



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.01.2001
COM(2001) 43 final

Proposal for a

COUNCIL REGULATION

prohibiting the exportation of certain goods and services to Afghanistan, strengthening the flight ban and freeze of funds and other financial resources in respect of the Taliban of Afghanistan, and repealing Council Regulation (EC) No 337/2000

(presented by the Commission)

EXPLANATORY MEMORANDUM

- (1) By means of Resolution 1333 (2000) of 19 December 2000, the UN Security Council decided to strengthen the freezing of funds and the flight ban applied against the Taliban further to Resolution 1267 (1999). That Resolution was implemented by means of Council Regulation (EC) No 337/2000.
- (2) The Security Council also decided that a number of additional measures should be applied against the Taliban, in particular a prohibition to export arms and related materiel, a prohibition to export acetic anhydride, a prohibition to provide technical advice and training on military activities, and the forced closure of Taliban and Ariana Afghan Airlines offices.
- (3) The measures should come into force one month after the adoption of that Resolution.
- (4) The attached proposal for a Regulation is intended to implement in the Community legal order the strengthening of the existing freezing of funds and the flight ban, as well as those additional measures for which the Community is competent. To that end, the provisions of Council Regulation (EC) No 337/2000 need to be amended and a consolidated text should be published. Since a consolidated text should be published, the future Regulation will thus repeal Council Regulation (EC) No 337/2000.
- (5) Independent from Resolution 1333 (2000), the Taliban Sanctions Committee made a designation of funds which have to be frozen pursuant to Resolution 1267 (1999). By means of this decision, made public on 20 November 2000, the Committee ordered that the funds and financial resources of De Afghanistan Momtaz Bank, when that bank would have been established, should be frozen. The proposal also includes this amendment.

Proposal for a

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Council Common Position 2001/.../CFSP ¹ of .. January 2001 ..,

Having regard to the proposal from the Commission ²,

Whereas:

- (1) On 19 December 2000, the United Nations Security Council adopted Resolution 1333 (2000) demanding, inter alia, that the Taliban comply with Resolution 1267 (1999), in particular by ceasing to provide sanctuary and training for international terrorists and their organisations.
- (2) The Security Council decided, inter alia, that the flight ban and the freezing of funds, which were imposed pursuant to its Resolution 1267 (1999), should be strengthened and that a number of additional measures should be applied against the Taliban, in particular a prohibition to export certain goods, a prohibition to provide certain technical advice and training, and the forced closure of Taliban and Ariana Afghan Airlines offices.
- (3) 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 as far as the territory of the Community is concerned. 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) In order to create maximum legal certainty within the Community, the names and other relevant data with regard to persons, entities and bodies whose funds should be frozen further to a designation by the UN authorities, and the list of organisations and governmental relief agencies that are allowed to execute humanitarian flights to Afghanistan, should be made publicly known and a procedure should be established within the Community to amend these lists.

¹ OJ L ..., ...1.2001, p. ...

² OJ C ..., ..., p. ...

- (5) The competent authorities of the Member States should, where necessary, be empowered to ensure compliance with the provisions of this Regulation on the freezing of funds and financial resources.
- (6) UN Security Council Resolutions 1267 (1999) and 1333 (2000) provide that the Taliban Sanctions Committee may grant exemptions to the freezing of funds, to the flight ban and to the prohibitions to export certain goods and services. Therefore, provision needs to be made to render such exemptions applicable throughout the Community.
- (7) The prohibitions to export certain goods and services are meant to prevent exports to those parts of Afghanistan controlled by the Taliban. Therefore, a procedure needs to be established to determine those parts of Afghanistan controlled by the Taliban.
- (8) For reasons of expediency, the Commission should be empowered to supplement and/or amend Annexes I, II, IV, V and VI to this Regulation on the basis of pertinent notification or information by the UN Security Council, the Taliban Sanctions Committee and the Member States, as appropriate.
- (9) The Commission and the Member States should inform each other of the measures taken under this Regulation and of other relevant information at their disposal in connection with this Regulation, and co-operate with the Taliban Sanctions Committee, in particular by supplying information to it.
- (10) Violations of the provisions of this Regulation should be penalised and Member States should impose appropriate penalties to that end. It is, moreover, desirable that sanctions for violations of the provisions of this Regulation can be imposed as of the date of entry into force of this Regulation and that, if there is *prima facie* evidence, Member States institute proceedings against any persons, entities or bodies under their jurisdiction that have violated any of these provisions.
- (11) For reasons of transparency and simplicity, the interruption or reduction of economic relations with Afghanistan should be governed by one legal instrument. Therefore, the provisions of Council Regulation (EC) No 337/2000³ of 14 February 2000 concerning a flight ban and a freeze of funds and other financial resources in respect of the Taliban of Afghanistan, should be incorporated in this Regulation, and that Regulation should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

