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I

*(Legislative acts)***DIRECTIVES****DIRECTIVE 2011/51/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL****of 11 May 2011****amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection****(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 79(2)(a) and (b) thereof,

Having regard to the proposal from the European Commission,

Acting in accordance with the ordinary legislative procedure ⁽¹⁾,

Whereas:

(1) Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents ⁽²⁾ does not apply to beneficiaries of international protection as defined in Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted ⁽³⁾.

(2) The prospect of obtaining long-term resident status in a Member State after a certain time is an important element for the full integration of beneficiaries of international protection in the Member State of residence.

⁽¹⁾ Position of the European Parliament of 14 December 2010 (not yet published in the Official Journal) and decision of the Council of 11 April 2011.

⁽²⁾ OJ L 16, 23.1.2004, p. 44.

⁽³⁾ OJ L 304, 30.9.2004, p. 12.

(3) Long-term resident status for beneficiaries of international protection is also important in promoting economic and social cohesion, which is a fundamental objective of the Union as stated in the Treaty on the Functioning of the European Union.

(4) Beneficiaries of international protection should therefore be able to obtain long-term resident status in the Member State which granted them international protection, subject to the same conditions as other third-country nationals.

(5) In view of the right of beneficiaries of international protection to reside in Member States other than the one which granted them international protection, it is necessary to ensure that those other Member States are informed of the protection background of the persons concerned to enable them to comply with their obligations regarding the principle of non-refoulement.

(6) Beneficiaries of international protection who are long-term residents should, under certain conditions, enjoy equality of treatment with citizens of the Member State of residence in a wide range of economic and social matters so that long-term resident status constitutes a genuine instrument for the integration of long-term residents into the society in which they live.

(7) The equality of treatment of beneficiaries of international protection in the Member State which granted them international protection should be without prejudice to the rights and benefits guaranteed under Directive 2004/83/EC and under the Convention Relating to the Status of Refugees of 28 July 1951, as amended by the Protocol signed in New York on 31 January 1967 ('the Geneva Convention').

- (8) The conditions set out in Directive 2003/109/EC concerning the right of a long-term resident to reside in another Member State and obtain long-term resident status there should apply in the same way to all third-country nationals who have obtained long-term resident status.
- (9) Transfer of responsibility for protection of beneficiaries of international protection is outside the scope of this Directive.
- (10) Where a Member State intends to expel, on a ground provided for in Directive 2003/109/EC, a beneficiary of international protection who has acquired long-term resident status in that Member State, that person should enjoy the protection against refoulement guaranteed under Directive 2004/83/EC and under Article 33 of the Geneva Convention. For that purpose, where the person enjoys international protection in a Member State other than the one in which that person is currently residing as a long-term resident, it is necessary to provide, unless refoulement is permitted under Directive 2004/83/EC, that that person may be expelled only to the Member State which granted international protection and that that Member State is obliged to readmit that person. The same safeguards should apply to a beneficiary of international protection who has taken up residence but has not yet obtained long-term resident status in a second Member State.
- (11) Where the expulsion of a beneficiary of international protection outside the territory of the Union is permitted under Directive 2004/83/EC, Member States should be obliged to ensure that all information is obtained from relevant sources, including, where appropriate, from the Member State that granted international protection, and that it is thoroughly assessed with a view to guaranteeing that the decision to expel that beneficiary is in accordance with Article 4 and Article 19(2) of the Charter of Fundamental Rights of the European Union.
- (12) This Directive respects the fundamental rights and observes the principles recognised by Article 6 of the Treaty on European Union and by the Charter of Fundamental Rights of the European Union, and in particular in Article 7 thereof.
- (13) In accordance with point 34 of the Interinstitutional Agreement on better law-making⁽¹⁾, Member States are encouraged to draw up, for themselves and in the interest of the Union, their own tables, illustrating, as far as

possible, the correlation between this Directive and the transposition measures, and to make them public.

- (14) In accordance with Articles 1 and 2 of the Protocol (No 21) on the Position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, those Member States are not taking part in the adoption of this Directive and are not bound by it or subject to its application.
- (15) In accordance with Articles 1 and 2 of the Protocol (No 22) on the Position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Directive and is not bound by it or subject to its application,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 2003/109/EC is amended as follows:

- (1) in Article 2, point (f) is replaced by the following:

(f) “international protection” means international protection as defined in Article 2(a) of Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (*);

(*) OJ L 304, 30.9.2004, p. 12.;

- (2) Article 3 is amended as follows:

(a) in paragraph 2, points (c) and (d) are replaced by the following:

(c) are authorised to reside in a Member State on the basis of a form of protection other than international protection or have applied for authorisation to reside on that basis and are awaiting a decision on their status;

(d) have applied for international protection and whose application has not yet given rise to a final decision;;

(1) OJ C 321, 31.12.2003, p. 1.

