

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

Taqsimha 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-SAHHA 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:-

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. Titolu.

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

“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;

“il-Bord ta' Sorveljanza” tfisser il-Bord imwaqqaf taħt ir-regolament 2 tar-Regolamenti tal-2010 dwar Bord ta' Sorveljanza dwar is-Sanzjonijiet; A.L. 562 of 2010.

“it-Trattat” tfisser it-Trattat imsemmi fl-artikolu 2 tal-Att dwar l-Unjoni Ewropea; Kap. 460.

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

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 ksar tal-Att dwar Segretezza Professionali, 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 ieħor 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-diligenza kollha xierqa biex ma thallix 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' rappreżentanza 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-

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).

7. Meta persuna tagħmel reat kontra xi dispożizzjoni ^{Piena.} 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

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.

- (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

(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,

- 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 in respect of any business done in whole or in part within the Community.
- Article 11*
- to any legal person, entity or body which is incorporated or constituted under the law of a Member State,
 - 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

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)	Лукашэнка 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 Uladzimiraua)	Пяткевіч Наталля Уладзіміраўна	ПЕТКЕВИЧ Наталья Владимировна	24.10.1972	Minsk	Deputy Head of President's administration
Rubinov Anatoly Nikolaevich (Rubinaiu 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)	Праляскоўскі 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	Votnua, Votnia Bыховскага раёна Могилевскай абласці	Minister of Education
Rusakevich Vladimir Vasilyevich (Rusakevich Uladzimir Vasilievich)	Русакевіч Уладзімір Васільевіч	РУСАКЕВИЧ Владимир Васильевич	13.9.1947	Vygonoshchi, Выгоношы, Брэстская абласць	Minister of Information
Golovanov Viktor Grigoryevich (Halavanau Viktor Ryhoravich)	Галаванаў Віктар Рыгоравіч	ГОЛОВАНОВ Виктор Григорьевич	1952	Borisov	Minister of Justice
Zimovsky Alexander Leonidovich (Zimouski Alaksandr Leanidavich)	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)	Каноплєў Уладзімір Мікалаевіч	КОНОПЛЕВ Владимир Николаевич	3.1.1954	Akulintsy, д. Акулінцы Могилевскага раёна	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 Siarhieï Ivanavich)	Касцян Сяргей Іванавіч	КОСТЯН Сергей Иванович	15.1.1941	Usokhi, Mogilev district, Усохи Кличевского раёна Могилевскай абласці	Chairman of the Foreign Affairs Committee of the Lower House

Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Position
Orda Mikhail Sergeevich (Orda Mikhail Siarhieevich)	Орда Міхаіл Сяргеєвіч	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	Nevinyanu, 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, Косу́та 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)	Раўцкая 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 district of Minsk
Kupriyanov Nikolai Mikhailovich (Kupriyanau 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 (Dzemiantsei Vasil Ivanavich)	Дземянцэй 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

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)	Міхасеў 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 Vladimirovich			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

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
Fax (45) 33 93 35 10

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

ESTONIA

Eesti Välisministeerium
Islandi väljak 1
15049 Tallinn
Tel: +372 6 317 100
Fax: +372 6 317 199

Finantsinspektsioon
Sakala 4
15030 Tallinn
Tel: +372 6680500
Fax: +372 6680501

GREECE

A. Freezing of Assets

Ministry of Economy and Finance
General Directory of Economic Policy
Address: 5 Nikis Str., 101 80
Athens, Greece
Tel.: + 30 210 3332786
Fax: + 30 210 3332810

A. Δέσμευση κεφαλαίων

Υπουργείο Οικονομίας και Οικονομικών
Γενική Δ/ση Οικονομικής Πολιτικής
Δ/ση: Νίκης 5, ΑΘΗΝΑ 101 80
Τηλ.: + 30 210 3332786
Φαξ: + 30 210 3332810

B. Import — Export restrictions

Ministry of Economy and Finance
General Directorate for Policy Planning and Management
Address Kornaroy Str.,
GR-105 63 Athens
Tel.: + 30 210 3286401-3
Fax.: + 30 210 3286404