For the purpose of this Regulation:

1. Taliban shall mean: the Afghan faction which also calls itself the Islamic Emirate of Afghanistan;
2. Taliban Sanctions Committee shall mean: the Committee established by United Nations Security Council Resolution 1267 (1999).

³ OJ L 43, 16.2.2000, p. 1.

Article 2

1. All funds and other financial resources, as defined in Annex I, belonging to any natural or legal person, entity or body listed in Annex I, shall be frozen. That Annex shall be in conformity with the designations made by the Taliban Sanctions Committee.
2. No funds or other financial resources shall be made available, directly or indirectly, to or for the benefit of either the Taliban, persons, entities or bodies listed in Annex I, or any undertaking owned or controlled, directly or indirectly by the Taliban.

Article 3

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy and to the provisions of Article 284 of the Treaty, natural and legal persons, entities and bodies shall:
 - (a) provide immediately any information which would facilitate compliance with this Regulation, such as accounts and amounts frozen in accordance with Article 2 and exemptions granted by the Taliban Sanctions Committee,
 - to the competent authorities of the Member States listed in Annex II where they are resident or located, and
 - directly or through the competent authorities to the Commission,
 - (b) co-operate with the competent authorities listed in Annex II in any verification of this information.
2. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.
3. Any information directly received by the Commission shall be made available to the competent authorities of the Member States concerned.

Article 4

1. It shall be prohibited, knowingly and intentionally, to sell, supply, export or ship, directly or indirectly, items listed in Annex III, whether or not originating in the Community, to any natural or legal person or any entity or body in Afghanistan, or to any person, entity or body for the purpose of any business carried on in, or operated from the territory of Afghanistan.
2. It shall be prohibited, knowingly and intentionally, to sell, supply, export or ship, directly or indirectly, the chemical, acetic anhydride (CN 2915 24 00) to any natural or legal person or any entity or body in Afghanistan, or to any person, entity or body for the purpose of any business carried on in, or operated from the territory of Afghanistan.
3. It shall be prohibited, knowingly and intentionally, to grant, sell, supply or transfer, directly or indirectly, technical advice, assistance or training related to the military

activities of armed personnel under the control of the Taliban, to any natural or legal person or any entity or body in Afghanistan, or to any person, entity or body for the purpose of any business carried on in, or operated from the territory of Afghanistan.

4. The prohibition in paragraph 1 shall not apply to export and shipment of protective clothing, including flak jackets and helmets, for personal use by the person exporting or shipping it, if such person is employed by the United Nations, the European Community, a Member State, an organisation or agency conducting humanitarian operations in Afghanistan, or the media.
5. Where there are grounds for believing that the end-user of items and technology subject to Council Regulation (EC) No 1334/2000⁴ of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology, will be the Taliban, their armed forces, their internal security forces or similar entities, an export authorisation for the export of such goods and technology shall be refused.
6. For the purpose of this Article 'Afghanistan' shall mean: those parts of the territory of Afghanistan that are under Taliban control as set out in Annex IV. That Annex shall be in conformity with the designations made by the Taliban Sanctions Committee.

