



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 25 June 2013

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PROPOSAL

from: Commission/High Representative
dated: 25 June 2013

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Subject: Joint Proposal for a Council Regulation amending Regulation (EU) No
36/2012 concerning restrictive measures in view of the situation in Syria

Delegations will find attached a joint 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, Director, to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: JOIN(2013) 24 final



EUROPEAN
COMMISSION

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

Brussels, 25.6.2013
JOIN(2013) 24 final

2013/0227 (NLE)

Joint Proposal for a

COUNCIL REGULATION

**amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the
situation in Syria**

EXPLANATORY MEMORANDUM

- (1) Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria gave effect to Council Decision 2011/782/CFSP of 1 December 2011. Decision 2011/782/CFSP was repealed and replaced by Council Decision 2012/739/CFSP.
- (2) On 1 June 2013 Decision 2012/739/CFSP expired.
- (3) On 31 May 2013 the Council adopted Decision 2013/255/CFSP concerning restrictive measures against Syria.
- (4) Annex IX to Regulation (EU) No 36/2012 lists items which are subject to prior authorisation prior to sale, supply, transfer or export in accordance with Article 2b of Regulation No 36/2012. This list should be expanded to include further items. An exception for products identified as consumer goods should be provided.
- (5) Further action by the Union is needed in order to implement Decision 2013/255/CFSP.
- (6) The High Representative of the Union for Foreign Affairs and Security Policy and the European Commission propose to amend Regulation (EU) No 36/2012 accordingly.

Joint Proposal for a

COUNCIL REGULATION

amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2013/255/CFSP concerning restrictive measures against Syria¹,

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

Whereas:

- (1) Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria² gave effect to Council Decision 2011/782/CFSP of 1 December 2011³. Council Decision 2012/739/CFSP⁴ of 29 November 2012 repealed and replaced Decision 2011/782/CFSP.
- (2) On 1 June 2013 Decision 2012/739/CFSP expired.
- (3) On 31 May 2013 the Council adopted Decision 2013/255/CFSP⁵ concerning restrictive measures against Syria.
- (4) Annex IX to Regulation (EU) No 36/2012 lists items which are subject to prior authorisation prior to sale, supply, transfer or export in accordance with Article 2b of Regulation No 36/2012. This list should be expanded to include further items An exception for products identified as consumer goods should be provided.
- (5) Those measures fall within the scope of the Treaty and, therefore, in particular with a view to ensuring their uniform application by economic operators in all Member States, action at the level of the Union is necessary in order to implement them.
- (6) Regulation (EU) No 36/2012 should therefore be amended accordingly,

¹ OJ L 319, 02.12.2011, p. 56.

² OJ L 16, 19.1.2012, p. 1.

³ OJ L 319, 2.12.2011, p 56.

⁴ OJ L 330, 30.11.2012, p. 21.

⁵ OJ L 147, 1.6.2013, p. 14.

HAS ADOPTED THIS REGULATION:

Article 1

Annex IX to Regulation (EU) No 36/2012 is amended as follows:

- (1) The following paragraph is inserted below the title "List of Equipment, Goods and Technology Referred to in Article 2b":

"The lists set out in this Annex IX shall not include products identified as consumer goods packaged for retail sale for personal use or packaged for individual use."

- (2) In Section IX.A1 "Materials, chemicals, 'micro-organisms' and 'toxins", the entries set out in Annex I to this Regulation are added as point IX.A1.004.
- (3) In Section IX.A2 "Materials Processing", the entry set out in Annex II to this Regulation is added as point IX.A2.010.

Article 2

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

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

Done at Brussels,

*For the Council
The President*

ANNEX I

In Section IX.A1 the following point IX.A1.004 is added:

Separate chemically defined compounds according to Note 1 to Chapter 28 and 29 of the Combined Nomenclature, at 95 % concentration or greater*, as follows:

“Acetone,	(CAS RN 67-64-1)	(CN code 2914 11 00)
Acetylene,	(CAS RN 74-86-2)	(CN code 2901 29 00)
Ammonia,	(CAS RN 7664-41-7)	(CN code 2814 10 00)
Antimony,	(CAS RN 7440-36-0)	(heading 8110)
Arsenic,	(CAS RN 7440-38-2)	CN code 2804 80 00
Arsenic trioxide,	(CAS RN 1327-53-3)	CN code 2811 29 10
Bis(2-chloroethyl)ethylamine hydrochloride,	(CAS RN 3590-07-6)	CN code 2921 19 99
Bis(2-chloroethyl)methylamine hydrochloride,	(CAS RN 55-86-7)	CN code 2921 19 99
Benzil,	(CAS RN 134-81-6)	CN code 2914 39 00
Benzaldehyde,	(CAS RN 100-52-7)	(CN code 2912 21 00)
Benzoin,	(CAS RN 119-53-9)	(CN code 2914 40 90)
2-bromochloroethane,	(CAS RN 107-04-0)	CN code 2903 79 90
1-Butanol,	(CAS RN 71-36-3)	(CN code 2905 13 00)
2-Butanol,	(CAS RN 78-92-2)	(CN code 2905 14 90)
Iso-Butanol,	(CAS RN 78-83-1)	(CN code 2905 14 90)
Tert-Butanol,	(CAS RN 75-65-0)	(CN code 2905 14 10)
Calcium carbide,	(CAS RN 75-20-7)	CN code 2849 10 00
Carbon monoxide,	(CAS RN 630-08-0)	(CN code 2811 29 90)
Chlorine,	(CAS RN 7782-50-5)	(CN code 2801 10 00)
Cyclohexanol,	(CAS RN 108-93-0)	(CN code 2906 12 00)
Dicyclohexylamine (DCA),	(CAS RN 101-83-7)	(CN code 2921 30 99)
Diethyl ether,	(CAS RN 60-29-7)	CN code 2909 11 00