(b) in paragraph 3, point (c) is replaced by the following:

‘(c) the European Convention on Establishment of 13 December 1955, the European Social Charter of 18 October 1961, the amended European Social Charter of 3 May 1987, the European Convention on the Legal Status of Migrant Workers of 24 November 1977, paragraph 11 of the Schedule to the Convention Relating to the Status of Refugees of 28 July 1951, as amended by the Protocol signed in New York on 31 January 1967, and the European Agreement on Transfer of Responsibility for Refugees of 16 October 1980.’;

(3) Article 4 is amended as follows:

(a) the following paragraph is inserted:

‘1a. Member States shall not grant long-term resident status on the basis of international protection in the event of the revocation of, ending of or refusal to renew international protection as laid down in Articles 14(3) and 19(3) of Directive 2004/83/EC.’;

(b) in paragraph 2, the following subparagraph is added:

‘Regarding persons to whom international protection has been granted, at least half of the period between the date of the lodging of the application for international protection on the basis of which that international protection was granted and the date of the grant of the residence permit referred to in Article 24 of Directive 2004/83/EC, or the whole of that period if it exceeds 18 months, shall be taken into account in the calculation of the period referred to in paragraph 1.’;

(4) in Article 8, the following paragraphs are added:

‘4. Where a Member State issues a long-term resident’s EU residence permit to a third-country national to whom it granted international protection, it shall enter the following remark in that long-term resident’s EU residence permit, under the heading “Remarks”: “International protection granted by [name of the Member State] on [date]”.

5. Where a long-term resident’s EU residence permit is issued by a second Member State to a third-country national who already has a long-term resident’s EU residence permit issued by another Member State which contains the remark referred to in paragraph 4, the second Member State shall enter the same remark in the long-term resident’s EU residence permit.

Before the second Member State enters the remark referred to in paragraph 4, it shall request the Member State

mentioned in that remark to provide information as to whether the long-term resident is still a beneficiary of international protection. The Member State mentioned in the remark shall reply no later than 1 month after receiving the request for information. Where international protection has been withdrawn by a final decision, the second Member State shall not enter that remark.

6. Where, in accordance with the relevant international instruments or national law, responsibility for the international protection of the long-term resident was transferred to the second Member State after the long-term resident’s EU residence permit referred to in paragraph 5 was issued, the second Member State shall amend accordingly the remark referred to in paragraph 4 no later than 3 months after the transfer.’;

(5) in Article 9, the following paragraph is inserted:

‘3a. Member States may withdraw the long-term resident status in the event of the revocation of, ending of or refusal to renew international protection as laid down in Articles 14(3) and 19(3) of Directive 2004/83/EC if the long-term resident status was obtained on the basis of international protection.’;

(6) in Article 11, the following paragraph is inserted:

‘4a. As far as the Member State which granted international protection is concerned, paragraphs 3 and 4 shall be without prejudice to Directive 2004/83/EC.’;

(7) Article 12 is amended as follows:

(a) the following paragraphs are inserted:

‘3a. Where a Member State decides to expel a long-term resident whose long-term resident’s EU residence permit contains the remark referred to in Article 8(4), it shall request the Member State mentioned in that remark to confirm whether the person concerned is still a beneficiary of international protection in that Member State. The Member State mentioned in the remark shall reply no later than 1 month after receiving the request for information.

3b. If the long-term resident is still a beneficiary of international protection in the Member State mentioned in the remark, that person shall be expelled to that Member State, which shall, without prejudice to the applicable Union or national law and to the principle of family unity, immediately readmit, without formalities, that beneficiary and his/her family members.

3c. By way of derogation from paragraph 3b, the Member State which adopted the expulsion decision shall retain the right to remove, in accordance with its international obligations, the long-term resident to a country other than the Member State which granted international protection where that person fulfils the conditions specified in Article 21(2) of Directive 2004/83/EC.’;

(b) the following paragraph is added:

‘6. This Article shall be without prejudice to Article 21(1) of Directive 2004/83/EC.’;

(8) the following Article is inserted:

‘Article 19a

Amendments of long-term resident’s EU residence permits

1. Where a long-term resident’s EU residence permit contains the remark referred to in Article 8(4), and where, in accordance with the relevant international instruments or national law, responsibility for the international protection of the long-term resident is transferred to a second Member State before that Member State issues the long-term resident’s EU residence permit referred to in Article 8(5), the second Member State shall ask the Member State which has issued the long-term resident’s EU residence permit to amend that remark accordingly.

2. Where a long-term resident is granted international protection in the second Member State before that Member State issued the long-term resident’s EU residence permit referred to in Article 8(5), that Member State shall ask the Member State which has issued the long-term resident’s EU residence permit to amend it in order to enter the remark referred to in Article 8(4).

3. Following the request referred to in paragraphs 1 and 2, the Member State which has issued the long-term resident’s EU residence permit shall issue the amended long-term resident’s EU residence permit no later than 3 months after receiving the request from the second Member State.’;

(9) in Article 22, the following paragraph is inserted:

‘3a. Unless, in the meantime, the international protection has been withdrawn or the person falls within one of the categories specified in Article 21(2) of Directive 2004/83/EC, paragraph 3 of this Article shall not apply to

third-country nationals whose long-term resident’s EU residence permit issued by the first Member State contains the remark referred to in Article 8(4) of this Directive.

This paragraph shall be without prejudice to Article 21(1) of Directive 2004/83/EC.’;

(10) in Article 25, the first paragraph is replaced by the following:

‘Member States shall appoint contact points who will be responsible for receiving and transmitting the information and documentation referred to in Articles 8, 12, 19, 19a, 22 and 23.’.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 20 May 2013. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States in accordance with the Treaties.

Done at Strasbourg, 11 May 2011.

For the European Parliament
The President
J. BUZEK

For the Council
The President
GYŐRI E.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 12 May 2011

on the conclusion of the Agreement between the European Union and the Government of the Socialist Republic of Vietnam on certain aspects of air services

(2011/285/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) in conjunction with Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) By its Decision of 5 June 2003, the Council authorised the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with an agreement at Union level.
- (2) On behalf of the Union, the Commission has negotiated an Agreement with the Government of the Socialist Republic of Vietnam on certain aspects of air services in accordance with the mechanisms and directives in the Annex to the Decision of 5 June 2003.
- (3) The Agreement was signed on behalf of the Union, subject to its possible conclusion at a later date.

(4) The Agreement should be approved accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and the Government of the Socialist Republic of Vietnam on certain aspects of air services ⁽¹⁾ is hereby approved on behalf of the Union.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to make the notification provided for in Article 7(1) of the Agreement.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 12 May 2011.

For the Council

The President

PINTÉR S.

⁽¹⁾ OJ L 288, 5.11.2010, p. 2.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 480/2011

of 18 May 2011

amending for the 148th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan ⁽¹⁾, and in particular Article 7(1)(a) and Article 7a thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 10 May 2011 the Sanctions Committee of the United Nations Security Council decided to add one natural

person to its list of persons, groups and entities to whom the freezing of funds and economic resources should apply and on 20 April and 4 May 2011 amended four entries on the list.

- (3) Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly.
- (4) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 18 May 2011.

*For the Commission,
On behalf of the President,
The Head of Foreign Policy Instruments Service*

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows.

- (1) The following entry shall be added under the heading 'Natural persons':

'Badruddin **Haqqani** (*alias* Atiqullah). Address: Miram Shah, Pakistan. Date of birth: approximately 1975-79. Other information: (a) operational commander of the Haqqani Network and member of the Taliban shura in Miram Shah, (b) has helped lead attacks against targets in south-eastern Afghanistan, (c) son of Jalaluddin Haqqani, brother of Sirajuddin Jallaloudine Haqqani and Nasiruddin Haqqani, nephew of Khalil Ahmed Haqqani. Date of designation referred to in Article 2a(4)(b): 11.5.2011.'

- (2) The entry 'Benevolence International Foundation (*alias* (a) Al-Bir Al-Dawalia, (b) BIF, (c) BIF-USA, (d) Mezhdunarodnyj Blagotvoritel'nyj Fond). Address: addresses and offices in so far as known: (a) 8820, Mobile Avenue, 1A, Oak Lawn, Illinois, 60453, United States of America, (b) P.O. box 548, Worth, Illinois, 60482, United States of America, (c) (former location) 9838, S. Roberts Road, Suite 1W, Palos Hills, Illinois, 60465, United States of America, (d) (former location) 20-24, Branford Place, Suite 705, Newark, New Jersey, 07102, United States of America, (e) Bashir Safar Ugli 69, Baku, Republic of Azerbaijan, (f) 69, Boshir Safaroglu Street, Baku, Republic of Azerbaijan, (g) 3, King Street South, Waterloo, Ontario, N2J 3Z6 Canada, (h) PO box 1508, Station B, Mississauga, Ontario, L4Y 4G2 Canada, (i) 2465, Cawthra Road, No. 203, Mississauga, Ontario, L5A 3P2 Canada, (j) 91, Paihonggou, Lanzhou, Gansu, People's Republic of China 730 000, (k) Hrvatov 30, 41000 Zagreb, Republic of Croatia, (l) Burgemeester Kessensingel 40, Maastricht, Kingdom of the Netherlands, (m) House 111, First Floor, Street 64, F-10/3, Islamabad, Islamic Republic of Pakistan, (n) PO box 1055, Peshawar, Islamic Republic of Pakistan, (o) Azovskaya 6, km. 3, off. 401, Moscow, Russian Federation 113149, (p) Ulitsa Oktyabr'skaya, dom. 89, Moscow, Russian Federation 127521, (q) PO box 1937, Khartoum, Republic of the Sudan, (r) PO box 7600, Jeddah 21472, Kingdom of Saudi Arabia, (s) PO box 10845, Riyadh 11442, Kingdom of Saudi Arabia, (t) Sarajevo, Bosnia and Herzegovina, (u) Zenica, Bosnia and Herzegovina, (v) Grozny, Chechnya, Russian Federation, (w) Makhachkala, Dagestan, Russian Federation, (x) Duisi, Georgia, (y) Tbilisi, Georgia, (z) Nazran, Ingushetia, Russian Federation (aa) Dushanbe, Republic of Tajikistan, (bb) United Kingdom of Great Britain and Northern Ireland, (cc) Islamic Republic of Afghanistan, (dd) People's Republic of Bangladesh, (ee) Gaza Strip, Palestinian Occupied Territory, (ff) Bosnia and Herzegovina, (gg) Republic of Yemen. Other information: (a) Employer Identification Number: 36-3823186 (United States of America), (b) Name of the Foundation in the Netherlands is: Stichting Benevolence International Nederland (BIN).' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

'Benevolence International Foundation (*alias* (a) Al-Bir Al-Dawalia, (b) BIF, (c) BIF-USA, (d) Mezhdunarodnyj Blagotvoritel'nyj Fond). Address: (a) 8820, Mobile Avenue, 1A, Oak Lawn, Illinois, 60453, United States of America, (b) P.O. box 548, Worth, Illinois, 60482, United States of America, (c) (former location) 9838, S. Roberts Road, Suite 1W, Palos Hills, Illinois, 60465, United States of America, (d) (former location) 20-24, Branford Place, Suite 705, Newark, New Jersey, 07102, United States of America, (e) PO box 1937, Khartoum, Republic of the Sudan, (f) People's Republic of Bangladesh, (g) Gaza Strip, (h) Republic of Yemen. Other information: (a) Employer Identification Number: 36-3823186 (United States of America), (b) Name of the Foundation in the Netherlands is: Stichting Benevolence International Nederland (BIN).'

- (3) The entry 'Bosanska Idealna Futura (*alias* (a) BIF-Bosnia, (b) Bosnian Ideal Future. Address: (a) 16 Hakije Mazica, 72000 Zenica, Bosnia and Herzegovina; (b) Sehidska Street Breza, Bosnia and Herzegovina; (c) 1 Kanal Street, 72000 Zenica, Bosnia and Herzegovina; (d) 35 Hamze Celenke, Ildiza, Bosnia and Herzegovina; (e) 12 Salke Lagumdzije Street, 71000 Sarajevo, Bosnia and Herzegovina. Other information: (a) Bosanska Idealna Futura was officially registered in Bosnia and Herzegovina as an association and humanitarian organization under registry number 59; (b) It was the legal successor of the Bosnia and Herzegovina offices of Benevolence International Foundation doing business as BECF Charitable Educational Center, Benevolence Educational Center; (c) Bosanska Idealna Futura was no longer in existence as at December 2008. Date of designation referred to in Article 2a(4)(b): 21.11.2002.' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

'Bosanska Idealna Futura (*alias* (a) BIF-Bosnia, (b) Bosnian Ideal Future. Other information: (a) Bosanska Idealna Futura was officially registered in Bosnia and Herzegovina as an association and humanitarian organization under registry number 59; (b) It was the legal successor of the Bosnia and Herzegovina offices of Benevolence International Foundation doing business as BECF Charitable Educational Center, Benevolence Educational Center; (c) Bosanska Idealna Futura was no longer in existence as at December 2008. Date of designation referred to in Article 2a (4) (b): 21.11.2002.'

- (4) The entry 'Global Relief Foundation (GRF) (*alias* (a) Fondation Secours Mondial (FSM), (b) Secours mondial de France (SEMONDE), (c) Fondation Secours Mondial — Belgique a.s.b.l., (d) Fondation Secours Mondial v.z.w., (e) FSM, (f) Stichting Wereldhulp — België, v.z.w., (g) Fondation Secours Mondial — Kosova, (h) Fondation Secours Mondial "World Relief"). Address: (a) 9935 South 76th Avenue, Unit 1, Bridgeview, Illinois 60455, U.S.A.; (b) PO Box 1406, Bridgeview, Illinois 60455, U.S.A.; (c) 49 rue du Lazaret, 67100 Strasbourg, France; (d) Vaatjesstraat 29, 2580 Putte, Belgium; (e) Rue des Bataves 69, 1040 Etterbeek (Brussels), Belgium; (f) PO Box 6, 1040 Etterbeek 2 (Brussels), Belgium; (g) Rr. Skenderbeu 76, Lagjja Sefa, Gjakova, Kosovo; (h) Ylli Morina Road, Djakovica, Kosovo; (i) Rruga e Kavajes, Building No 3, Apartment No 61, PO Box 2892, Tirana, Albania; (j) House 267 Street No 54, Sector F — 11/4, Islamabad, Pakistan. Other information: (a) Other foreign locations: Afghanistan, Azerbaijan, Bangladesh, China, Eritrea, Ethiopia, Georgia, India, Iraq, Jordan, Lebanon, West Bank and Gaza, Sierra Leone, Somalia and Syria; (b) U.S. Federal Employer Identification: 36-3804626; (c) V.A.T. Number: BE 454419759; (d) Belgian addresses are those of Fondation Secours Mondial — Belgique a.s.b.l and Fondation Secours Mondial vzw. and Stichting Wereldhulp — België, v.z.w since 1998. Date of designation referred to in Article 2a (4) (b): 22.10.2002.' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

'Global Relief Foundation (GRF) (*alias* (a) Fondation Secours Mondial (FSM), (b) Secours mondial de France (SEMONDE), (c) Fondation Secours Mondial — Belgique a.s.b.l., (d) Fondation Secours Mondial v.z.w., (e) FSM, (f) Stichting Wereldhulp — België, v.z.w., (g) Fondation Secours Mondial — Kosova, (h) Fondation Secours Mondial "World Relief"). Address: (a) 9935 South 76th Avenue, Unit 1, Bridgeview, Illinois 60455, U.S.A.; (b) PO Box 1406, Bridgeview, Illinois 60455, U.S.A.; (c) 49 rue du Lazaret, 67100 Strasbourg, France; (d) Vaatjesstraat 29, 2580 Putte, Belgium; (e) Rue des Bataves 69, 1040 Etterbeek (Brussels), Belgium; (f) PO Box 6, 1040 Etterbeek 2 (Brussels), Belgium; (g) Rr. Skenderbeu 76, Lagjja Sefa, Gjakova, Kosovo; (h) Ylli Morina Road, Djakovica, Kosovo; (i) Rruga e Kavajes, Building No 3, Apartment No 61, PO Box 2892, Tirana, Albania. Other information: (a) Other foreign locations: Afghanistan, Bangladesh, Eritrea, Ethiopia, Georgia, India, Iraq, West Bank and Gaza, Somalia and Syria; (b) U.S. Federal Employer Identification: 36-3804626; (c) V.A.T. Number: BE 454419759; (d) Belgian addresses are those of Fondation Secours Mondial — Belgique a.s.b.l and Fondation Secours Mondial vzw. and Stichting Wereldhulp — België, v.z.w since 1998. Date of designation referred to in Article 2a (4) (b): 22.10.2002.'

- (5) The entry 'Usama Muhammed Awad **Bin Laden** (*alias* (a) Usama Bin Muhammed Bin Awad, Osama Bin Laden, (b) Ben Laden Osama, (c) Ben Laden Ossama, (d) Ben Laden Usama, (e) Bin Laden Osama Mohamed Awdh, (f) Bin Laden Usamah Bin Muhammad, (g) Shaykh Usama Bin Ladin, (h) Usamah Bin Muhammad Bin Ladin, (i) Usama bin Laden, (j) Usama bin Ladin, (k) Osama bin Ladin, (l) Osama bin Muhammad bin Awad bin Ladin, (m) Usama bin Muhammad bin Awad bin Ladin, (n) Abu Abdallah Abd Al Hakim, (o) Al Qaqa). Title: (a) