA

ANNEX

Member States shall support the adoption of the following amendment to the Rules of Procedure of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees:

'Rule 33 of the Rules of Procedure of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (A/AC.96/187/Rev.7) is hereby amended to read as follows:

"The meetings of the Committee shall be held in public unless the Committee decides otherwise. The Chair, in consultation with the Committee, may invite specialised agencies, UN funds and programmes and intergovernmental organisations to participate in private meetings on the basis of their expertise and contributions to the work of the Committee.'".

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2015 OF THE EU-REPUBLIC OF MOLDOVA TRADE AND SUSTAINABLE DEVELOPMENT SUB-COMMITTEE

of 7 July 2015

**adopting the rules of procedure of the Trade and Sustainable Development Sub-Committee
[2015/1818]**

THE EU-REPUBLIC OF MOLDOVA TRADE AND SUSTAINABLE DEVELOPMENT SUB-COMMITTEE,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part ⁽¹⁾ ('the Agreement'), and in particular Article 376 thereof,

Whereas:

- (1) In accordance with Article 464 of the Agreement, parts of the Agreement are applied provisionally as of 1 September 2014.
- (2) Under Article 376(3) of the Agreement, the Trade and Sustainable Development Sub-Committee is to meet in order to oversee the implementation of Chapter 13 (Trade and Sustainable Development) of Title V (Trade and Trade-related Matters) of the Agreement.
- (3) Article 376(3) of the Agreement also provides that the Trade and Sustainable Development Sub-Committee is to establish its own rules of procedure,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Trade and Sustainable Development Sub-Committee, as set out in the Annex, are hereby adopted.

Article 2

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

Done at Chişinău, 7 July 2015

For the Trade and Sustainable Development Sub-Committee

The Chair

Mr Octavian CALMÎC
*Deputy Minister of Economy of
the Republic of Moldova*

Secretaries

Mrs Mihaela GORBAN
*Head of Division for coordination of
EU economic policies and DCFTA,
Ministry of Economy of RM*

Mr Dániel KRÁMER
*Policy officer, Unit D1. Trade and
Sustainable Development, DG TRADE,
European Commission*

⁽¹⁾ OJ L 260, 30.8.2014, p. 4.

ANNEX

**RULES OF PROCEDURE OF THE EU-REPUBLIC OF MOLDOVA TRADE AND SUSTAINABLE DEVELOPMENT
SUB-COMMITTEE***Article 1***General provisions**

1. The Trade and Sustainable Development Sub-Committee established in accordance with Article 376 of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part ('the Agreement') shall assist the Association Committee in Trade configuration, as set out in Article 438(4) of the Agreement, in the performance of its duties.
2. The Trade and Sustainable Development Sub-Committee shall perform the functions set out in Chapter 13 (Trade and Sustainable Development) of Title V (Trade and trade-related matters) of the Agreement.
3. The Trade and Sustainable Development Sub-Committee shall be composed of representatives of the European Commission and of the Republic of Moldova, responsible for trade and sustainable development matters.
4. A representative of the European Commission or of the Republic of Moldova who is responsible for trade and sustainable development matters shall act as Chair of the Trade and Sustainable Development Sub-Committee in accordance with Article 2.
5. The term 'the Parties' in these Rules of Procedure shall be defined as provided for in Article 461 of the Agreement.

*Article 2***Specific provisions**

1. Articles 2 to 14 of the Rules of Procedure of the EU-Republic of Moldova Association Committee shall apply, unless otherwise provided for in these Rules of Procedure.
2. The references to the Association Council shall be read as references to the Association Committee in Trade configuration. The references to the Association Committee or the Association Committee in Trade configuration shall be read as references to the Trade and Sustainable Development Sub-Committee.

*Article 3***Meetings**

The Trade and Sustainable Development Sub-Committee shall meet as necessary. The Parties shall aim to meet once per year.

*Article 4***Amendment of the Rules of Procedure**

These Rules of Procedure may be amended by a decision of the EU-Republic of Moldova Trade and Sustainable Development Sub-Committee in accordance with Article 376 of the Agreement.

DECISION No 2/2015 OF THE EU-REPUBLIC OF MOLDOVA TRADE AND SUSTAINABLE DEVELOPMENT SUB-COMMITTEE**of 7 July 2015****adopting the list of experts on Trade and Sustainable Development in accordance with Article 379(3) of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part [2015/1819]**

THE EU-REPUBLIC OF MOLDOVA TRADE AND SUSTAINABLE DEVELOPMENT SUB-COMMITTEE,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part ⁽¹⁾ (‘the Agreement’), and in particular Article 379 thereof,

Whereas:

- (1) In accordance with Article 464 of the Agreement, parts of the Agreement are applied provisionally as of 1 September 2014.
- (2) Under Article 379(3) of the Agreement, the Trade and Sustainable Development Sub-Committee is to establish a list of at least 15 individuals who are willing and able to serve as experts in panel procedures,

HAS ADOPTED THIS DECISION:

Article 1

The list of individuals who are willing and able to serve as experts in panel procedures for the purposes of Article 379 of the Agreement is set out in the Annex to this Decision.

Article 2

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

Done at Chişinău, 7 July 2015.

For the Trade and Sustainable Development Sub-Committee

The Chair

Mr Octavian CALMÎC

*Deputy Minister of Economy of the
Republic of Moldova*

Secretaries

Mrs Mihaela GORBAN

*Head of Division for coordination of
EU economic policies and DCFTA,
Ministry of Economy of RM*

Mr Dániel KRÁMER

*Policy officer, Unit D1. Trade and
Sustainable Development, DG TRADE,
European Commission*

⁽¹⁾ OJ L 260, 30.8.2014, p. 4.

ANNEX

LIST OF EXPERTS ON TRADE AND SUSTAINABLE DEVELOPMENT

Experts proposed by the Republic of Moldova

1. Iurie BEJAN
2. Maria Ion NEDEALCOV
3. Alexandru STRATAN
4. Dorin JOSANU
5. Nicolae SADOVEI

Experts proposed by the EU

1. Eddy LAURIJSSEN
2. Jorge CARDONA
3. Karin LUKAS
4. Hélène RUIZ FABRI
5. Laurence BOISSON DE CHAZOURNES
6. Geert VAN CALSTER
7. Joost PAUWELYN

Chairpersons

1. Jill MURRAY (Australia)
 2. Janice BELLACE (United States)
 3. Ross WILSON (New Zealand)
 4. Arthur APPLETON (United States)
 5. Nathalie BERNASCONI (Switzerland)
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