B. Περιορισμοί εισαγωγών — εξαγωγών

Υπουργείο Οικονομίας και Οικονομικών
Γενική Δ/ση Σχεδιασμού και Διαχείρισης Πολιτικής
Δ/ση: Κορνάρου 1, Τ.Κ. 105 63
Αθήνα — Ελλάδα
Τηλ.: + 30 210 3286401-3
Φαξ: + 30 210 3286404

SPAIN

Ministerio de Industria, Comercio y Turismo
Secretaría General de Comercio Exterior
Paseo de la Castellana, 162
E-28046 Madrid
Tel (34) 913 49 38 60
Fax (34) 914 57 28 63
Ministerio de Economía y Hacienda
Dirección General del Tesoro y Política Financiera
Subdirección General de Inspección y Control De Movimientos de Capitales
Paseo del Prado, 6
E-28014 Madrid
Tel (34) 91 209 95 11
Fax (34) 91 209 96 56

FRANCE

Ministère de l'économie, des finances et de l'industrie
Direction générale des douanes et des droits indirects
Cellule embargo — Bureau E2
Tél.: (33) 1 44 74 48 93
Télécopie: (33) 1 44 74 48 97

Ministère de l'économie, des finances et de l'industrie
Direction du Trésor et de la politique économique
Service des affaires multilatérales et de développement
Sous-direction Multicom
139, rue du Bercy
75572 Paris Cedex 12
Tél.: (33) 1 44 87 72 85
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
Télécopie: (33) 1 43 17 56 95

Direction générale des affaires politiques et de sécurité
Service de la Politique Étrangère et de Sécurité Commune
Tél.: (33) 1 43 17 45 16
Télécopie: (33) 1 43 17 45 84

IRELAND

Central Bank and Financial Services Authority of Ireland
Financial Markets Department
PO Box No 559
Dame Street
Dublin 2
Tel. (353) 1 434 4000
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.
Dublin 2
Tel. (353) 1 631 25 34
Fax (353) 1 631 25 62

ITALY

Ministero degli Affari Esteri
Piazzale della Farnesina, 1
I-00194 Roma
D.G.A.U. — Ufficio IV
Tel. (39) 06 3691 3645
Fax. (39) 06 3691 2335

Ministero dell'Economia e delle Finanze
Dipartimento del Tesoro
Comitato di Sicurezza Finanziaria
Via XX Settembre, 97
I-00187 Roma
Tel. (39) 06 4761 3942
Fax. (39) 06 4761 3032

CYPRUS

Υπουργείο Εξωτερικών
Λεωφ. Προεδρικού Μεγάρου
1447 Λευκωσία
Τηλ: +357-22-300600
Φαξ: +357-22-661881

Ministry of Foreign Affairs
Presidential Palace Avenue
1447 Nicosia
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LATVIA

Latvijas Republikas Ārlietu ministrija
Brīvības iela 36
Rīga, LV 1395
Tel: (371) 7016201
Fax: (371) 7828121

Noziedzīgi iegūto līdzekļu legalizācijas novēršanas dienests

Kalpaka bulvārī 6
Rīga, LV 1081
Tel: (371) 7044431
Fax: (371) 7044549

LITHUANIA

Security Policy Department
Ministry of Foreign Affairs
J.Tumo-Vaižganto 2
LT-01511 Vilnius
Tel: (370-5) 236 25 16
Fax: (370-5) 231 30 90

LUXEMBOURG

Ministère des Affaires Étrangères
Direction des relations économiques internationales
6, rue de la Congrégation
L-1352 Luxembourg
Tel. (352) 478 23 46
Fax (352) 22 20 48

Ministère des Finances
3, rue de la Congrégation
L-1352 Luxembourg
Tel. (352) 478-2712
Fax (352) 47 52 41

HUNGARY

Article 4
Ministry of Economic Affairs and Transport –
Hungarian Trade
Licencing Office
Margit krt. 85.
H-1024 Budapest
Hungary
Postbox: 1537 Pf.: 345
Tel.: +36-1-336-7300

