VERŻJONI ELETTRONIKA

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,875, 22 ta' Frar, 2012
Taqsima B

A.L. 75 tal-2012.

ATT DWAR POTERI LI JSIRU REGOLAMENTI FL-INTERESS NAZZJONALI (KAP. 365)

Regolamenti ta' l-2012 dwar l-Infurzar ta' Sanzjonijiet ta' l-Unjoni Ewropea fir-rigward tal-Bjelorussja

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 3(2) ta' l-Att dwar Poteri li jsiru Regolamenti fl-Interess Nazzjonali, il-Prim Ministru għamel dawn ir-regolamenti li ġejjin:-

Titolu.

1. It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2011 dwar l-Infurzar ta' Sanzjonijiet ta' l-Unjoni Ewropea fir-rigward tas-Bjelorussja.

Tifsir.

2. F'dawn ir-regolamenti, kemm-il darba r-rabta tal-kliem ma tkunx teħtieġ xort'oħra –

"l-Att" tfisser l-Att dwar Poteri li jsiru Regolamenti fl-Interess Nazzjonali;

"ir-Regolament tal-Kunsill" tfisser ir-Regolament tal-Kunsill imsemmi fir-regolament 3;

A.L. 562 of 2010.

"il-Bord ta' Sorveljanza" tfisser il-Bord imwaqqaf taħt ir-regolament 2 tar-Regolamenti tal-2010 dwar Bord ta' Sorveljanza dwar is-Sanzjonijiet;

Kap. 460.

"it-Trattat" tfisser it-Trattat imsemmi fl-artikolu 2 tal-Att dwar l-Unjoni Ewropea;

Test tar-Regolamenti tal-Kunsill (KE) Nru. 765/2006 u Regolament Nru. 588/2011.

3. Dawn ir-regolamenti japplikaw għar-Regolament tal-Kunsill (KE) Nru. 765/2006 tad-18 ta' Mejju, 2006 dwar mizuri restrittivi fir-rigward tal-President Lukashenko u ċerti uffiċjali oħra tal-Bjelorussja u għar-Regolament tal-Kunsill (KE) Nru. 588/2011 tal-20 ta' Ġunju li jemenda r-Regolament Nru. 765/2006 hawn fuq imsemmi, u li t-testijiet tagħhom jidhru fl-Iskeda li tinsab ma dawn ir-regolamenti.

Appikabilità tal-Att dwar l-Unjoni Ewropea.

4. Għall-fini ta' l-artikolu 3 ta' l-Att dwar l-Unjoni Ewropea, dawn ir-Regolamenti tal-Kunsill jorbtu kollha kemm huma fuq Malta u għandhom ikunu parti mil-liġi tal-pajjiż skont il-kondizzjonijiet imsemmijin fit-Trattat.

Notifikazzjoni dwar l-iffriżar ta' l-attiv.

5. (1) Meta xi dispożizzjoni ta' xi regolament magħmul taħt l-Att, tkun teħtieġ lil xi persuna jew lil xi entità oħra twettaq l-identifikazzjoni ta' flejjes jew attiv li jappartjenu lil jew li jkunu fil-pussess ta'persuni jew entitajiet li jistgħu jiġu identifikati jew li jkunu identifikabbli taħt dawn ir-regolamenti jew l-iffriżar jew l-ibblukkar ta'dawk il-flejjes jew attiv, dik il-persuna jew entità għandha mingħajr ebda dewmien tavża bil-miktub kull informazzjoni rilevanti li jista'jkollha dwar persuni, entitajiet, attiv jew flejjes milquta b'dawn ir-regolamenti lill-Bord ta' Sorveljanza, jew lil dik l-awtorità pubblika oħra li tista' tiġi ordnata b'kull liġi oħra.

Kap. 377.

(2) L-iżvelar ta' kull informazzjoni fl-ambitu tal-pattijiet u tal-ħtiġiet ta' dan ir-regolament ma għandux jikkostitwixxi ksur tal-Att dwar Segretezza Professjonali, meta dan ikun japplika, jew ta' kull obbligu ieħor ta' konfidenzjalità li joħroġ minn xi kuntratt jew minn xi liġi oħra.

(3) Kull min jonqos milli jħares id-dispożizzjonijiet tas-subregolament (1) ikun ħati ta' reat.

Responsabbiltà ta' korp magħqud.

6. (1) Meta reat kontra xi dispożizzjoni tar-Regolament tal-Kunsill, li dawn ir-regolamenti japplikaw għalih, jew kontra dawn ir-regolamenti, isir minn korp ta' persuni sew jekk dak il-korp ikun korporat jew le, kull persuna li, fiż-żmien ta' l-għemil tar-reat, kienet direttur, manager, segretarju jew uffiċjal iehor simili ta' dak il-korp jew għaqda, jew kienet tidher li qed taġixxi f'dik il-kariga, tkun ħatja ta' reat kemm il darba ma tippruvax li r-reat ikun sar mingħajr it-tagħrif tagħha u li tkun eżerċitat id-diliġenza kollha xierqa biex ma tħallix illi jsir ir-reat.

