I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1030/2003
of 16 June 2003
concerning certain restrictive measures in respect of Liberia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 301 thereof,

Having regard to Council Common Position 2001/357/CFSP of 7 May 2001 concerning restrictive measures against Liberia [1],

Having regard to the proposal from the Commission,

Whereas:

(1) United Nations Security Council Resolutions 1343 (2001) of 7 March 2001 and 1408 (2002) of 6 May 2002 imposed restrictive measures on the government of Liberia for its support to armed rebel groups in the region. By Resolution 1478 (2003) of 6 May 2003, the Security Council decided to extend the application of those restrictive measures for a period of 12 months from 7 May 2003. It also decided to prohibit all imports of round logs and timber products originating in Liberia for a period of 10 months from 7 July 2003.

(2) Certain of these measures fall under the scope of the Treaty and, therefore, notably with a view to avoiding distortion of competition, Community legislation is necessary to implement the relevant decisions of the Security Council.

(3) Council Regulation (EC) No 1318/2002 of 22 July 2002 concerning certain restrictive measures in respect of Liberia [2], implemented Resolutions 1343 (2001) and 1408 (2002) of the Security Council as far as the territory of the Community is concerned. That Regulation expired on 8 May 2003. It is now necessary to implement Resolution 1478 (2003). For the purpose of this Regulation, the territory of the Community is deemed to encompass the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.

(4) Member States should determine the sanctions applicable to infringements of the provisions of this Regulation. Sanctions provided for should be proportionate, effective and dissuasive.

(5) Since Council Regulation (EC) No 1318/2002 expired on 8 May 2003, this Regulation should enter into force on the day of its publication and be applicable in line with the dates provided for in Common Position 2003/365/CFSP of 19 May 2003,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to the powers of the Member States in the exercise of their public authority, providing Liberia with technical training or assistance related to the provision, manufacture, maintenance or use of arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned shall be prohibited.

2. The prohibition referred to in paragraph 1 shall not apply in cases where the Committee established by paragraph 14 of United Nations Security Council Resolution 1343 (2001) has granted an exemption in advance. Such exemptions shall be obtained through the competent authorities of the Member States listed in Annex I to this Regulation.

Article 2

1. The direct or indirect import into the Community of all rough diamonds from Liberia, as defined in Annex II, whether originating there or not, shall be prohibited.

2. The direct or indirect import into the Community of all round logs and timber products originating in Liberia, as defined in Annex III, shall be prohibited.

Article 3

The Commission shall be empowered to:

(a) amend Annex I on the basis of information supplied by Member States;

(b) amend Annexes II and III in order to bring them into line with changes that may be made to the Combined Nomenclature.

[1] OJ L 126, 8.5.2001, p. 1. Common position as last amended by Common Position 2003/365/CFSP of 19 May 2003 (OJ L 124, 20.5.2003, p. 49).
[2] OJ L 194, 23.7.2002, p. 1.

Article 4

Without prejudice to the rights and obligations of the Member States under the Charter of the United Nations, the Commission shall maintain all necessary contacts with the Committee established by paragraph 14 of United Nations Security Council Resolution 1343 (2001) for the purpose of the effective implementation of this Regulation.

Article 5

The Commission and the Member States shall immediately inform each other of the measures taken under this Regulation and shall supply each other with all relevant information at their disposal in connection with this Regulation, in particular information in respect of violation and enforcement problems and judgements handed down by national courts.

Article 6

This Regulation shall apply notwithstanding any rights conferred, or obligations imposed, by any international agreement signed or any contract entered into or any licence or permit granted before the entry into force of this Regulation.

Article 7

1. Each Member State shall determine the sanctions to be imposed where the provisions of this Regulation are infringed. Such sanctions shall be effective, proportionate and dissuasive.

Pending the adoption, where necessary, of any legislation to this end, the sanctions to be imposed where the provisions of this Regulation are infringed shall, where relevant, be those determined by the Member States in order to give effect to Article 7 of Regulation (EC) No 1318/2002.

2. Each Member State shall be responsible for bringing proceedings against any natural or legal person, entity or body under its jurisdiction, in cases of violation of any of the prohibitions laid down in this Regulation by such person, entity or body.