Gazdasági és Közlekedési Minisztérium – Kereskedelmi
Engedélyezési Hivatal
Margit krt. 85.
H-1024 Budapest
Magyarország
Postafiók: 1537 Pf.: 345
Tel.: +36-1-336-7300

Article 7
Hungarian National Police
Teve u. 4–6.
H-1139 Budapest
Hungary
Tel./fax: +36-1-443-5554

Országos Rendőrfőkapitányság
1139 Budapest, Teve u. 4–6.
Magyarország
Tel./fax: +36-1-443-5554

Article 8
Ministry of Finance
József nádor tér. 2–4.
H-1051 Budapest
Hungary
Postbox: 1369 Pf.: 481
Tel.: +36-1-318-2066, +36-1-327-2100
Fax: +36-1-318-2570, +36-1-327-2749

Pénzügyminisztérium
1051 Budapest, József nádor tér 2–4.
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Fax: +36-1-318-2570, +36-1-327-2749

MALTA

Bord ta' Sorveljanja dwar is-Sanzjonijiet
Direttorat ta' l-Affarijiet Multilaterali
Ministeru ta' l-Affarijiet Barranin
Palazzo Parisio
Triq il-Merkanti
Valletta CMR 02
Tel: +356 21 24 28 53
Fax: +356 21 25 15 20

NETHERLANDS

Belastingdienst/Douane Noord
Centrale Dienst In- en Uitvoer
Engelse Kamp 2
Postbus 30003
9700 RD Groningen
tel: 050-523 2600
fax: 050-523 2183

Minister van Financiën
Directie Financiële Markten/Afdeling Integriteit
Postbus 20201
NL-2500 EE Den Haag
Tel.: (31-70) 342 8997
Fax: (31-70) 342 7984

AUSTRIA

Österreichische Nationalbank
Otto Wagner Platz 3,
A-1090 Wien
Tel. (01-4042043 1) 404 20-0
Fax (43 1) 404 20-73 99

POLAND

Ministerstwo Spraw Zagranicznych
Departament Prawno – Traktatowy
Al. J. CH. Szucha 23
PL-00-580 Warszawa
Tel. (48 22) 523 93 48
Fax (48 22) 523 91 29

Ministerstwo Finansów
 Generalny Inspektor Informacji Finansowej
 ul. Świętokrzyska 12
 PL-00-916 Warszawa
 Tel. (48 22) 694 59 70
 Fax (48 22) 694 54 50

PORTUGAL

Ministério dos Negócios Estrangeiros
 Direcção-Geral dos Assuntos Multilaterais
 Largo do Rilvas
 P-1350-179 Lisboa
 Tel. (351) 21 394 60 72
 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
 P-1100 Lisboa
 Tel. (351) 21 882 32 40/47
 Fax (351) 21 882 32 49

SLOVENIA

Bank of Slovenia
 Slovenska 35
 1505 Ljubljana
 Tel: +386 (1) 471 90 00
 Fax: +386 (1) 251 55 16
<http://www.bsi.si>

Ministry of Finance
 Župančičeva 3
 1502 Ljubljana
 Tel: +386 (1) 369 66 31
 Fax: +386 (1) 369 66 59

Ministry of Foreign Affairs
 Prešernova 25
 1000 Ljubljana
 Tel: +386 1 478 20 00
 Fax: +386 1 478 23 47
<http://www.gov.si/mzz>

SLOVAKIA

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
 PL/PB 176
 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
 Fax (44 207) 601 4309

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
 Tel. (32 2) 295 55 85/299 11 76
 Fax: (32 2) 299 08 73

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.

(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

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 Neklyayev, Vitaly Rimashevsky, members of Neklyayev'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	Пэфціеў Улапзімір Паўлавіч	Пэфтиев Владимир Павлович	Born on 1 July 1957 in the town of Berdyansk, Zapo- rozhskaya 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

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. Pefiev Vladimir
2	Sport-Pari (Operator of the Republican Lottery company)		ЗАО „Спорт- пари“ (оператор республиканск- ой лотереи)		Entity controlled by Mr. Pefiev Vladimir
3	Private Unitary Enterprise (PUE) BT Telecommunications		частное унитарное предприятие ЧУП „БТ Телекоммуник- ации“		Entity controlled by Mr. Pefiev Vladimir

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 inflators, 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.

