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II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES
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EUROPEAN COMMISSION

**Communication from the Commission concerning the prolongation of the application of the
Framework on State aid to shipbuilding**

(2013/C 357/01)

The Framework on State aid to shipbuilding ⁽¹⁾ ('the Framework') applies until 31 December 2013.

According to paragraph 10 of the Framework, after that date the Commission envisages including the provisions on innovation aid in the Community framework for State aid for research and development and innovation and integrating regional aid for shipbuilding into the Guidelines on regional aid.

On 19 June 2013, the Commission adopted new Guidelines on regional State aid for 2014-2020 ⁽²⁾. These Guidelines will cover regional aid to shipbuilding following the expiry of the Framework ⁽³⁾. However, these Guidelines will only become applicable as from 1 July 2014 ⁽⁴⁾.

The Commission is also currently reviewing the Framework for State aid for research and development and innovation. The date of adoption of the new Framework for State aid for research and development and innovation is not yet known although it is the intention of the Commission to complete that process by 30 June 2014.

The Commission has therefore decided to continue to apply the current Framework until 30 June 2014.

⁽¹⁾ OJ C 364, 14.12.2011, p. 9.

⁽²⁾ OJ C 209, 23.7.2013, p. 1.

⁽³⁾ See footnote 9 of the Guidelines.

⁽⁴⁾ See points 186-191 of the Guidelines.

Authorisation for State aid pursuant to Articles 107 and 108 of the TFEU

Cases where the Commission raises no objections

(Text with EEA relevance)

(2013/C 357/02)

Date of adoption of the decision	22.10.2013	
Reference number of State Aid	SA.37371 (13/N)	
Member State	Germany	
Region	—	Mixed
Title (and/or name of the beneficiary)	Aid for external consultants for SMEs in difficulties (Beratungsleistungen zur Herstellung der Wettbewerbsfähigkeit von KMU)	
Legal basis	Richtlinie Turn Around Beratung	
Type of measure	Scheme	—
Objective	Restructuring firms in difficulty	
Form of aid	Direct grant	
Budget	Overall budget: EUR 37 000 000 Annual budget: EUR 7 000 000	
Intensity	75 %	
Duration (period)	1.1.2014-31.12.2014	
Economic sectors	All economic sectors eligible to receive aid	
Name and address of the granting authority	KfW Bankengruppe Charlottenstraße 33-33a 10117 Berlin DEUTSCHLAND	
Other information	—	

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

<http://ec.europa.eu/competition/elojade/isef/index.cfm>

Authorisation for State aid pursuant to Articles 107 and 108 of the TFEU

Cases where the Commission raises no objections

(Text with EEA relevance)

(2013/C 357/03)

Date of adoption of the decision	28.10.2013	
Reference number of State Aid	SA.37443 (13/N)	
Member State	France	
Region	—	—
Title (and/or name of the beneficiary)	Crédits d'impôt cinéma et audiovisuel — prolongation 2014	
Legal basis	<p>— article 220 <i>sexies</i> du code général des impôts: http://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006069577&idArticle=LEGIARTI000006303577&dateTexte=&categorieLien=cid</p> <p>— articles 46 <i>quater</i>-0 YL à 46 <i>quater</i>-0 YO de l'annexe III au code général des impôts: http://www.legifrance.gouv.fr/affichCode.do;jsessionid=0E26D753415B2C68C503E5D6EEBF36FC.tpdjo07v_3?idSectionTA=LEGISCTA000006162354&cidTexte=LEGITEXT000006069574&dateTexte=20050503</p> <p>— article 33 de la loi 2012-1510 du 29 décembre 2012 de finance rectificative pour 2012: http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000026857857&fastPos=1&fastReqId=900233340&categorieLien=id&oldAction=rechTexte</p> <p>— Décret n° 2006-325 du 20 mars 2006.</p>	
Type of measure	Scheme	—
Objective	Culture	
Form of aid	Other	
Budget	<p>Overall budget: EUR 210 000 000</p> <p>Annual budget: EUR 210 000 000</p>	
Intensity	20 %	
Duration (period)	1.1.2014-31.12.2014	
Economic sectors	Arts, entertainment and recreation	
Name and address of the granting authority	<p>CNC</p> <p>3 rue Boissière</p> <p>75784 Paris Cedex 16</p> <p>FRANCE</p>	
Other information	—	