Article 8

This Regulation shall apply:

(a) within the territory of the Community, including its airspace;

(b) on board any aircraft or any vessel under the jurisdiction of a Member State;

(c) to any person elsewhere who is a national of a Member State; and

(d) to any legal person, entity or body which is incorporated or constituted under the law of a Member State.

Article 9

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

2. Article 1, Article 2(1) and Articles 3, 4, 5, 6, 7 and 8 shall apply from 8 May 2003.

Article 2(2) shall apply from 7 July 2003.

3. This Regulation shall expire on 8 May 2004.

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

Done at Luxembourg, 16 June 2003.

For the Council

The President

G. PAPANDREOU

ANNEX I

List of competent authorities referred to in Article 1(2)

BELGIUM

Service public fédéral des affaires étrangères, commerce extérieur et coopération au développement
Egmont 1,
Rue des Petits Carmes 19
B-1000 Bruxelles

Direction des relations économiques et bilatérales extérieures

(a) Service Afrique du Sud du Sahara (B.22),
Tel. (32-2) 501 85 77

(b) Coordination de la politique commerciale (B.40)
Tel. (32-2) 501 83 20

(c) Service transports (B.42)
Tel. (32-2) 501 37 62
Fax (32-2) 501 88 27

Service public fédéral économie, PME, classes moyennes et énergie
ARE 4 o division, service des licences
Avenue du Général Leman 60
B-1040 Bruxelles
Tel. (32-2) 206 58 16/27
Fax (32-2) 230 83 22

DENMARK

Erhvervs- og Boligstyrelsen
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

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Straße 29-35
D-65760 Eschborn
Tel. (49) 61 96 908-0
Fax (49) 61 96 908-800

GREECE

Ministry of Economy and Finance
General Secretariat for International Economic Relations
General Directorate for Policy Planning and Management
1 Kornarou str.
GR-105 63 Athènes
Tel. (30-210) 328 64 01-3
Fax (30-210) 328 64 04

Υπουργείο Οικονομίας και Οικονομικών
Γενική Γραμματεία Διεθνών Οικονομικών Σχέσεων
Γενική Διεύθυνση Σχεδιασμού και Διαχείρισης Πολιτικής
Κορνάρου 1
GR-105 63 Αθήνα
Τηλ.: (30-210) 328 64 01-3
Φαξ: (30-210) 328 64 04

SPAIN

Ministerio de Economía
Dirección General de Comercio e Inversiones
Paseo de la Castellana, 162
E-28046 Madrid
Tel. (34) 913 49 38 60
Fax (34) 914 57 28 63

FRANCE

Ministère de l'économie, des finances et de l'industrie
Direction générale des douanes et des droits indirects
Cellule embargo — bureau E 2
Tel. (33) 1 44 74 48 93
Fax (33) 1 44 74 48 97

Ministère des affaires étrangères
Direction des Nations unies et des organisations internationales
Tel. (33) 1 43 17 59 68
Fax (33) 1 43 17 46 91

IRELAND

Department of Enterprise
Trade and Employment Licensing Unit
Earlsfort Centre
Lower Hatch St.
Dublin 2
Ireland
Tel. (353) 1 631 2121
Fax (353) 1 631 2562

ITALY

Ministero degli Affari esteri
D.G.A.E.-Uff. X
Roma
Tel. (39) 06 36 91 37 50
Fax (39) 06 36 91 37 52

Ministero del Commercio estero
Gabinetto
Roma
Tel. (39) 06 59 93 23 10
Fax (39) 06 59 64 74 94

Ministero dei Trasporti
Gabinetto
Roma
Tel. (39) 06 44 26 71 16/84 90 40 94
Fax (39) 06 44 26 71 14

LUXEMBOURG

Ministère des affaires étrangères
Office des licences
21, rue Philippe II
L-2340 Luxembourg
Tel. (352) 478 23 70
Fax (352) 46 61 38

NETHERLANDS

Belastingsdienst/Douane centrale dienst voor in- en uitvoer
Team II
Postbus 3003
9700 RD Groningen
Nederland
Tel. (31) 50 5238111
Fax (31) 50 5232210
e-mail: cdiusgs@bart.nl