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.
-

L.N. 75 of 2012.

**NATIONAL INTEREST (ENABLING POWERS) ACT
(CAP. 365)**

**Enforcement of European Union Sanctions
(Belarus) Regulations, 2011**

IN exercise of the powers conferred by article 3(2) of the National Interest (Enabling Powers) Act, the Prime Minister has made the following regulations:-

- | | |
|--|---|
| Citation. | 1. The title of these regulations is the Enforcement of European Union Sanctions (Belarus) Regulations, 2012. |
| Interpretation. | <p>2. In these regulations, unless the context otherwise requires –</p> <p>“the Act” means the National Interest (Enabling Powers) Act;</p> <p>“the Council Regulation” means the Council Regulation referred to in regulation 3;</p> |
| L.N. 562 of 2010. | “ Monitoring Board” means the Board established under regulation 2 of the Sanctions (Monitoring Board) Regulations, 2010; |
| Cap. 460. | “the Treaty” means the Treaty referred to in article 2 of the European Union Act. |
| Text of Council Regulations (EU) No.765/2006 and Regulation (EU) No. 588/2011. | 3. These regulations apply to Council Regulation (EC) No. 765/2006 of 18 May 2006 on restrictive measures against President Lukashenko and certain officials of Belarus and Council Regulation (EU) No. 588/2011 of 20 June 2011 which amends the aforementioned Council Regulation No. 765/2006, which texts are contained in the Schedule attached to these regulations. |
| Applicability of the European Union Act. | 4. For the purposes of article 3 of the European Union Act, the Council Regulation is binding in its entirety on Malta and shall be part of the domestic law thereof under the conditions laid down in the Treaty. |
| Notification about freezing of assets. | 5. (1) Where any provision of any regulation made under the Act, requires any person or any other entity to carry out the identification of funds or assets belonging to or in the possession of persons or entities as may be identified or identifiable under these |

regulations, or the freezing or blocking of such funds or assets, such person or entity shall without delay notify in writing any relevant information it may have regarding persons, entities, assets or funds affected by these regulations to the Monitoring Board, or to such other public authority as may be prescribed by any other law.

(2) The disclosure of any information within the terms and requirements of this regulation shall not constitute a breach of the Professional Secrecy Act, where applicable, or of any other confidentiality obligation arising from a contract or any other law. Cap. 377.

(3) Whosoever fails to abide by the provisions of sub-regulation (1) hereof shall be guilty of an offence.

6. (1) Where an offence against any provision of the Council Regulation to which these regulations apply, or against these regulations is committed by a body of persons, whether corporate or unincorporate, every person who, at the time of the commission of the offence, was a director, manager, secretary or other similar officer of such body or association, or was purporting to act in any such capacity, shall be guilty of that offence unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence. Corporate liability.

(2) Where the person found guilty of an offence under these regulations is an officer of a body corporate as is referred to in article 121D of the Criminal Code or is a person having a power of representation or having such authority as is referred to in that article and the offence of which that person was found guilty was committed for the benefit, in part or in whole, of that body corporate, the said person shall for the purposes of these regulations be deemed to be vested with the legal representation of the same body corporate which shall be liable to the payment of a fine of not less than five thousand euro (€5,000) and not more than one hundred and sixteen thousand four hundred and sixty-eight euro (€116,468).

7. Any person who commits an offence against any provision of the Council Regulation to which these regulations apply, or against these regulations shall, on conviction, be liable to imprisonment for a term from twelve months to five years or to a fine (multa) not exceeding one hundred and sixteen thousand Penalty.

four hundred and sixty-eight euro (€116,468), or to both such imprisonment and fine.

Schedule

Regulation 3

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.

- (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

(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,

— 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 in respect of any business done in whole or in part within the Community.