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

<http://ec.europa.eu/competition/elojade/isef/index.cfm>

Date of adoption of the decision	28.10.2013	
Reference number of State Aid	SA.37444 (13/N)	
Member State	France	
Region	—	—
Title (and/or name of the beneficiary)	Crédit d'impôt pour les oeuvres cinématographiques étrangères — prolongation 2014	
Legal basis	<p>— Article 34 de la loi de finance rectificative pour 2012: http://www.legifrance.gouv.fr/affichTexte.do;jsessionid=2BBAA6FDD31C282FAA238BFF3709EA58.tpdjo10v_1?cidTexte=JORFTEXT000026857857&categorieLien=id</p> <p>— Article 220 <i>quaterdecies</i> du code général des impôts: http://www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000022201124&cidTexte=LEGITEXT000006069577</p> <p>— Article 220 Z <i>bis</i> du code général des impôts: http://www.legifrance.gouv.fr/affichCodeArticle.do;jsessionid=2BBAA6FDD31C282FAA238BFF3709EA58.tpdjo10v_1?idArticle=LEGIARTI000025075971&cidTexte=LEGITEXT000006069577&dateTexte=20130124&categorieLien=id</p> <p>— Article 46 <i>quater-0 ZY bis</i> à 46 <i>quater-0 ZY septies</i> de l'annexe III au code général des impôts: http://www.legifrance.gouv.fr/affichCode.do;jsessionid=2BBAA6FDD31C282FAA238BFF3709EA58.tpdjo10v_1?idSectionTA=LEGISCTA000021365484&cidTexte=LEGITEXT000006069574&dateTexte=20091228</p>	
Type of measure	Scheme	—
Objective	Culture	
Form of aid	Other	
Budget	Overall budget: EUR 110 000 000 Annual budget: EUR 110 000 000	
Intensity	20 %	
Duration (period)	1.1.2014-31.12.2014	
Economic sectors	Arts, entertainment and recreation	
Name and address of the granting authority	—	
Other information	—	

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

<http://ec.europa.eu/competition/elojade/isef/index.cfm>

Planned closure of complaint CHAP (2013)2466

(2013/C 357/04)

1. The European Commission has received and registered under reference CHAP (2013)2466 a series of complaints about the checks made by the Spanish authorities at the border with Gibraltar.
2. Given the significant number of complaints it has received on this subject, the Commission, with a view to responding swiftly and informing those concerned while making the most economical use of its administrative resources, has published an acknowledgment of receipt in the *Official Journal of the European Union*, and on the Internet at:

http://ec.europa.eu/eu_law/complaints/receipt/index_en.htm

3. Following examination of the complaints as well as exchanges with the relevant authorities, the Commission decided to organise a technical visit at the crossing point of La Línea de la Concepción on 25 September 2013.
4. The Commission services have now completed their investigation. On the basis of the observations during the technical visit of 25 September 2013 and of the information provided by both authorities on that occasion, the Commission has not found evidence to conclude that the checks on persons and goods as operated by the Spanish authorities at the crossing point of La Línea de la Concepción have infringed the relevant provisions of Union law.
5. The management of this crossing point is nevertheless challenging, in view of the heavy traffic volumes in a relatively confined space (some 35 000 persons crossing each day on entry and an equal number on exit, around 10 000 cars per day) and the increase in tobacco smuggling into Spain. The Commission therefore believes that the authorities on both sides could take further measures to better address these challenges.
6. As concerns Spain, the Commission invited the Spanish authorities to consider the following actions:

Optimising the physical space available on the Spanish side of the crossing point:

- On entry into Spain, the Commission experts noted during the visit that six vehicular lanes on the Gibraltar side are reduced to two lanes at the level of the Spanish police check-point, then *de facto* one single lane is used by the majority of travellers when approaching the Spanish customs check-point (the green lane for vehicles with no goods to be declared). Additionally, on entry to Spain the road presents a curve of 180° and the vehicular traffic is mixed with motorbikes flow at this level. While the traffic was not extremely heavy at the moment of the visit, the Commission experts could observe the important congestion of vehicles at this point. In Commission's view this constellation creates a bottleneck effect and can be considered as one of the reasons for traffic congestion at this crossing point. The Commission thus recommends to Spain to review the traffic organisation at this point in order to increase the number of vehicular lanes for travellers with no goods to be declared, in particular making use of the free space available in the vicinity of this point.
- On exit from Spain, the experts noted during the visit that there was *de facto* only one lane available for the traffic out of two existing vehicular lanes. Only at the level of the Spanish police check-point, the vehicles were directed into two lanes. The reason for this is that a long stretch of the vehicular lane situated on the left side is used in both directions and it is left free for emergency cases (as explained by the Spanish authorities during the visit). The Commission invites Spain to review this traffic organisation in order to make full use of the two existing vehicular lanes, in particular during peak hours.

- The Commission invites Spain to consider using the EBF/ISF financial support for the above purpose. It also recalls the possibility to include the modernisation of the crossing point in the Partnership Agreement and Operational Programmes of Cohesion Policy Instruments for the 2014-2020 period.

Optimising the risk-based profiling:

- The Commission recommends to the Spanish authorities to improve the risk analysis system to better target in-depth checks of travellers' luggage and vehicles.
- Also, the Spanish authorities have reported that random checks are carried out by Spanish customs on exit from Spain. However, the Commission is of the opinion that the intensity of those checks is not justified and could therefore be reduced, further contributing to smooth travel flows from Spain to Gibraltar.

Developing the exchange of information on tobacco smuggling:

- The Spanish authorities are encouraged to develop greater dialogue with their counterparts in relation to the exchange of intelligence on tobacco smuggling with a view to improving enforcement capabilities on both sides in tackling the problem.

7. As concerns the United Kingdom, the Commission invited the authorities of the United Kingdom to consider the following actions:

Developing the risk-based profiling:

- Although the Gibraltar authorities acknowledged the severe problem related with tobacco smuggling at this crossing point and informed the Commission about existing legislation aimed at combating this phenomenon, the Commission experts noted during their visit that no checks on persons or goods were being carried out on exit from Gibraltar. The Commission thus recommends that Gibraltar ensures non-systematic and risk analysis-based checks on travellers and their belongings upon exit from Gibraltar at the crossing point of La Línea de la Concepción.

Optimising legislation and safeguards in view of contributing to an efficient fight against tobacco smuggling:

- The Gibraltar authorities are invited to consider reviewing the Gibraltar Tobacco Act 1997 with a view to aligning it to EU legislation in respect of the Customs and tax allowances for travellers to the EU and the corresponding quantitative limits for importing tobacco products free of tax.
- The Gibraltar authorities are encouraged to take appropriate measures to ensure that imports of tobacco products into Gibraltar are commensurate with legitimate demand.
- The Gibraltar authorities are encouraged to ensure that all tobacco manufacturers supplying cigarettes to customers in Gibraltar operate adequate supply chain controls.

Developing the exchange of information on tobacco smuggling:

- The Gibraltar authorities are encouraged to develop greater dialogue with their Spanish counterparts in relation to the exchange of intelligence on tobacco smuggling with a view to improving the enforcement capabilities of both sides in tackling the problem.

8. Finally, as for any crossing point, the best results in fighting smuggling and cross-border crime as well as maintaining a smooth flow of traffic can be achieved through daily cooperation between the authorities working on each side of the border. The Commission thus encourages all relevant authorities to strengthen their constructive dialogue with their counterparts for this purpose.

9. Taking into consideration the preceding elements, the Commission services will propose to the Commission that the case be closed.

Should the complainants consider they have new information that may lead the Commission to reconsider the proposal to close the case, this should be submitted to the Commission within a month of the publication of this notice. In the absence of any such new information, the Commission may close the case.

10. However, the Commission will continue to monitor the situation at the crossing point of La Línea de la Concepción and has asked to receive information from both authorities within six months on how the recommendations have been taken into consideration.
 11. Moreover, the Commission reserves the right to reconsider its position should the situation change or evolve and also to pay another visit to the crossing point of La Línea de la Concepción if appropriate in the future.
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IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾**5 December 2013**

(2013/C 357/05)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,3594	AUD Australian dollar	1,5038
JPY Japanese yen	138,73	CAD Canadian dollar	1,4487
DKK Danish krone	7,4596	HKD Hong Kong dollar	10,5407
GBP Pound sterling	0,83130	NZD New Zealand dollar	1,6565
SEK Swedish krona	8,8631	SGD Singapore dollar	1,7044
CHF Swiss franc	1,2262	KRW South Korean won	1 441,59
ISK Iceland króna		ZAR South African rand	14,2302
NOK Norwegian krone	8,4035	CNY Chinese yuan renminbi	8,2811
BGN Bulgarian lev	1,9558	HRK Croatian kuna	7,6400
CZK Czech koruna	27,450	IDR Indonesian rupiah	16 245,79
HUF Hungarian forint	301,83	MYR Malaysian ringgit	4,3883
LTL Lithuanian litas	3,4528	PHP Philippine peso	59,641
LVL Latvian lats	0,7028	RUB Russian rouble	44,8932
PLN Polish zloty	4,1894	THB Thai baht	43,881
RON Romanian leu	4,4660	BRL Brazilian real	3,2225
TRY Turkish lira	2,7784	MXN Mexican peso	17,7086
		INR Indian rupee	83,8650

⁽¹⁾ Source: reference exchange rate published by the ECB.

EUROPEAN DATA PROTECTION SUPERVISOR

Executive summary of the Opinion on the proposal for a regulation amending Regulation (EC) No 273/2004 on drug precursors and the proposal for a regulation amending Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors

(The full text of this Opinion can be found in English, French and German on the EDPS website: <http://www.edps.europa.eu>)

(2013/C 357/06)

I. Introduction

I.1. Context of the proposals

1. On 27 September 2012 the Commission adopted the proposal for a regulation amending Regulation (EC) No 273/2004 on drug precursors and the proposal for a Regulation amending Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors (hereinafter: 'the proposals'). The EDPS was consulted on the same day.

2. The proposals amend Regulation (EC) No 273/2004 ⁽¹⁾ and Regulation (EC) No 111/2005 ⁽²⁾ (hereinafter: 'the Regulations'), which implement the 1988 UN Convention against illicit drug trafficking (hereinafter: 'the UN Convention') ⁽³⁾. Article 12 of the UN Convention requires the Parties to control the trade of the substances used to illicitly manufacture narcotic drugs and psychotropic substances (hereinafter 'drug precursors'). The control of these substances aims at fighting against illicit drug trafficking by reducing their supply ⁽⁴⁾. However, as drug precursors also have licit industrial uses ⁽⁵⁾, their trade cannot be prohibited.

3. The UN Convention and the Regulations aim at recognising and protecting legal trade of drug precursors while, at the same time, discouraging their diversion for illicit purposes. Currently, Regulation (EC) No 273/2004 governs the monitoring of intra-EU trade, while the control of external trade is governed by Regulation (EC) No 111/2005. Both are implemented by Commission Regulation (EC) No 1277/2005 ⁽⁶⁾.

4. Measures to control intra-EU trade imply the processing of data of operators since they include the obligation for certain industry operators to appoint a responsible officer and notify his contact details to the competent authorities, obtain a licence or registration, ask customers to declare the uses of the drug precursors provided to them and immediately notify the competent authorities in case they suspect an order or transaction might be aimed at diverting drug precursors for illicit purposes.

⁽¹⁾ Regulation (EC) No 273/2004 on drug precursors, OJ L 47, 18.2.2004, p. 1.

⁽²⁾ Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors, OJ L 22, 26.1.2005, p. 1.

⁽³⁾ United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted in Vienna on 19 December 1988.

⁽⁴⁾ This is combined with measures aimed at reducing the demand of illicit drugs. See the EU Drug Strategy 2005-2012, endorsed by the European Council of November 2004 (15074/04 CORDROGUE 77 SAN 187 ENFOPOL 187 RELEX 564) and the EU Drugs Action Plan 2009-2012 (2008/C 326/09).

⁽⁵⁾ E.g., in the synthesis of plastics, pharmaceuticals, cosmetics, perfumes, detergents and aromas.

⁽⁶⁾ Commission Regulation (EC) No 1277/2005 of 27 July 2005 laying down implementing rules for Regulation (EC) No 273/2004 on drug precursors and for Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors, OJ L 202, 3.8.2005, p. 7.

5. As regards the control of external trade, the processing of data of operators is also necessary, as operators are obliged, for example, to apply to competent authorities for authorisation before importing or exporting drug precursors. Obligations for EU competent authorities include notifying certain third countries before an export of drug precursors takes place, and communicating to the Commission the result of their monitoring measures.

6. Following criticisms by the UN International Narcotics Control Board (hereinafter: 'the UN INCB') and by the 2010 Commission report ⁽¹⁾ on specific weaknesses of the current measures, the new proposals include, among others, the following amendments to the Regulations:

- the creation of a European Database on Drug Precursors (hereinafter: 'the European Database'),
- the reinforcement of the harmonised registration provisions,
- the extension of the registration requirement to users of acetic anhydride ⁽²⁾.

1.2. Aim of the Opinion

7. Most of the measures required, such as the obligation for operators to report suspect transactions or the cooperation with third countries, imply the processing of data relating to operators which are usually companies and/or legal persons. However, in many cases natural persons will be also identifiable. The aim of the present Opinion is to analyse the impact of these control measures in the protection of privacy and personal data of such persons. As many of these measures are already currently laid down by the Regulations, the Opinion will not only refer to the new texts but also to parts of the current Regulations that are not being amended by the proposals.

8. Therefore, the present Opinion will address the following legislative texts:

- proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 273/2004 on drug precursors (hereinafter: 'the intra-EU trade proposal'),
- Regulation (EC) No 273/2004 on drug precursors (hereinafter: 'the intra-EU trade regulation'),
- proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors (hereinafter: 'the external trade proposal'),
- Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors (hereinafter: 'the external trade regulation'),
- Commission Regulation (EC) No 1277/2005 (hereinafter 'the implementing regulation'), which will be progressively replaced by the implementing and delegated acts to be adopted pursuant to the proposals.

Where needed, the Opinion will also refer to the UN Convention on which the Regulations are based.

III. Conclusions

64. The EDPS welcomes the general references to the applicability of EU data protection legislation, the fact that many of the categories of data to be processed are specified and the fact that the principle of purpose limitation is mentioned in the external trade proposal.

65. However, he recommends laying down in the main legislative texts the essential elements of the processing operations such as the exclusion of the processing of sensitive data. All the categories of data to be processed should also be specified preferably in the proposals, and at least by delegated acts.

⁽¹⁾ Report from the Commission to the Council and the European Parliament pursuant to Article 16 of Regulation (EC) No 273/2004 and to Article 32 of Council Regulation (EC) No 111/2005 on the implementation and functioning of the existing EU legislation on drug precursors (COM(2009) 709 final).

⁽²⁾ Acetic anhydride (AA) is the main drug precursor for heroin. The registration requirement related to AA currently applies only to operators placing AA on the market, not to users of the substance.

66. He also recommends:

- adding to the intra-EU trade proposal that personal data on suspicious transactions may only be used for the purpose of preventing the diversion of scheduled substances,
- laying down maximum retention periods in the proposals for all processing operations and specifying in the proposals that data on suspicious transactions has to be deleted as soon as they are not necessary any more,
- justifying in the Preambles of the Regulations the necessity of every specific retention period,
- adding a new article to the proposals on how information on the processing operations should be provided to data subjects,
- as regards international transfers of personal data, including data protection safeguards in the text of the external trade regulation and in an international binding text or in binding agreements with the recipient third countries,
- as regards the European Database, if operators need to have access to it or it is to be used for additional purposes, this should be specified in the substantive part of the proposals,
- ensuring the supervision of the European database by a system of coordinated supervision between the EDPS and national Data Protection Authorities, similar to what is foreseen for the Internal Market Information System,
- as regards the register of European operators and the processing of summaries of transactions through the European database, specific data protection and security safeguards should be added, preferably to the proposals and at least by delegated or implementing acts,
- if the European Database is to be used for purposes other than those stated in Article 1(9) of the intra-EU trade proposal (e.g., for the processing of customs declarations), this should be specified in the substantive part of the proposals.

67. As regards the principle of purpose limitation, the EDPS would like to remind that the interconnection and exchange or correlation of data of the European database with other databases managed by the Commission or by other entities for different purposes should in principle not be allowed.

Done at Brussels, 18 January 2013.