AUSTRIA

Bundesministerium für Wirtschaft und Arbeit
Stubenring 1
A-1030 Wien
Tel. (43-1) 711 00
Fax (43-1) 711 00-8386

PORTUGAL

Ministério dos Negócios Estrangeiros
Direcção-Geral dos Assuntos Multilaterais
Largo Rilvas
P-1350-179 Lisboa
Tel. (351) 21 394 60 72
Fax (351) 21 394 60 73

FINLAND

Ulkoasiainministeriö/Utrikesministeriet
PL/PB 176
FIN-00161 Helsinki/Helsingfors
Tel. (358) 9 16 05 59 00
Fax (358) 9 16 05 57 07

SWEDEN

Regeringskansliet
Utrikesdepartementet
Rättssekretariatet för EU-frågor
Fredsgatan 6
S-103 39 Stockholm
Tel. (46) 8 405 10 00
Fax (46) 8 723 11 76

UNITED KINGDOM

Export Control Organisation
Department of Trade and Industry
4 Abbey Orchard Street
London SW1P 2HT
United Kingdom
Tel. (44) 20 7215 0594
Fax (44) 20 7215 0593

Export Control Organisation
Department of Trade and Industry
Kingsgate House
66-74 Victoria Street
London SW1E 6SW
United Kingdom
Tel. (44) 171 215 6740
Fax (44) 171 222 0612

ANNEX II

Rough diamonds referred to in Article 2(1)

CN code	Product description
ex 7102 10 00	Unsorted diamonds, unworked and not mounted or set
7102 21 00	Industrial diamonds, unworked or simply sawn, cleaved or bruted
7102 31 00	Non-industrial diamonds, unworked or simply sawn, cleaved or bruted
7105 10 00	Dust and powder of diamonds

ANNEX III

Round logs and timber products referred to in Article 2(2)

CN code	Product description
4401	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms; wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
4402	Wood charcoal (including shell or nut charcoal), whether or not agglomerated
4403	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared
4404	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like; chipwood and the like
4405	Wood wool; wood flour
4406	Railway or tramway sleepers (cross-ties) of wood
4407	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
4408	Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for other similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed, of a thickness not exceeding 6 mm
4409	Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges, ends or faces, whether or not planed, sanded or end-jointed
4410	Particle board and similar board (for example, oriented strand board and waferboard) of wood or other ligneous materials, whether or not agglomerated with resins or other organic binding substances
4411	Fibreboard of wood or other ligneous materials, whether or not bonded with resins or other organic substances
4412	Plywood, veneered panels and similar laminated wood
4413	Densified wood, in blocks, plates, strips or profile shapes
4414	Wooden frames for paintings, photographs, mirrors or similar objects
4415	Packing cases, boxes, crates, drums and similar packings, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood
4416	Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves
4417	Tools, tool bodies, tool handles, broom or brush bodies and handles, of wood; boot or shoe lasts and trees, of wood
4418	Builders' joinery and carpentry of wood, including cellular wood panels, assembled parquet panels, shingles and shakes
4419	Tableware and kitchenware, of wood
4420	Wood marquetry and inlaid wood; caskets and cases for jewellery or cutlery, and similar articles, of wood; statuettes and other ornaments, of wood; wooden articles of furniture not falling in chapter 94 CN
4421	Other articles of wood
4701	Mechanical wood pulp
4702	Chemical wood pulp, dissolving grades
4703	Chemical wood pulp, soda or sulphate, other than dissolving grades
4704	Chemical wood pulp, sulphite, other than dissolving grades
4705	Wood pulp obtained by a combination of mechanical and chemical pulping processes

CN code	Product description
9401 61	Other seats, with wooden frames
9401 69	Other seats, with wooden frames which are not upholstered
9401 90 30	Parts of seats of a kind used for aircraft of wood
9403 30	Wooden furniture of a kind used in offices
9403 40	Wooden furniture of a kind used in the kitchen
9403 50	Wooden furniture of a kind used in the bedroom
9403 60	Other wooden furniture
9406 00 10	Prefabricated buildings of wood
ex 9705	Wooden collectors' pieces
ex 9706	Wooden antiques