Article 11

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

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

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)	Лукашэнка Аляксандр Рыгоравіч	ЛУКАШЕНКО Александр Григорьевич	30.8.1954	Kopys, Vitebsk district	President
Nevyglas Gennady Nikolaevich (Nievyhlas Hienadz Mikalaevich)	Невыглас Геннадзь Мікалаевіч	НЕВЫГЛАС Геннадий Николаевич	11.2.1954	Parahonsk, Pinsk district	Head of President's Administration
Petkevich Natalya Vladimirovna (Piatkevich Natallia Uladzimirauana)	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 (Pralakouski Aleh Vitoldavich)	Праляскоўскі Олег 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, Votnya Bykhovskogo rayona Mogilevskoy oblasti	Minister of Education
Rusakevich Vladimir Vasilyevich (Rusakevich Uladzimir Vasilievich)	Русакевіч Уладзімір Васільевіч	РУСАКЕВИЧ Владимир Васильевич	13.9.1947	Vygonoshchi, Выгоноши, Брестская область	Minister of Information
Golovanov Viktor Grigoryevich (Halavanau Viktor Ryhoravich)	Галаванаў Віктар Рыгоравіч	ГОЛОВАНОВ Виктор Григорьевич	1952	Borisov	Minister of Justice
Zimovsky Alexander Leonidovich (Zimouski Alaksandr Leanidavich)	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 Siarhieï 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

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, Дятлаво 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, Косуца 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)	Харыгон 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 district 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 (Dzemiantsei Vasil Ivanavich)	Дземянцэй 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

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)	Міхасеў 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 Vladimirovich			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

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
Fax (45) 33 93 35 10

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

ESTONIA

Eesti Välisministeerium
Islandi väljak 1
15049 Tallinn
Tel: +372 6 317 100
Fax: +372 6 317 199

Finantsinspektsioon
Sakala 4
15030 Tallinn
Tel: +372 6680500
Fax: +372 6680501

GREECE

A. Freezing of Assets

Ministry of Economy and Finance
General Directory of Economic Policy
Address: 5 Nikis Str., 101 80
Athens, Greece
Tel.: + 30 210 3332786
Fax: + 30 210 3332810

Α. Δέσμευση κεφαλαίων

Υπουργείο Οικονομίας και Οικονομικών

Γενική Δ/ση Οικονομικής Πολιτικής

Δ/ση: Νίκης 5, ΑΘΗΝΑ 101 80

Τηλ.: + 30 210 3332786

Φαξ: + 30 210 3332810

B. Import — Export restrictions

Ministry of Economy and Finance

General Directorate for Policy Planning and Management

Address Kornaroy Str.,

GR-105 63 Athens

Tel.: + 30 210 3286401-3

Fax.: + 30 210 3286404

B. Περιορισμοί εισαγωγών — εξαγωγών

Υπουργείο Οικονομίας και Οικονομικών

Γενική Δ/ση Σχεδιασμού και Διαχείρισης Πολιτικής

Δ/ση: Κορνάρου 1, Τ.Κ. 105 63

Αθήνα — Ελλάδα

Τηλ.: + 30 210 3286401-3

Φαξ: + 30 210 3286404

SPAIN

Ministerio de Industria, Comercio y Turismo

Secretaría General de Comercio Exterior

Paseo de la Castellana, 162

E-28046 Madrid

Tel (34) 913 49 38 60

Fax (34) 914 57 28 63

Ministerio de Economía y Hacienda

Dirección General del Tesoro y Política Financiera

Subdirección General de Inspección y Control De Movimientos de Capitales

Paseo del Prado, 6

E-28014 Madrid

Tel (34) 91 209 95 11

Fax (34) 91 209 96 56

FRANCE

Ministère de l'économie, des finances et de l'industrie

Direction générale des douanes et des droits indirects

Cellule embargo — Bureau E2

Tél.: (33) 1 44 74 48 93

Télécopie: (33) 1 44 74 48 97

Ministère de l'économie, des finances et de l'industrie

Direction du Trésor et de la politique économique

Service des affaires multilatérales et de développement

Sous-direction Multicom

139, rue du Bercy

75572 Paris Cedex 12

Tél.: (33) 1 44 87 72 85

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

Télécopie: (33) 1 43 17 56 95

Direction générale des affaires politiques et de sécurité

Service de la Politique Étrangère et de Sécurité Commune

Tél.: (33) 1 43 17 45 16

Télécopie: (33) 1 43 17 45 84

IRELAND

Central Bank and Financial Services Authority of Ireland

Financial Markets Department

PO Box No 559

Dame Street

Dublin 2

Tel. (353) 1 434 4000

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.

