



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 7 December 2012**

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**Interinstitutional File:  
2012/0348(NLE)**

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FIN 1005**

**PROPOSAL**

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from:	Commission/High Representative
dated:	7 December 2012
No Cion doc.:	JOIN(2012) 34 final
Subject:	Joint Proposal for a Council Regulation amending Council Regulation (EU) No 1284/2009 imposing certain specific restrictive measures in respect of the Republic of Guinea

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Delegations will find attached a proposal from the Commission and the High Representative of the EU for Foreign Affairs and Security Policy, submitted under a covering letter from Mr Jordi AYET PUIGARNAU to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: JOIN(2012) 34 final



EUROPEAN  
COMMISSION

HIGH REPRESENTATIVE OF THE  
EUROPEAN UNION FOR  
FOREIGN AFFAIRS AND  
SECURITY POLICY

Brussels, 7.12.2012  
JOIN(2012) 34 final

2012/0348 (NLE)

Joint Proposal for a

## **COUNCIL REGULATION**

**amending Council Regulation (EU) No 1284/2009 imposing certain specific restrictive measures in respect of the Republic of Guinea**

## **EXPLANATORY MEMORANDUM**

1. The Council adopted Council Decision 2012/665/CFSP amending Council Decision 2010/638/CFSP concerning restrictive measures against the Republic of Guinea. The Decision amends the scope of the arms embargo.
2. Action at EU level is required to give effect to certain aspects of the amendment to the scope of this embargo.
3. Council Regulation (EU) No 1284/2009 should therefore be amended.

Joint Proposal for a

**COUNCIL REGULATION**

**amending Council Regulation (EU) No 1284/2009 imposing certain specific restrictive measures in respect of the Republic of Guinea**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215(1) thereof,

Having regard to Council Decision 2012/665/CFSP amending Council Decision 2010/638/CFSP concerning restrictive measures against the Republic of Guinea<sup>1</sup>,

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

Whereas:

- (1) Council Regulation (EU) No 1284/2009<sup>2</sup> of 22 December 2009 imposed certain restrictive measures in respect of the Republic of Guinea, in accordance with Common Position 2009/788/CFSP<sup>3</sup> (later replaced by Council Decision 2010/638/CFSP<sup>4</sup>), in response to the violent crackdown by security forces on political demonstrators in Conakry on 28 September 2009.
- (2) On 26 October 2012 the Council adopted Decision 2012/665/CFSP amending Council Decision 2010/638/CFSP which amended the scope of the measures related to military equipment.
- (3) Certain aspects of these measures fall within the scope of the Treaty on the Functioning of the European Union and, therefore, notably with a view to ensuring their uniform application by economic operators in all Member States, regulatory action at the level of the Union is necessary in order to implement them.
- (4) Council Regulation (EU) No 1284/2009 should be amended accordingly,

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<sup>1</sup> OJ L 299, 27.10.2012, p. 45.

<sup>2</sup> OJ L 346, 23.12.2009, p. 26.

<sup>3</sup> OJ L 281, 28.10.2009, p. 7.

<sup>4</sup> OJ L 280, 26.10.2010, p. 10.

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) No 1284/2009 is amended as follows:

(1) The following point (g) is added in paragraph 1 of Article 4:

"(g) the provision of financing, financial assistance, technical assistance, brokering services and other services related to explosives and related equipment intended solely for civilian use in mining and infrastructure investments, provided that the storage and use of the explosives and the related equipment and services are controlled and verified by an independent body and that the providers of related services are identified."

(2) The following paragraph 3 is added in Article 4:

"3. The relevant Member State shall inform the other Members States at least two weeks in advance of the intention to grant an authorisation referred to in point (g) of paragraph 1."

(3) Annex III is replaced by the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels,

*For the Council*  
*The President*  
[...]

## ANNEX

### "ANNEX III

Websites for information on the competent authorities referred to in Articles 4, 8, 9, 10(1), 12 and 17 and address for notifications to the European Commission:

#### A. Competent authorities in each Member State:

##### BELGIUM

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

##### BULGARIA

<http://www.mfa.bg/en/pages/view/5519>

##### CZECH REPUBLIC

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

##### DENMARK

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

##### GERMANY

<http://www.bmwi.de/BMWi/Navigation/Aussenwirtschaft/Aussenwirtschaftsrecht/embargos.html>

##### ESTONIA

[http://www.vm.ee/est/kat\\_622/](http://www.vm.ee/est/kat_622/)

##### IRELAND

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

##### GREECE

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

##### SPAIN

[http://www.maec.es/es/MenuPpal/Asuntos/Sanciones%20Internacionales/Paginas/Sanciones\\_%20Internacionales.aspx](http://www.maec.es/es/MenuPpal/Asuntos/Sanciones%20Internacionales/Paginas/Sanciones_%20Internacionales.aspx)

## FRANCE

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

## ITALY

[http://www.esteri.it/MAE/IT/Politica\\_Europea/Deroghe.htm](http://www.esteri.it/MAE/IT/Politica_Europea/Deroghe.htm)

## CYPRUS

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

## LATVIA

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

## LITHUANIA

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

## LUXEMBOURG

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

## HUNGARY

[http://www.kulugyminiszterium.hu/kum/hu/bal/Kulpolitikank/nemzetkozi\\_szankciok/](http://www.kulugyminiszterium.hu/kum/hu/bal/Kulpolitikank/nemzetkozi_szankciok/)

## MALTA

[http://www.doi.gov.mt/EN/bodies/boards/sanctions\\_monitoring.asp](http://www.doi.gov.mt/EN/bodies/boards/sanctions_monitoring.asp)

## NETHERLANDS

[www.rijksoverheid.nl/onderwerpen/internationale-vrede-en-veiligheid/sancties](http://www.rijksoverheid.nl/onderwerpen/internationale-vrede-en-veiligheid/sancties)

## AUSTRIA

[http://www.bmeia.gv.at/view.php3?f\\_id=12750&LNG=en&version=](http://www.bmeia.gv.at/view.php3?f_id=12750&LNG=en&version=)

POLAND

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

PORTUGAL

<http://www.min-nestrangeiros.pt>

ROMANIA

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



## SLOVENIA

[http://www.mzz.gov.si/si/zunanja\\_politika\\_in\\_mednarodno\\_pravo/zunanja\\_politika/mednarodna\\_varnost/omejevalni\\_ukrepi/](http://www.mzz.gov.si/si/zunanja_politika_in_mednarodno_pravo/zunanja_politika/mednarodna_varnost/omejevalni_ukrepi/)

## SLOVAKIA

<http://www.foreign.gov.sk>

## FINLAND

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

## SWEDEN

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

## UNITED KINGDOM

[www.fco.gov.uk/competentauthorities](http://www.fco.gov.uk/competentauthorities)

B. Address for notifications to, or other communication with, the European Commission:

European Commission

Service for Foreign Policy Instruments (FPI)

EEAS 02/309

B-1049 Brussels

Belgium"