Article 5

1. It shall be prohibited to take off from, land in or fly over the territory of the Community for any aircraft, wherever registered, if that aircraft has taken off from, or is destined to land at, any of the points of entry and landing areas in Afghanistan listed in Annex V. That Annex shall be in conformity with the designations made by the Taliban Sanctions Committee.
2. The prohibition in paragraph 1 shall not apply to aircraft executing humanitarian flights operated by, or on behalf of, those organisations and agencies listed in Annex VI. That Annex shall be in conformity with the designations made by the Taliban Sanctions Committee.

The organisation or agency responsible for such humanitarian flights, shall notify the relevant competent authority or authorities listed in Annex II of the details of each aircraft and its flight schedule. Such notification shall take place in writing and, except in cases of urgency, at least three working days prior to the execution of a humanitarian flight.

Article 6

1. All representative offices of the Taliban established within the territory of the Community shall be closed and all permits and licences governing their operation shall be withdrawn.
2. All representative offices, branches and subsidiaries of Ariana Afghan Airlines, which is also known as Bakhtar Afghan Airlines, within the territory of the

⁴ OJ L 159, 30.6.2000, p. 1.

Community shall be closed and all permits and licences governing their operation shall be withdrawn.

Article 7

The participation, knowingly and intentionally, in related activities the object or effect of which it is, directly or indirectly, either to promote the transactions or activities referred to in Articles 2, 4 and 5 or the operation of the establishments referred to in Article 6, or to circumvent the provisions of this Regulation, either through any natural or legal person, entity or body acting as middleman or front company, or by any other means, shall be prohibited.

Article 8

1. Article 2 shall not apply to funds and financial resources for which the Taliban Sanctions Committee has granted an exemption.
2. Article 5 shall not apply to flights for which the Taliban Sanctions Committee has granted an exemption prior to the execution of the flight concerned.
3. Articles Article 4(3) and 4(5) shall not apply to exports of non-lethal equipment intended solely for humanitarian or protective use, and to granting or supplying of related technical assistance or training, for which the Taliban Sanctions Committee has granted an exemption in advance.
4. Exemptions referred to in paragraphs 1, 2 and 3 shall be obtained, where appropriate, through the competent authorities of the Member States listed in Annex II.
5. Exemptions granted by the Taliban Sanctions Committee shall apply throughout the Community, if an interested party has duly communicated them to the competent authorities in accordance with Article 3. No other exemptions to the prohibitions laid down in Articles 2 and 5 shall be granted.

Article 9

1. The Commission shall be empowered
 - to amend or supplement Annexes I, IV, V and VI on the basis of determinations made by either the United Nations Security Council or the Taliban Sanctions Committee;
 - to amend Annex II on the basis of information supplied by the Member States; and
 - to publish legally binding descriptions of the characteristics and properties of the items listed in Annex III.
2. 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 Taliban Sanctions Committee for the purpose of the effective implementation of this Regulation.

Article 10

The Commission and the Member States shall immediately inform each other of the measures taken under this Regulation and shall supply each other with 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 11

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 12

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 be those determined by the Member States in accordance with Article 9 of Council Regulation (EC) No 337/2000 of 14 February 2000 concerning a flight ban and a freeze of funds and other financial resources in respect of the Taliban of Afghanistan.

2. Each Member State shall bring proceedings against any natural or legal person, entity or body under its jurisdiction, where there is a *prima facie* case of violation of any of the prohibitions laid down in this Regulation by such person, entity or body.

Article 13

Regulation (EC) No 337/2000 is hereby repealed and replaced by the provisions of this Regulation.

Article 14

This Regulation shall apply

- within the territory of the Community, including its airspace,
- on board any aircraft or any vessel under the jurisdiction of a Member State,
- to any person elsewhere who is a national of a Member State, and
- to any legal person, entity or body which is incorporated or constituted under the law of a Member State.

Article 15

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

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

List of persons, entities and bodies referred to in Article 2.