(2) Meta l-persuna misjuba ħatja ta' reat taħt dawn ir-regolamenti ikun uffiċjal ta' korp magħqud bħalma hemm imsemmi fl-artikolu 121D tal-Kodici Kriminali jew tkun persuna li jkollha setgħa ta' rapprezentanza jew li jkollha tali awtorità bħalma hemm imsemmi f' dak l-artikolu u r-reat li dik il-persuna tkun instabet ħatja tiegħu jkun sar għall-benefiċċju, f 'parti jew kollu kemm hu, ta' dak il-korp magħqud, dik il-persuna għandha għall-finijiet ta' dawn ir-regolamenti titqies bħala li hi vestita bir-rappreżentanza legali ta' l-istess korp magħqud li għandu jkun responsabbli għall-

VERŻJONI ELETTRONIKA

ħlas ta' multa ta' mhux anqas minn ħamest elef euro (€5,000) u mhux izjed minn mija u sittax-il elf erba'mija u tmienja u sittin euro (€116,468).

Piena.

7. Meta persuna tagħmel reat kontra xi dispożizzjoni tar-Regolament tal-Kunsill, li dawn ir-regolamenti japplikaw għalih, jew kontra dawn ir-regolamenti, teħel, meta tinstab ħatja, priġunerija għal zmien minn tnax il-xahar sa ħames snin jew multa ta' mhux izjed minn mija u sittax-il elf erba'mija u tmienja u sittin euro (€116,468), jew dik il-priġunerija u multa flimkien.

Skeda

Regolament 3

VERŻJONI ELETTRONIKA

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 765/2006

of 18 May 2006

concerning restrictive measures against President Lukashenko and certain officials of Belarus

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Common Position 2006/362/CFSP of 18 May 2006 amending Common Position 2006/276/CFSP concerning restrictive measures against certain officials of Belarus [1],

Having regard to the proposal from the Commission,

Whereas:

(1) On 24 March 2006, the European Council deplored the failure of the Belarus authorities to meet OSCE commitments to democratic elections, considered that the Presidential elections of 19 March 2006 were fundamentally flawed and condemned the action of the Belarus authorities of that day in arresting peaceful demonstrators exercising their legitimate right of free assembly to protest at the conduct of the Presidential elections. The European Council therefore decided that restrictive measures should be applied against those responsible for the violation of international electoral standards.

(2) On 10 April 2006, the Council decided to adopt restrictive measures against President Lukashenko, the Belarusian leadership and officials responsible for the violations of international electoral standards and international human rights law, as well as for the crackdown on civil society and democratic opposition. These individuals should be subjected to a visa ban and possible further targeted measures.

(3) Common Position 2006/362/CFSP provides that the funds and economic resources of President Lukashenko and certain officials of Belarus that have been identified for this purpose should be frozen.

(4) These measures fall within the scope of the Treaty and, therefore, notably with a view to ensuring their uniform application by economic operators in all Member States, Community legislation is necessary to implement them as far as the Community is concerned. For the purposes of this Regulation, the territory of the Community should be deemed to encompass the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty.

(5) Member States should determine the rules on penalties applicable to infringements of the provisions of this Regulation. The penalties provided for should be proportionate, effective and dissuasive.

(6) 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

For the purpose of this Regulation, the following definitions shall apply:

1. 'funds' means financial assets and benefits of every kind, including but not limited to:

   (a) cash, cheques, claims on money, drafts, money orders and other payment instruments;

   (b) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;

[1] See page 45 of this Official Journal.

VERŻJONI ELETTRONIKA

(c) publicly- and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;

(d) interest, dividends or other income on or value accruing from or generated by assets;

(e) credit, right of set-off, guarantees, performance bonds or other financial commitments;

(f) letters of credit, bills of lading, bills of sale;

(g) documents evidencing an interest in funds or financial resources.

2. '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 use of the funds, including portfolio management.

3. 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services.

4. '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.

5. 'territory of the Community' means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty.

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by President Lukashenko as well as those belonging to owned, held or controlled by certain other officials of Belarus who are responsible for the violations of international electoral standards in the Presidential elections in Belarus on 19 March 2006 and the crackdown on civil society and democratic opposition, and those natural or legal persons, entities or bodies associated with them, as 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 the natural or legal persons, entities or bodies listed in Annex I.

3. The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent the measures referred to in paragraphs 1 and 2 shall be prohibited.

Article 3

1. The competent authority of a Member State, as listed in Annex II, 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 it deems appropriate, after having determined that the funds or economic resources concerned are:

(a) necessary to satisfy the basic needs of persons listed in Annex I and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges;

(b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services; or

(c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources.

2. If the competent authority of a Member State, as listed in Annex II, determines that the release of certain frozen funds or economic resources or the making available of certain funds or economic resources is necessary for extraordinary expenses, it shall notify the grounds on which it considers that a specific authorisation should be granted, to the other competent authorities and the Commission at least two weeks prior to the authorisation, so as to have their prior opinion on the draft authorisation. Two weeks after notification, it 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 it deems appropriate.

3. The competent authority shall inform the competent authorities of the other Member States and the Commission of any authorisation granted under this Article.

Article 4

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

(a) interest or other earnings on those accounts; or

VERŻJONI ELETTRONIKA

(b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to the provisions of this Regulation,

provided that any such interest, other earnings and payments continue to be subject to Article 2(1).

2. Article 2(2) shall not prevent financial or credit institutions in the EU from crediting the frozen accounts, if they receive funds transferred by third parties to the account of the listed person, entity or body, provided that any additions to such accounts will also be frozen. The financial or credit institution shall inform the competent authorities about such transactions without delay.

Article 5

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 accounts and amounts frozen in accordance with Article 2, to the competent authorities of the Member States listed in Annex II where they are resident or located, and shall transmit such information, directly or through these competent authorities, to the Commission;

(b) cooperate with the competent authorities listed in Annex II in any verification of this information.

2. Any additional information directly received by the Commission shall be made available to the competent authorities of the Member State concerned.

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 6

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 as a result of negligence.

Article 7

The Commission and Member States shall immediately inform each other of the measures taken under this Regulation and shall supply each other with any other relevant information at their disposal in connection with this Regulation, in particular information in respect of violation and enforcement problems and judgments handed down by national courts.

Article 8

The Commission shall be empowered to:

(a) amend Annex I on the basis of decisions taken in respect of the Annex IV to Common Position 2006/276/CFSP; and

(b) amend Annex II on the basis of information supplied by Member States.

Article 9

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

2. Member States shall notify these rules to the Commission without delay after entry into force of the Regulation and shall notify it of any subsequent amendment.

Article 10

This Regulation shall apply:

— within the territory of the Community, including its airspace,

— on board any aircraft or any vessel under the jurisdiction of a Member State,

VERŻJONI ELETTRONIKA

— to any natural person inside or outside the territory of the Community who is a national of a Member State,

— to any legal person, entity or body which is incorporated or constituted under the law of a Member State,

— to any legal person, entity or body in respect of any business done in whole or in part within the Community.

Article 11

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

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

Done at Brussels, 18 May 2006.

For the Council
The President
Franz MORAK

VERŻJONI ELETTRONIKA

ANNEX I

List of persons referred to in Article 2

Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Position
Lukashenko Aleksandr Grigorievich (Lukashenka Alaksandr Ryhoravich)	Лукашенка Аляксандр Рыгоравіч	ЛУКАШЕНКО Александр Григорьевич	30.8.1954	Kopys, Vitebsk district	President
Nevyglas Gennady Nikolaevich (Nievyhlas Hienadz Mikalaevich)	Невыглас Генадзь Мікалаевіч	НЕВЫГЛАС Геннадий Николаевич	11.2.1954	Parahonsk, Pinsk district	Head of President's Administration
Petkevich Natalya Vladimirovna (Piatkevich Natallia Uladzimirauna)	Пяткевіч Наталля Уладзіміраўна	ПЕТКЕВИЧ Наталья Владимировна	24.10.1972	Minsk	Deputy Head of President's administration
Rubinov Anatoly Nikolaevich (Rubinau Anatol Mikalaevich)	Рубінаў Анатоль Мікалаевіч	РУБИНОВ Анатолий Николаевич	15.4.1939	Mogilev	Deputy Head in charge of media and ideology, PA
Proleskovsky Oleg Vitoldovich (Pralaskouski Aleh Vitoldavich)	Праласкоўскі Алег Вітольдавіч	ПРОЛЕСКОВСКИЙ Олег Витольдович	1.10.1963	Zagorsk (Russia, now Sergijev Posad)	Aide and Head of the Main Ideological department, PA
Radkov Aleksandr Mikhailovich (Radzkou Alaksandr Mikhailavich)	Радзькоў Аляксандр Міхайлавіч	РАДЬКОВ Александр Михайлович	1.7.1951	Votnya, Вотня Быховского района Могилевской области	Minister of Education
Rusakevich Vladimir Vasilyevich (Rusakevich Uladzimir Vasilievich)	Русакевіч Уладзімір Васільевіч	РУСАКЕВИЧ Владимир Васильевич	13.9.1947	Vygonoshchi, Выгоношци, Брестская область	Minister of Information
Golovanov Viktor Grigoryevich (Halavanau Viktar Ryhoravich)	Галаванаў Віктар Рыгоравіч	ГОЛОВАНОВ Виктор Григорьевич	1952	Borisov	Minister of Justice
Zimovsky Alexander Leonidovich (Zimouski Alaksandr Lieanidavich)	Зімоўскі Аляксандр Леанідавіч	ЗИМОВСКИЙ Александр Леонидович	10.1.1961	Germany	Member of the Upper House of the Parliament; Head of the national state teleradio company
Konoplyev Vladimir Nikolaevich (Kanapliou Uladzimir Mikalaevich)	Канаплёў Уладзімір Мікалаевіч	КОНОПЛЕВ Владимир Николаевич	3.1.1954	Akulintsy, д. Акулинцы Могилевского района	Chairman of the Lower House of the Parliament
Cherginets Nikolai Ivanovich (Charhiniets Mikalai Ivanavich)	Чаргінец Мікалай Іванавіч	ЧЕРГИНЕЦ Николай Иванович	17.10.1937	Minsk	Chairman of the Foreign Affairs Committee of the Upper House
Kostyan Sergei Ivanovich (Kastsian Siarhiei Ivanavich)	Касцян Сяргей Іванавіч	КОСТЯН Сергей Иванович	15.1.1941	Usokhi, Mogilev district, Усохи Кличевского района Могилевской области	Chairman of the Foreign Affairs Committee of the Lower House