Diethylamine,	(CAS RN 109-89-7)	CN code 2921 19 50
Dimethyl ether,	(CAS RN 115-10-6)	CN code 2909 19 90
Dimethylaminoethanol,	(CAS RN 108-01-0)	CN code 2922 19 85
Ethanol,	(CAS RN 64-17-5)	(CN code 2207 10 00)
Ethylene,	(CAS RN 74-85-1)	(CN code 2901 21 00)
Ethylene dichloride	(CAS RN 107-06-2)	CN code 2903 15 00
2-methoxyethanol,	(CAS RN 109-86-4)	CN code 2909 44 00
Ethyl bromide,	(CAS RN 74-96-4)	CN code 2903 39 19
Ethyl chloride,	(CAS RN 75-00-3)	CN code 2903 11 00
Ethylamine,	(CAS RN 75-04-7)	CN code 2921 19 99
Ethylene oxide,	(CAS RN 75-21-8)	CN code 2910 10 00
Fluoroapatite,	(CAS RN 1306-05-4)	(CN code 2835 39 00)
Hexamine,	(CAS RN 100-97-0)	CN code 2933 69 40
Hydrogen chloride,	(CAS RN 7647-01-0)	(CN code 2806 10 00)
Hydrogen sulfide,	(CAS RN 7783-06-4)	CN code 2811 19 80
Isocyanatomethane,	(CAS RN 624-83-9)	CN code 2929 10 00
Isopropanol, 95% concentration or higher,	(CAS RN 67-63-0)	(CN code 2905 12 00)
Mandelic acid,	(CAS RN 90-64-2)	(CN code 2918 19 98)
Methanol,	(CAS RN 67-56-1)	(CN code 2905 11 00)
Methylamine,	(CAS RN 74-89-5)	CN code 2921 11 00
Methyl bromide,	(CAS RN 74-83-9)	CN code 2903 39 11
Methyl chloride,	(CAS RN 74-87-3)	(CN code 2903 11 00)
Methyl iodide,	(CAS RN 74-88-4)	(CN code 2903 39 90)
Methyl mercaptan,	(CAS RN 74-93-1)	(CN code 2930 90 99)
Monoethyleneglycol	(CAS RN 107-21-1)	(CN code 2905 31 00)
Nitromethane	(CAS RN 75-52-5)	CN code 2904 20 00

Oxalyl chloride,	(CAS RN 79-37-8)	(CN code 2917 19 90)
Picric acid	(CAS RN 88-89-1)	CN code 2908 99 00
Potassium sulphide,	(CAS RN 1312-73-8)	(CN code 2830 90 85)
Potassium thiocyanate, (KSCN),	(CAS RN 333-20-0)	(CN code 2842 90 80)
Quinaldine	(CAS RN 91-63-4)	CN code 2933 49 90
Sodium hypochlorite,	(CAS RN 7681-52-9)	(CN code 2828 90 00)
Sulphur,	(CAS RN 7704-34-9)	(CN code 2802 00 00)
Sulphur dioxide,	(CAS RN 7446-09-5)	(CN code 2811 29 05)
Sulphur trioxide,	(CAS RN 7446-11-9)	CN code 2811 29 10
Thiophosphoryl chloride,	(CAS RN 3982-91-0)	CN code 2853 00 90
Tributylphosphite,	(CAS RN 102-85-2)	CN code 2920 90 85
Tri-isobutyl phosphate,	(CAS RN 1606-96-8)	(CN code 2920 90 85)
Tris(2-chloroethyl)amine hydrochloride	(CAS RN 817-09-4)	CN code 2921 19 99
White/yellow phosphorus	(CAS RN 12185-10-3, 7723-14-0)	CN code 2804 70 00

* The list in this point IX.A1.004 shall not include products identified as consumer goods packaged for retail sale for personal use or packaged for individual use.

ANNEX II

In Section IX.A2 the following point IX.A2.010 is added:

IX.A2.010	Equipment Laboratory equipment, including parts and accessories for such equipment, for the (destructive or non-destructive) analysis or detection of chemical substances
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