Dublin 2

Tel. (353) 1 631 25 34

Fax (353) 1 631 25 62

ITALY

Ministero degli Affari Esteri

Piazzale della Farnesina, 1

I-00194 Roma

D.G.A.U. — Ufficio IV

Tel. (39) 06 3691 3645

Fax. (39) 06 3691 2335

Ministero dell'Economia e delle Finanze

Dipartimento del Tesoro

Comitato di Sicurezza Finanziaria

Via XX Settembre, 97

I-00187 Roma

Tel. (39) 06 4761 3942

Fax. (39) 06 4761 3032

CYPRUS

Υπουργείο Εξωτερικών

Λεωφ. Προεδρικού Μεγάρου

1447 Λευκωσία

Τηλ: +357-22-300600

Φαξ: +357-22-661881

Ministry of Foreign Affairs

Presidential Palace Avenue

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LATVIA

Latvijas Republikas Ārlietu ministrija
Brīvības iela 36
Rīga, LV 1395
Tel: (371) 7016201
Fax: (371) 7828121

Noziedzīgi iegūto līdzekļu legalizācijas novēršanas dienests

Kalpaka bulvāri 6
Rīga, LV 1081
Tel: (371) 7044431
Fax: (371) 7044549

LITHUANIA

Security Policy Department
Ministry of Foreign Affairs
J.Tumo-Vaižganto 2
LT-01511 Vilnius
Tel: (370-5) 236 25 16
Fax: (370-5) 231 30 90

LUXEMBOURG

Ministère des Affaires Étrangères
Direction des relations économiques internationales
6, rue de la Congrégation
L-1352 Luxembourg
Tel. (352) 478 23 46
Fax (352) 22 20 48

Ministère des Finances
3, rue de la Congrégation
L-1352 Luxembourg
Tel. (352) 478-2712
Fax (352) 47 52 41

HUNGARY

Article 4
Ministry of Economic Affairs and Transport –
Hungarian Trade
Licencing Office
Margit krt. 85.
H-1024 Budapest
Hungary
Postbox: 1537 Pf.: 345
Tel.: +36-1-336-7300

Gazdasági és Közlekedési Minisztérium – Kereskedelmi Engedélyezési Hivatal
Margit krt. 85.
H-1024 Budapest
Magyarország
Postafiók: 1537 Pf.: 345
Tel.: +36-1-336-7300

Article 7

Hungarian National Police
Teve u. 4–6.
H-1139 Budapest
Hungary
Tel./fax: +36-1-443-5554

Országos Rendőrfőkapitányság

1139 Budapest, Teve u. 4–6.
Magyarország
Tel./fax: +36-1-443-5554

Article 8

Ministry of Finance
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Article 3

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 SE-103 51 Stockholm
 Tfn (46-8) 786 90 00
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Articles 4 and 5

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 Financial Crime Team
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 United Kingdom
 Tel. (44-207) 270-5977
 Fax (44-207) 270-5430

Bank of England
 Financial Sanctions Unit
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For Gibraltar:

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 No 6 Convent Place
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Address for notifications to the European Commission:

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 DG External Relations
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 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.

(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

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 Neklyayev, Vitaly Rimashevsky, members of Neklyayev'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	Пэфціеў Уладзімір Паўлавіч	Пeftиев 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

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 республиканск- ой лотереи)		Entity controlled by Mr. Peftiev Vladimir
3	Private Unitary Enterprise (PUE) BT Telecommunications		частное унитарное предприятие ЧУП „БТ Телекоммуни- кации“		Entity controlled by Mr. Peftiev Vladimir

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.

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.'
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