VERŻJONI ELETTRONIKA

Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Position
Orda Mikhail Sergeevich (Orda Mikhail Siarhieevich)	Орда Міхаіл Сяргеевіч	ОРДА Михаил Сергеевич	28.9.1966	Dyatlovo, Grodno district, Дятлово Гродненской области	Member of the Upper House, leader of BRSM
Lozovik Nikolai Ivanovich (Lazavik Mikalai Ivanavich)	Лазавік Мікалай Іванавіч	ЛОЗОВИК Николай Иванович	18.1.1951	Nevinyany, Minsk district, Невиняны Вилейского р-на Минской обл	Deputy of the CEC
Miklashevich Petr Petrovich (Miklashevich Piotr Piatrovich)	Міклашэвіч Пётр Пятровіч	МИКЛАШЕВИЧ Петр Петрович	1954	Kosuta, Minsk district, Косута Минской области	Prosecutor General
Slizhevsky Oleg Leonidovich (Slizheuski Aleh Leanidavich)	Сліжэўскі Алег Леанідавіч	СЛИЖЕВСКИЙ Олег Леонидович			Head of the Division of Social organisations, parties and NGOs, Ministry of Justice
Khariton Aleksandr (Kharyton Alaksandr)	Харытон Аляксандр	ХАРИТОН Александр			Consultant of the Division of Social organisations, parties and NGOs of the Ministry of Justice
Smirnov Evgeny Aleksandrovich (Smirnou Yauhien Alaksandravich)	Смірноў Яўген Аляксандравіч	СМИРНОВ Евгений Александрович	15.3.1949	Ryazan district, Russia	First Deputy of the Chairman of the Economic Court
Reutskaya Nadezhda Zalovna (Ravutskaya Nadzieja Zalauna)	Равуцкая Надзея Залаўна	РЕУТСКАЯ Надежда Заловна			Judge of the Moscow district of Minsk
Trubnikov Nikolai Alekseevich (Trubnikau Mikalai Alakseevich)	Трубнікаў Мікалай Аляксеевіч	ТРУБНИКОВ Николай Алексеевич			Judge of the Partizanskiy disctrict of Minsk
Kupriyanov Nikolai Mikhailovich (Kupryianau Mikalai Mikhailavich)	Купрыянаў Мікалай Міхайлавіч	КУПРИЯНОВ Николай Михайлович			Deputy Prosecutor General
Sukhorenko Stepan Nikolaevich (Sukharenka Stsiapan Mikalaevich)	Сухарэнка Сцяпан Мікалаевіч	СУХОРЕНКО Степан Николаевич	27.1.1957	Zdudichi, Gomel district, Здудичи Светлогорского района Гомельской области	Chairman of KGB
Dementei Vasily Ivanovich (Dzemiantsiei Vasil Ivanavich)	Дземянцей Васіль Іванавіч	ДЕМЕНТЕЙ Василий Иванович			First Deputy, KGB
Kozik Leonid Petrovich (Kozik Leanid Piatrovich)	Козік Леанід Пятровіч	КОЗИК Леонид Петрович	13.7.1948	Borisov	Head of the Federation of Trade Unions

VERŻJONI ELETTRONIKA

Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Position
Koleda Alexandr Mikhailovich (Kalada Alaksandr Mikhailavich)	Каляда Аляксандр Міхайлавіч	КОЛЕДА Александр Михайлович			Chairman of the Elections Commission of the Brest district
Mikhasev Vladimir Ilyich (Mikhasiou Uladzimir Iliich)	Міхасёў Уладзімір Ільіч	МИХАСЕВ Владимир Ильич			Chairman of the CEC of the Gomel district
Luchina Leonid Aleksandrovich	Лучына Леанід Аляксандравіч	ЛУЧИНА Леонид Александрович	18.11.1947	Minsk district	Chairman of the CEC of the Grodno district
Karpenko Igor Vasilievich (Karpenka Ihar Vasilievich)	Карпенка Ігар Васільевіч	КАРПЕНКО Игорь Васильевич	28.4.1964	Novokuznetsk, Russia Новокузнецк Кемеровской области, Россия	Chairman of the CEC of the Minsk City
Kurlovich Vladimir Anatolievich (Kurlovich Uladzimir Anatolievich)	Курловіч Уладзімір Анатольевіч	КУРЛОВИЧ Владимир Анатольевич			Chairman of the CEC of the Minsk district
Metelitsa Nikolai Timofeevich (Miatsielitsa Mikalai Tsimafeevich)	Мяцеліца Мікалай Цімафеевіч	МЕТЕЛИЦА Николай Тимофеевич			Chairman of the CEC of the Mogilev district
Pishchulenok Mikhail Vasilievich (Pishchulenak Mikhail Vasilievich)	Пішчулёнак Міхаіл Васільевіч	ПИЩУЛЕНОК Михаил Васильевич			Chairman of the CEC of the Vitebsk district
Sheyman (Sheiman), Victor Vladimirovich			26.5.1958	Grodno region	State Secretary of the Security Council
Pavlichenko (Pavliuchenko), Dmitri (Dmitry) Valeriyevich			1966	Vitebsk	Head of the Special Response Group at the Ministry of the Interior (SOBR)
Naumov, Vladimir Vladimïrovich			1956		Minister of the Interior
Yermoshina Lydia Mihajlovna			29.1.1953	Slutsk (Minsk Region)	Chairwoman of the Central Election Commission
Podobed Yuri Nikolaevich			5.3.1962	Slutsk (Minsk Region)	Lieutenant-Colonel of Militia, Unit for Special Purposes (OMON), Ministry of Internal Affairs

VERŻJONI ELETTRONIKA

ANNEX II

List of competent authorities

BELGIUM

Concerning freezing of funds, financing and financial assistance:

Service Public Fédéral des Finances
Administration de la Trésorerie
30 Avenue des Arts
B-1040 Bruxelles
Fax (32-2) 233 74 65
E-mail: Quesfinvragen.tf@minfin.fed.be

Federale Overheidsdienst Financiën
Administratie van de Thesaurie
Kunstlaan 30
B-1040 Brussel
Fax (32-2) 233 74 65
E-mail: Quesfinvragen.tf@minfin.fed.be

CZECH REPUBLIC

Ministerstvo financí
Finanční analytický útvar
P.O. Box 675
Jindřišská 14
111 21 Praha 1
Tel: +420 25704 4501
Fax: +420 25704 4502

Ministerstvo zahraničních věcí
Odbor společné zahraniční a bezpečnostní politiky EU
Loretánské nám. 5
118 00 Praha 1
Tel: + 420 2 2418 2987
Fax: + 420 2 2418 4080

DENMARK

Erhvervs- og Byggestyrelsen
Dahlerups Pakhus
Langelinie Allé 17
DK-2100 København Ø
Tel. (45) 35 46 60 00
Fax (45) 35 46 60 01

Udenrigsministeriet
Asiatisk Plads 2
DK-1448 København K
Tel. (45) 33 92 00 00
Fax (45) 32 54 05 33

Justitsministeriet
Slotsholmsgade 10
DK-1216 København K
Tel. (45) 33 92 33 40
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GERMANY

Concerning funds:

Deutsche Bundesbank
Servicezentrum Finanzsanktionen
Postfach
D-80281 München
Tel. (49-89) 2889 3800
Fax (49-69) 70 90 97 38 00

Concerning economic resources:

— for information concerning economic resources according to Article 5
Bundesministerium für Wirtschaft und Technologie
Referat V B 2
Scharnhorststraße 34—37
10115 Berlin
Tel.: (49-03018) 6 15-9
Fax: (49-03018) 6 15-53 58
E-Mail: BUERO-VB2@bmwa.bund.de

— for authorisations concerning economic resources according to Article 3

Bundesamt für Wirtschafts- und Ausfuhrkontrolle (BAFA)
Frankfurter Straße 29—35
D-65760 Eschborn
Tel. (49) 61 96 908-0
Fax (49) 61 96 908-800

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Islandi väljak 1
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Finantsinspektsioon
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Tel: +372 6680500
Fax: +372 6680501

GREECE

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General Directory of Economic Policy
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VERŻJONI ELETTRONIKA

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General Directorate for Policy Planning and Management
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Ministerio de Economía y Hacienda
Dirección General del Tesoro y Política Financiera
Subdirección General de Inspección y Control De Movimientos de Capitales
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E-28014 Madrid
Tel (34) 91 209 95 11
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FRANCE

Ministère de l'économie, des finances et de l'industrie
Direction générale des douanes et des droits indirects
Cellule embargo — Bureau E2
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Direction du Trésor et de la politique économique
Service des affaires multilatérales et de développement
Sous-direction Multicom
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Télécopie: (33) 1 53 18 96 55

Ministère des Affaires étrangères
Direction de la coopération européenne
Sous-direction des relations extérieures de la Communauté
Tél.: (33) 1 43 17 44 52
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Service de la Politique Étrangère et de Sécurité Commune
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PO Box No 559
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Fax (353) 1 671 6561

Department of Foreign Affairs
Russia, Eastern Europe, Central Asia Section
Political Division
80 St. Stephen's Green
Dublin 2
Tel. (353) 1 408 21 92
Fax (353) 1 408 20 43

Department of Enterprise, Trade and Employment
Export Licensing Unit
Block C
Earlsfort Centre
Lower Hatch St.
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ITALY

Ministero degli Affari Esteri
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I-00194 Roma
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Tel. (39) 06 3691 3645
Fax. (39) 06 3691 2335

Ministero dell'Economia e delle Finanze
Dipartimento del Tesoro
Comitato di Sicurezza Finanziaria
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Latvijas Republikas Ārlietu ministrija
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Kalpaka bulvārī 6
Rīga, LV 1081
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Ministry of Foreign Affairs
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L-1352 Luxembourg
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HUNGARY

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Ministry of Economic Affairs and Transport – Hungarian Trade
Licencing Office
Margit krt. 85.
H-1024 Budapest
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Gazdasági és Közlekedési Minisztérium – Kereskedelmi Engedélyezési Hivatal
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Minister van Financiën
Directie Financiële Markten/Afdeling Integriteit
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Österreichische Nationalbank
Otto Wagner Platz 3,
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Fax (43 1) 404 20-73 99

POLAND

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Departament Prawno – Traktatowy
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Ministerstwo Finansów
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PORTUGAL

Ministério dos Negócios Estrangeiros
Direcção-Geral dos Assuntos Multilaterais
Largo do Rilvas
P-1350-179 Lisboa
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Fax (351) 21 394 60 73

Ministério das Finanças
Direcção-Geral dos Assuntos Europeus e Relações Internacionais
Avenida Infante D. Henrique, n.º 1, C 2.º
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SLOVENIA

Bank of Slovenia
Slovenska 35
1505 Ljubljana
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Fax: +386 (1) 251 55 16
http://www.bsi.si

Ministry of Finance
Župančičeva 3
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Ministry of Foreign Affairs
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Ministerstvo financií SR
Štefanovičova 5
P.O. BOX 82
817 82 Bratislava
tel: 00421 2 5958 1111
fax: 00421 2 5249 3048

FINLAND

Ulkoasiainministeriö/Utrikesministeriet
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FI-00161 Helsinki/Helsingfors
Tel. (358-9) 160 05
Fax (358-9) 16 05 57 07

SWEDEN

Article 3

Försäkringskassan
SE-103 51 Stockholm
Tfn (46-8) 786 90 00
Fax (46-8) 411 27 89

Articles 4 and 5

Finansinspektionen
Box 6750
SE-113 85 Stockholm
Tfn (46-8) 787 80 00
Fax (46-8) 24 13 35

UNITED KINGDOM

HM Treasury
Financial Sanctions Unit
Financial Crime Team
1, Horse Guards Road
London SW1A 2HQ
United Kingdom
Tel. (44-207) 270-5977
Fax (44-207) 270-5430

Bank of England
Financial Sanctions Unit
Threadneedle Street
London EC2R 8AH
United Kingdom
Tel. (44-207) 601 4607
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For Gibraltar:

Chief Secretary
Government Secretariat
No 6 Convent Place
Gibraltar
Tel. (350) 75707
Fax (350) 5875700

Address for notifications to the European Commission:

European Commission
DG External Relations
Directorate A. Crisis Platform and Policy Coordination in CFSP
Unit A2. Crisis Management and Conflict Prevention
CHAR 12/106
B-1049 Bruxelles/Brussel (Belgium)
e-mail: relex-sanctions@ec.europa.eu
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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 588/2011

of 20 June 2011

amending Regulation (EC) No 765/2006 concerning restrictive measures against President Lukashenko and certain officials of Belarus

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 2011/357/CFSP of 20 June 2011 amending Decision 2010/639/CFSP concerning restrictive measures against certain officials of Belarus [1],

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

Whereas:

(1) Council Regulation (EC) No 765/2006 of 18 May 2006 [2] provides for a freezing of the assets of President Lukashenko and certain officials of Belarus.

(2) By Decision 2011/357/CFSP, the Council has decided to take certain additional restrictive measures in relation to Belarus, in particular by imposing an arms embargo and a prohibition on internal repression equipment.

(3) Some elements of these measures fall within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is therefore necessary in order to implement them, in particular with a view to ensuring their uniform application by economic operators in all Member States.

(4) In view of the gravity of the situation in Belarus and in accordance with Council Decision 2011/357/CFSP, additional persons and entities should be included in the list of persons and entities subject to restrictive measures set out in Annex IA to Regulation (EC) No 765/2006.

(5) Regulation (EC) No 765/2006 should therefore be amended accordingly.

(6) In order to ensure that the measures in this Regulation are effective, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 765/2006 is hereby amended as follows:

(1) The title of Regulation (EC) No 765/2006 is replaced by the following:

'Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in respect of Belarus'.

(2) Article 1 is amended as follows:

(a) Point (5) is replaced by the following:

'5. "territory of the Community" means the territories of the Member States, including their airspace, to which the Treaty is applicable, under the conditions laid down in the Treaty.'.

(b) The following point is added:

'6. "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.'.

(3) The following Articles are inserted:

'*Article 1a*

1. It shall be prohibited:

(a) to sell, supply, transfer or export, directly or indirectly, equipment which might be used for internal repression as listed in Annex III, whether or not originating in the Union, to any person, entity or body in Belarus or for use in Belarus;

[1] See page 25 of this Official Journal.
[2] OJ L 134, 20.5.2006, p. 1.

VERŻJONI ELETTRONIKA

(b) to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in point (a).

2. Paragraph 1 shall not apply to protective clothing, including flak jackets and helmets, temporarily exported to Belarus by United Nations (UN) personnel, personnel of the Union or its Member States, representatives of the media or humanitarian and development workers and associated persons exclusively for their personal use.

3. By way of derogation from paragraph 1, the competent authorities in the Member States as listed in Annex II may authorise the sale, supply, transfer or export of equipment which might be used for internal repression, under such conditions as they deem appropriate, if they determine that such equipment is intended solely for humanitarian or protective use.

Article 1b

1. It shall be prohibited:

(a) to provide, directly or indirectly, technical assistance 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 Belarus or for use in Belarus;

(b) to provide, directly or indirectly, technical assistance or brokering services related to equipment which might be used for internal repression as listed in Annex III, to any person, entity or body in Belarus or for use in Belarus;

(c) to provide, directly or indirectly, financing or financial assistance related to the goods and technology listed in the Common Military List or in Annex III, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of such items, or for any provision of related technical assistance to any person, entity or body in Belarus or for use in Belarus;

(d) to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in points (a) to (c).

2. By way of derogation from paragraph 1, the prohibitions referred to therein shall not apply to:

(a) non-lethal military equipment, or equipment which might be used for internal repression, intended solely for humanitarian purposes or protective use or for institution building programmes of the UN and the Union, or for EU or UN crisis management operations; or

(b) non-combat vehicles fitted with materials to provide ballistic protection, intended solely for the protective use of personnel of the Union and its Member States in Belarus,

provided that the provision thereof has first been approved by the competent authority of a Member State, as identified on the websites listed in Annex II.

3. Paragraph 1 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Belarus by UN personnel, personnel of the Union or its Member States, representatives of the media or humanitarian and development workers and associated persons exclusively for their personal use.

[1] OJ C 86, 18.3.2011, p. 1.'.

Article 2

1. The persons and entities listed in Annex I to this Regulation shall be added to the list set out in Annex IA to Regulation (EC) No 765/2006.

2. Annex II to this Regulation shall be added to Regulation (EC) No 765/2006.

Article 3

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

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

Done at Luxembourg, 20 June 2011.

For the Council
The President
C. ASHTON

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ANNEX I

Persons and entities referred to in Article 2(1)

A. **Persons**

	Names Transcription of Belarusian spelling Transcription of Russian spelling	Names (Belarusian spelling)	Names (Russian spelling)	Place and date of birth, other identifying information (passport number, …)	Reasons
1	Andrey Kazheunikau Andrey Kozhevnikov	Андрэй Кажэўнікаў	Андрей Кожевников		Public prosecutor of the case against ex-presidential candidates Vladimir Neklyaev, Vitaly Rimashevsky, members of Neklyaev's campaign team Andrei Dmitriev, Aleksandr Feduta and Sergei Vozniak, as well as Young Front deputy chairperson Anastasia Polozhanka. The accusation presented by him had a clear political motivation and it was a clear violation of the Code of Penal Procedure. It was based on wrong classification of the events of 19 December 2010, not sustained by evidence, proofs and testimonies of witnesses.
2	Grachova, Liudmila (Grachova, Ludmila; Grachova Lyudmila) Gracheva Liudmila (Gracheva Lyudmila; Grachiova Ludmila)	Грачова Людміла	Грачева Людмила		Judge of the Leninski District Court of Minsk. She dealt with the case of ex-presidential candidates Nikolai Statkevich and Dmitri Uss, as well as political and civil society activists Andrei Pozniak, Aleksandr Klaskovski, Aleksandr Kvetkevich, Artiom Gribkov and Dmitri Bulanov. Her way of conducting the trial was a clear violation of the Code of Penal Procedure. She sustained the use of evidence and testimonies irrelevant to the accused persons.
3	Chubkavets Kiril Chubkovets Kirill	Чубкавец Кірыл	Чубковец Кирилл		Public prosecutor of the case against ex-presidential candidates Nikolai Statkevich and Dmitri Uss, as well as political and civil society activists Andrei Pozniak, Aleksandr Klaskovski, Aleksandr Kvetkevich, Artiom Gribkov and Dmitri Bulanov. The accusation presented by him had a clear political motivation and it was a clear violation of the Code of Penal Procedure. It was based on wrong classification of the events of 19 December 2010, not sustained by evidence, proofs and testimonies of witnesses.
4	Peftiev Vladimir Peftiev Vladimir Pavlovich	Пефціеў Уладзімір Паўлавіч	Пефтиев Владимир Павлович	Born on 1 July 1957 in the town of Berdyansk, Zaporozhskaya Oblast, Ukraine Present passport No.: MP2405942	Person associated with President Lukashenko and his family. Chief economic advisor of President Lukashenko and key financial sponsor of the Lukashenko regime. Chairman of the Council of Shareholders of Beltechexport, the largest export/import company of defence products in Belarus

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B. **Entities**

	Names Transcription of Belarusian spelling Transcription of Russian spelling	Names (Belarusian spelling)	Names (Russian spelling)	Identifying information	Reasons
1	Beltechexport		ЗАО „Белтехэкспорт“	Republic of Belarus, 220012, Minsk, Nezavisimost ave., 86-B Tel: (+375 17) 263-63-83, Fax: (+375 17) 263-90-12	Entity controlled by Mr. Peftiev Vladimir
2	Sport-Pari (Operator of the Republican Lottery company)		ЗАО „Спорт-пари“ (оператор республиканской лотереи)		Entity controlled by Mr. Peftiev Vladimir
3	Private Unitary Enterprise (PUE) BT Telecommunications		частное унитарное предприятие ЧУП „БТ Телекоммуникации“		Entity controlled by Mr. Peftiev Vladimir

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ANNEX II

'ANNEX III

List of equipment which might be used for internal repression as referred to in Article 1a and Article 1b

1. Fire-arms, ammunition and related accessories therefor, as follows:

1.1. Firearms not controlled by ML 1 and ML 2 of the Common Military List of the European Union [1] ('Common Military List');

1.2. Ammunition specially designed for the firearms listed in item 1.1 and specially designed components therefor;

1.3. Weapon-sights not controlled by the Common Military List.

2. Bombs and grenades not controlled by the Common Military List.

3. Vehicles as follows:

3.1. Vehicles equipped with a water cannon, specially designed or modified for the purpose of riot control;

3.2. Vehicles specially designed or modified to be electrified to repel borders;

3.3. Vehicles specially designed or modified to remove barricades, including construction equipment with ballistic protection;

3.4. Vehicles specially designed for the transport or transfer of prisoners and/or detainees;

3.5. Vehicles specially designed to deploy mobile barriers;

3.6. Components for the vehicles specified in items 3.1 to 3.5 specially designed for the purposes of riot control.

Note 1 This item does not control vehicles specially designed for the purposes of fire-fighting.

Note 2 For the purposes of item 3.5 the term 'vehicles' includes trailers.

4. Explosive substances and related equipment as follows:

4.1. Equipment and devices specially designed to initiate explosions by electrical or non-electrical means, including firing sets, detonators, igniters, boosters and detonating cord, and specially designed components therefor; except those specially designed for a specific commercial use consisting of the actuation or operation by explosive means of other equipment or devices the function of which is not the creation of explosions (e.g., car air-bag inflaters, electric-surge arresters of fire sprinkler actuators);

4.2. Linear cutting explosive charges not controlled by the Common Military List;

4.3. Other explosives not controlled by the Common Military List and related substances as follows:

a. amatol;

b. nitrocellulose (containing more than 12,5 % nitrogen);

c. nitroglycol;

d. pentaerythritol tetranitrate (PETN);

e. picryl chloride;

f. 2,4,6-trinitrotoluene (TNT).

5. Protective equipment not controlled by ML 13 of the Common Military List as follows:

5.1. Body armour providing ballistic and/or stabbing protection;

5.2. Helmets providing ballistic and/or fragmentation protection, anti-riot helmets, antiriot shields and ballistic shields.

Note: This item does not control:

— *equipment specially designed for sports activities,*

— *equipment specially designed for safety of work requirements,*

[1] OJ C 86, 18.3.2011, p. 1.

VERŻJONI ELETTRONIKA

6. Simulators, other than those controlled by ML 14 of the Common Military List, for training in the use of firearms, and specially designed software therefor.

7. Night vision, thermal imaging equipment and image intensifier tubes, other than those controlled by the Common Military List.

8. Razor barbed wire.

9. Military knives, combat knives and bayonets with blade lengths in excess of 10 cm.

10. Production equipment specially designed for the items specified in this list.

11. Specific technology for the development, production or use of the items specified in this list.'.