

OTHER ACTS

COMMISSION

Notice for the attention of the persons and entities added to the lists provided for in Articles 11 and 15 of Council Regulation (EC) No 194/2008 renewing and strengthening the restrictive measures in respect of Burma/Myanmar, by virtue of Commission Regulation (EC) No 747/2009

(2009/C 192/08)

In Common Position 2009/615/CFSP, the Council of the European Union decided to amend further certain annexes to Common Position 2006/318/CFSP ⁽¹⁾, having determined that:

1. the persons, entities and bodies listed in Annex VI of Regulation (EC) 194/2008 are:
 - (a) individual members of the government of Burma/Myanmar, or
 - (b) natural or legal persons, entities or bodies associated with them, as referred to in Articles 4(1) and 5(1) of Common Position 2006/318/CFSP.
2. the legal persons, entities and bodies listed in Annex VII are:
 - (a) enterprises owned or controlled by the government of Burma/Myanmar or public bodies, corporations, including companies established under private law in which the public authorities have a majority stake, and agencies of that State;
 - (b) enterprises owned or controlled by individual members of the government of Burma/Myanmar or natural or legal persons, entities or bodies associated with them; or
 - (c) legal persons, entities or bodies owned or controlled by, or acting for or on behalf of, enterprises referred to in point (a) or (b).

Consequently the Commission has, pursuant to Article 18(1)(b) of Council Regulation (EC) No 194/2008 ⁽²⁾, adopted Commission Regulation (EC) No 747/2009 ⁽³⁾ which amends Annexes VI and VII to Regulation (EC) 194/2008.

Regulation (EC) No 194/2008 provides for:

1. the freezing of all funds, other financial assets and economic resources belonging to the persons, groups and entities listed in Annex VI and that no funds, other financial assets and economic resources may be made available to them, whether directly or indirectly; and
2. a prohibition on new investment in the enterprises, legal persons, entities or bodies listed in Annex VII.

The attention of the persons, entities and bodies listed in Annex VI is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites listed in Annex IV to Regulation (EC) No 194/2008 in order to obtain an authorisation to use frozen funds for essential needs or specific payments in accordance with Article 13 of that Regulation.

⁽¹⁾ OJ L 116, 29.4.2006, p. 77. Common Position as last amended by Common Position 2009/615/CFSP (OJ L 210, 14.8.2009, p. 38).

⁽²⁾ OJ L 66, 10.3.2008, p. 1.

⁽³⁾ OJ L 212, 15.8.2009, p. 10.

The persons, entities and bodies on the lists in Council Regulation 194/2008 as further amended by Commission Regulation (EC) No 747/2009 may submit at any time a request to the Council of the European Union, together with any supporting documentation, for the decision to include and/or maintain them on the lists referred to above to be reconsidered. Such requests should be made to the following address:

Council of the European Union
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË

The persons, entities and bodies added to Annexes VI or VII of Council Regulation 194/2008 by means of Common Position 2009/615/CFSP and Commission Regulation (EC) No 747/2009, may make their views on their listing known to the Commission. Such communications should be sent to:

European Commission
'Restrictive measures'
Rue de la Loi/Wetstraat 200
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Such requests and information will be considered when they are received. In this respect, the attention of the persons and entities concerned is drawn to the constant review by the Council of the lists according to Article 9 of Common Position 2006/318/CFSP.

The attention of the persons and entities concerned is also drawn to the possibility of challenging the Commission Regulation (EC) No 747/2009 before the Court of First Instance of the European Communities, in accordance with the conditions laid down in Article 230(4) and (5) of the Treaty establishing the European Community.