- Al-Qaida organisation,
- Ariana Afghan Airlines or Bakhtar Afghan Airlines, Afghan Authority Building, PO Box 76, Ansari Watt, Kabul, Afghanistan, including those belonging to any of its offices or subsidiaries, and that company's accounts with Citibank, New Delhi, India and with Punjab National Bank, New Delhi, India,
- Banke Millie Afghan, Bank E. Millie Afghan or Afghan National Bank, Jada Ibn Sana, Kabul, Afghanistan, including those belonging to any of its offices or subsidiaries,
- Da Afghanistan Bank, Bank of Afghanistan, Central Bank of Afghanistan or Afghan State Bank, Ibni Sina Wat, Kabul, Afghanistan, including those belonging to any of its offices or subsidiaries,
- De Afghanistan Momtaz Bank,
- the Islamic Emirate of Afghanistan,
- Mr Mohammad Omar (Leader of the Faithful or Amir ul-Mumineen), born at Hotak, Kandahar Province, Afghanistan, in 1950,
- the Taliban, and
- Mr Usama bin Laden.

Funds and other financial resources shall mean: any financial assets and economic benefits of any kind, including funds derived or generated from property owned or controlled directly or indirectly by a natural or legal person, entity or body whose funds and other financial resources must be frozen, or by any undertaking owned or controlled by such person, entity or body. Funds and other financial resources include, but are not limited to:

- a. cash;
- b. cheques, drafts, money orders and other payment instruments;
- c. deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
- d. publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures, derivatives contracts;
- e. interest, dividends or other income on or value accruing from or generated by assets;
- f. credit rights of set-off, guarantees, performance bonds or other financial commitments;
- g. letters of credit, bills of lading, bills of sale; and

- h. documents evidencing an interest in funds or financial resources.

ANNEX II

List of competent authorities referred to in Articles 3, paragraph 1, and 8, paragraph 3.

A. Freezing of Funds

BELGIUM

Ministere des finances
Trésorerie
avenue des Arts 30
B - 1040 Bruxelles
Fax (32-2) 233 75 18

DENMARK

Erhvervsfremmestyrelsen
Dahlerups Pakhus
Langelinie Alle 17
DK - 2100 København Ø
Tel. (45) 35 46 60 00
Fax (45) 35 46 60 01

GERMANY

1. For examinations of the status of banks:

Landeszentralbank in Baden-Württemberg
Postfach 10 60 21
D - 70049 Stuttgart
Tel. 07 11/9 44-11 20/21/23
Fax. 07 11/9 44-19 06

Landeszentralbank in Freistaat Bayern
D - 80291 München
Tel. 0 89/280 89-32 64
Fax. 0 89/28 89-38 78

Landeszentralbank in Berlin und Brandenburg
Postfach 11 01 60
D - 10831 Berlin
Tel. 030/34 75/11 10/15/20
Fax. 0 30/34 75/11 90

Landeszentralbank in der Freien Hansestadt Hamburg, in Mecklenburg-Vorpommern
und Schleswig-Holstein
Postfach 57 03 48
D - 22772 Hamburg
Tel. 0 40/37 07/66 00
Fax. 0 40/37 07-66 15

Landeszentralbank in Hessen
Postfach 11 12 32
D - 60047 Frankfurt am Main
Tel. 0 69/23 88-19 20
Fax. 0 69/23 88-19 19

Landeszentralbank in der Freien Hansestadt Bremen, in Niedersachsen und Sachsen-Anhalt
Postfach 2 45
D - 30002 Hannover
Tel. 05 11/30 33-27 23
Fax. 05 11/30 33-27 30

Landeszentralbank in Nordrhein-Westfalen
Postfach 10 11 48
D - 40002 Düsseldorf
Tel: 02 11/8 74-23 73/31 59
Fax: 02 11/8 74-23 78

Landeszentralbank in Rheinland-Pfalz und im Saarland
Postfach 30 09
D - 55020 Mainz
Tel: 0 61 31/3 77-4 10/4 16
Fax: 0 61 31/3 77-4 24

Landeszentralbank in den Freistaaten Sachsen und Thüringen
Postfach 90 11 21
D - 04103 Leipzig
Tel. 03 41/8 60-22 00
Fax. 03 41/8 60-23 89

2. For examinations of the status of persons, entities and bodies other than banks:

Bundesausfuhramt
Referat 214
Postfach 51 60
D - 65726 Eschborn
Tel. 0 61 96/9 08-0
Fax. 0 61/96/9 08-4 12

GREECE

Ministry of National Economy
Secretariat-General for International Economic Relations
Directorate-General for External Economic and Trade Relations
Director General Mr V. Kanellakis
Ermou and Kornarou 1
GR - 105 63 Athens
Tel. (31) 32 86 401-3
Fax (31) 32 86 404

SPAIN

Dirección General de Política Comercial e Inversiones Exteriores
Subdirección General de Gestión de las Transacciones con el Exterior
Ministerio de Economía y Hacienda
Po de la Castellana, 162 - Planta 9
E – 28046 Madrid
Tel. (00-34) 91 583 74 00
Fax (00-34) 91 583 55 09

Dirección General del Tesoro y Política Financiera
Subdirección General de Inspección y Control de Movimientos de Capitales
Ministerio de Economía y Hacienda
Pl. de Jacinto Benavente, 3
E - 28071 Madrid
Tel. (00-34) 91 360 45 88
Fax (00-34) 91 583 52 14

FRANCE

Ministère de l'économie, des finances et de l'industrie
Direction du Trésor
Service des affaires européennes et internationales
Sous-direction E
139, rue du Bercy
F - 75572 Paris-cedex 12
Tel. (33-1) 44 87 17 17
Fax (33-1) 53 18 36 15

IRELAND

Central Bank of Ireland
Financial Markets Department
P.O. Box 559
Dame Street
Dublin 2
Tel. (353-1) 671 66 66

Department of Foreign Affairs
Bilateral Economic Relations Section
76-78 Harcourt Street
Dublin 2
Tel. (353-1) 408 24 92

ITALY

Ministero del Commercio Estero
Direzione Generale per la Politica Commerciale e per la Gestione del Regime degli
Scambi
Divisione IV
Viale America, 341
I - 00144 Roma
Tel: (39-06) 59 93 24 39
Fax: (39-06) 59 64 75 06

LUXEMBOURG

Ministère des affaires étrangères
Direction des relations économiques internationales et de la coopération
BP 1602
L - 1016 Luxembourg

NETHERLANDS

Ministerie van Financiën
Directie Wetgeving, Juridische en Bestuurlijke Zaken
Postbus 20201
2500 EE Den Haag
Nederland
Tel. (31-70) 342 82 27
Fax (31-70) 342 79 05

AUSTRIA

Bundesministerium für wirtschaftliche Angelegenheiten
Abteilung II/A/2
Landstrasser Hauptstraße 55-57
A - 1030 Wien

Österreichische Nationalbank
Otto Wagner-Platz 3
A - 1090 Wien
Tel. (43-1) 40 420-0
Fax. (43-1) 40 420-73 99

PORTUGAL

Ministério das Finanças
Direcção Geral dos Assuntos Europeus e Relações Internacionais
Avenida Infante D. Henrique, n.o 1, C 2.o
P - 1100 Lisboa
Tel. (351-1) 882 32 40/47
Fax (351-1) 882 32 49
E-mail. dgaeri@mfinancas,mailpac.pt

FINLAND

Ulkoasiainministeriö/Utrikesministeriet
PL 176
SF - 00161 Helsinki
Tel. (358-9) 13 41 51
Fax. (358-9) 13 41 57 07 and (358-9) 62 98 40

SWEDEN

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

UNITED KINGDOM

HM Treasury
International Financial Services
Parliament Street
London SW1P 3AG
United Kingdom
Tel: (44-171) 270 55 50
Fax: (44-171) 270 43 65

Bank of England
Financial Sanctions Unit
London EC2R 8AH
United Kingdom
Tel. (44-171) 601 46 07
Fax (44-171) 601 43 09

EUROPEAN COMMUNITY

Commission of the European Communities
Directorate-General for External Relations
Directorate CFSP
Unit A.2 / Mr A. de Vries
Rue de la Loi/Wetstraat 200
B - 1049 Bruxelles/Brussel
Tel.: (32-2) 295 68 80
Fax: (32-2) 296 75 63
E-mail: anthonius-de-vries@cec.eu.int

B. Export Prohibitions

BELGIUM

DENMARK

GERMANY

GREECE

SPAIN

FRANCE

IRELAND

ITALY

LUXEMBOURG

NETHERLANDS

AUSTRIA

PORTUGAL

FINLAND

SWEDEN

UNITED KINGDOM

EUROPEAN COMMUNITY

Commission of the European Communities
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Fax: (32-2) 296 75 63
E-mail: anthonius-de-vries@cec.eu.int

C. Flight Ban

BELGIUM

Ministère des communications et de l'infrastructure
Administration de l'aéronautique
Centre Communications Nord - 4e étage
Rue du Progrès 80 - Boîte 5
B - 1030 Bruxelles
Tel. (32-2) 206 32 00
Fax (32-2) 203 15 28

DENMARK

Civil Aviation Administration
Luftfartshuset
Box 744
Ellebjergervej 50
DK - 2450 København
Tel. (45) 36 44 48 48
Fax (45) 36 44 03 03

GERMANY

Generaldirektor für Luft- und Raumfahrt
Bundesministerium für Verkehr
Postfach 200 100
D - 53170 Bonn
Tel. (49-228) 300 45 00
Fax (49-228) 300 79 29

GREECE

Ministry of Transport and Communications
Hellenic Civil Aviation Authority
PO Box 73 751
GR - 16604 Helliniko
Tel. (30-1) 894 42 63
Fax (30-1) 894 42 79

SPAIN

Dirección General de Aviación Civil
Ministerio de Fomento
Paseo de la Castellana, 67
E - 28071 Madrid
Tel. (34-91) 597 70 00
Fax (34-91) 597 53 57

FRANCE

Ministère de l'équipement, des transports et du logement
Direction générale de l'aviation civile
Direction des transports aériens
50, rue Henri Farman
F - 75720 Paris cedex 15
Tel. (33-1) 58 09 43 21
Fax (33-1) 58 09 36 36

IRELAND

General Director for Civil Aviation
Department of Transport, Energy and Communications
44, Kildare Street
Dublin 2
Ireland
Tel. (353-1) 604 10 36
Fax (353-1) 604 11 81

ITALY

Ente Nazionale per l'Aviazione Civile (ENAC)
Via di Villa Ricotti 42
I - 00161 Roma
Tel. (39-06) 44 18 52 08/44 18 52 09
Fax (39-06) 44 18 53 16

LUXEMBOURG

Directeur de l'aviation civile
Ministère des transports
19-21, boulevard Royal
L - 2938 Luxembourg
Tel. (352) 478 44 12
Fax (352) 46 77 90

NETHERLANDS

Ministry of Transport, Public Works and Water Management
Directorate General of Civil Aviation
Plesmanweg 1-6
PO Box 90771
2509 LT Den Haag
Netherlands
Tel. (31-70) 351 72 45
Fax (31-70) 351 63 48

AUSTRIA

Bundesministerium für Wissenschaft und Verkehr
Zentralsektion Verkehr, Luftfahrt
Radetzkystrae 2
A - 1030 Wien
Tel. (43-1) 711 62 70 00
Fax (43-1) 711 62 70 99

PORTUGAL

Instituto Nacional da Aviação Civil
Ministério do Equipamento Social
Rua B, edifícios 4, 5, 6
Aeroporto da Portela
P - 1749-034 Lisboa
Tel.: (351-21) 842 35 00
Fax: (351-21) 840 23 98
E-mail: inacgeral@mail.telepac.pt

FINLAND

Civil Aviation Administration
Ilmailulaitos/Luftfartsverket
PO Box 50
FIN - 01531 Vantaa
Tel. (358-9) 82 77 20 10
Fax (358-9) 82 77 20 91

SWEDEN

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

UNITED KINGDOM

Department of Environment, Transport and the Regions
International Aviation Negotiations
Great Minster House
76, Marsham Street
London SW1P 4DR
United Kingdom
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EUROPEAN COMMUNITY

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Fax: (32-2) 296 75 63
E-mail: anthonius-de-vries@cec.eu.int

ANNEX III

List of items referred to in Article 4, paragraph 1.