Giovanni BUTTARELLI
Assistant European Data Protection Supervisor

NOTICES FROM MEMBER STATES

Information communicated by Member States regarding closure of fisheries

(2013/C 357/07)

In accordance with Article 35(3) of Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, a decision has been taken to close the fishery as set down in the following table:

Date and time of closure	20.11.2013
Duration	20.11.2013-31.12.2013
Member State	Portugal
Stock or group of stocks	RED/N3LN.
Species	Redfish (<i>Sebastes</i> spp.)
Zone	NAFO 3LN
Type(s) of fishing vessels	—
Reference number	70/TQ40

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

V

(Announcements)

OTHER ACTS

EUROPEAN COMMISSION

Notice for the attention of Abd-Al-Hamid Al-Masli who was added to the list referred to in Articles 2, 3 and 7 of Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network, by virtue of Commission implementing Regulation (EU) No 1267/2013

(2013/C 357/08)

1. Common Position 2002/402/CFSP⁽¹⁾ calls upon the Union to freeze the funds and economic resources of the members of the Al-Qaida organisation and other individuals, groups, undertakings and entities associated with them, as referred to in the list drawn up pursuant to UNSCR 1267 (1999) and 1333 (2000) to be updated regularly by the UN Committee established pursuant to UNSCR 1267 (1999).

The list drawn up by this UN Committee comprises:

- Al-Qaida;
- natural or legal persons, entities, bodies and groups associated with Al-Qaida; and
- legal persons, entities and bodies owned or controlled by, or otherwise supporting, any of these associated persons, entities, bodies and groups.

Acts or activities indicating that an individual, group, undertaking, or entity is 'associated with' Al-Qaida include:

- (a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of Al-Qaida, or any cell, affiliate, splinter group or derivative thereof;
- (b) supplying, selling or transferring arms and related materiel to any of them;
- (c) recruiting for any of them; or
- (d) otherwise supporting acts or activities of any of them.

2. The UN Committee decided on 25 November 2013 to add Abd-Al-Hamid Al-Masli to the relevant list. Abd-Al-Hamid Al-Masli may submit at any time a request to the UN Ombudsperson, together with any supporting documentation, for the decision to include them in the UN list referred to above, to be reconsidered. Such request should be sent to the following address:

United Nations — Office of the Ombudsperson
Room TB-08041D
New York, NY 10017
UNITED STATES OF AMERICA
Tel. +1 2129632671
Fax +1 2129631300 / 3778
E-mail: ombudsperson@un.org

⁽¹⁾ OJ L 139, 29.5.2002, p. 4.

See for more information at <http://www.un.org/sc/committees/1267/delisting.shtml>

3. Further to the UN decision referred to in paragraph 2, the Commission has adopted Regulation (EU) No 1267/2013 ⁽¹⁾, which amends Annex I to Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network ⁽²⁾. The amendment, made pursuant to Article 7(1)(a) and 7a(1) of Regulation (EC) No 881/2002, adds Abd-Al-Hamid Al-Masli to the list in Annex I of that Regulation ('Annex I').

The following measures of Regulation (EC) No 881/2002 apply to the individuals and entities included in Annex I:

1. the freezing of all funds and economic resources belonging to the individuals and entities concerned, or owned or held by them, and the prohibition (on everyone) on making funds and economic resources available to any of the individuals and entities concerned or for their benefit, whether directly or indirectly (Articles 2 and 2a ⁽³⁾); and
2. the prohibition on granting, selling, supplying or transferring technical advice, assistance or training related to military activities to any of the individuals and entities concerned, whether directly or indirectly (Article 3).

4. Article 7a of Regulation (EC) No 881/2002 ⁽⁴⁾ provides for a review process where observations on the grounds for listing are submitted by those listed. Individuals and entities added to Annex I by Regulation (EU) No 1267/2013 may make a request for the grounds for their listing to the Commission. This request should be sent to:

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

5. The attention of the individuals and entities concerned is also drawn to the possibility of challenging Regulation (EU) No 1267/2013 before the General Court of the European Union, in accordance with the conditions laid down in the fourth and sixth paragraphs of Article 263 of the Treaty on the Functioning of the European Union.

6. For good order, the attention of the individuals and entities included in Annex I is drawn to the possibility of making an application to the competent authorities in the relevant Member State(s), as listed in Annex II to Regulation (EC) No 881/2002, in order to obtain an authorisation to use frozen funds and economic resources for essential needs or specific payments in accordance with Article 2a of that Regulation.

⁽¹⁾ OJ L 326, 6.12.2013, p. 39.

⁽²⁾ OJ L 139, 29.5.2002, p. 9.

⁽³⁾ Article 2a was inserted by Council Regulation (EC) No 561/2003 (OJ L 82, 29.3.2003, p. 1).

⁽⁴⁾ Article 7a was inserted by Council Regulation (EU) No 1286/2009 (OJ L 346, 23.12.2009, p. 42).

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