



EUROPEAN COMMISSION

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

Brussels, 27.4.2012
JOIN(2012) 12 final

2012/0101 (NLE)

Joint Proposal for a

COUNCIL REGULATION

**suspending the application of certain restrictive measures laid down in Regulation (EC)
No 194/2008 renewing and strengthening the restrictive measures in respect of
Burma/Myanmar**

EXPLANATORY MEMORANDUM

- (1) Council Regulation (EC) No 194/2008 of 25 February 2008 renewing and strengthening the restrictive measures in respect of Burma/Myanmar¹ provides for certain restrictive measures, including restrictions on certain imports from and exports to Burma/Myanmar, a freezing of the funds and economic resources of certain individuals and entities and restrictions on the financing of certain enterprises.
- (2) Responding to recent developments in Burma/Myanmar, Council Decision 2012/.../CFSP modified Decision 2010/232/CFSP concerning restrictive measures against Burma/Myanmar in order to provide for the suspension, until 30 April 2013, of all restrictive measures except the arms embargo and the embargo on equipment which might be used for internal repression.
- (3) The High Representative of the Union for Foreign Affairs and Security Policy and the European Commission therefore propose to modify Regulation (EC) No 194/2008 in order to suspend most of the restrictive measures.

¹ OJ L 66, 10.3.2008, p. 1.

Joint Proposal for a

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suspending the application of certain restrictive measures laid down in Regulation (EC) No 194/2008 renewing and strengthening the restrictive measures in respect of Burma/Myanmar

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 2012/.../CFSP of ... 2012² amending Council 2010/232/CFSP concerning restrictive measures against Burma/Myanmar³,

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

Whereas:

- (1) Council Regulation (EC) No 194/2008 of 25 February 2008 renewing and strengthening the restrictive measures in respect of Burma/Myanmar⁴ provides for certain measures, including restrictions on certain imports from and exports to Burma/Myanmar, a freezing of the funds and economic resources of certain individuals and entities and restrictions on financing of certain enterprises.
- (2) Responding to recent developments in Burma/Myanmar, Council Decision 2012/.../CFSP modified Decision 2010/232/CFSP in order to provide for the suspension, until 30 April 2013, of all restrictive measures except the arms embargo and the embargo on equipment which might be used for internal repression.
- (3) Regulation (EC) No 194/2008 should therefore be modified accordingly to suspend the application of most of the restrictive measures.
- (4) The suspension of the freezing of funds and economic resources should be construed as allowing the release of funds and economic resources that were frozen in accordance with the Regulation, without prior authorisation by the competent authorities,

² OJ L ..., 2012, p.

³ OJ L 105, 27.4.2010, p. 22.

⁴ OJ L 66, 10.3.2008, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

The application of Articles 2, 5, 7(3), 8, 11, 15(2), 15(3) and 15(7) of Regulation (EC) No 194/2008 is suspended until 30 April 2013.

The application of Article 7(5) of Regulation (EC) No 194/2008 is suspended until 30 April 2013 in so far as it refers to Article 7(3).

Article 2

This Regulation shall enter into force on the day following that 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