(The following list does not include items which have been specially designed or modified for military use and are covered by the arms embargo applied further to Common Position 2001/.../CFSP.)

Helmets providing ballistic protection, anti-riot helmets, anti-riot shields and ballistic shields and specially designed components therefor.

Specially designed fingerprint equipment.

Power controlled searchlights.

Construction equipment provided with ballistic protection.

Hunting knives.

Specially designed production equipment to make shotguns.

Ammunition hand-loading equipment.

Communications intercept devices.

Solid-state optical detectors.

Image-intensifier tubes.

Telescopic weapon sights.

Smooth bore weapons and related ammunition, other than those specially designed for military use, and specially designed components therefor; except:

1. signal pistols;
2. air or cartridge powered guns designed as industrial tools or humane animal stunners.

Simulators for training in the use of firearms and specially designed or modified components and accessories therefor.

Bombs and grenades, other than those specially designed for military use, and specially designed components therefor.

Body armour, other than those manufactured to military standards or specifications, and specially designed components therefor.

All-wheel-drive utility vehicles capable of off road use that have been manufactured or fitted with ballistic protection, and profiled armour for such vehicles.

Water cannon and specially designed or modified components therefor.

Vehicles equipped with water cannon.

Vehicles specially designed or modified to be electrified to repel boarders and components therefor specially designed or modified for that purpose.

Acoustic devices represented by the manufacturer or supplier as suitable for riot-control purposes, and specially designed components therefor.

Leg-irons, gang-chains, shackles and electric-shock belts, specially designed for restraining human beings; except:

handcuffs for which the maximum overall dimension including chain does not exceed 240 mm when locked.

Portable devices designed or modified for the purpose of riot control or self-protection by the administration of an incapacitating substance (such as tear gas or pepper sprays), and specially designed components therefor.

Portable devices designed or modified for the purpose of riot control or self-protection by the administration of an electric shock (including electric-shock batons, electric shock shields, stun guns and electric shock dart guns (tasers)) and components therefor specially designed or modified for that purpose.

Electronic equipment capable of detecting concealed explosives and specially designed components therefor; except:

TV or X-ray_inspection equipment.

Electronic jamming equipment specially designed to prevent the detonation by radio remote control of improvised devices and specially designed components therefor.

Equipment and devices specially designed to initiate explosions by electrical or non-electrical means, including firing sets, detonators, igniters, boosters and detonating cord, and specially designed components therefor; except:

those specially designed for a specific commercial use consisting of the actuation or operation by explosive means of other equipment or devices the function of which is not the creation of explosions (e.g., car air bag inflaters, electric-surge arresters of fire sprinkler actuators).

Equipment and devices designed for explosive ordnance disposal; except:

1. bomb blankets;
2. containers designed for holding objects known to be, or suspected of being improvised explosive devices.

Night vision and thermal imaging equipment and image intensifier tubes or solid state sensors therefor.

Software specially designed and technology required for all listed items.

Linear cutting explosive charges.

Explosives and related substances as follows:

- amatol,
- nitrocellulose (containing more than 12,5 % nitrogen),
- nitroglycol,
- pentaerythritol tetranitrate (PETN),
- picryl chloride,
- trinitrophenylmethylnitramine (tetryl),
- 2, 4, 6-trinitrotoluene (TNT).

Software specially designed and technology required for all listed items.

ANNEX IV

Territory of Afghanistan under Taliban control referred to in Article 4.

ANNEX V

Points of entry and landing areas in Afghanistan referred to in Article 5, paragraph 1.

ANNEX VI

List of organisations and agencies referred to in Article 5, paragraph 2.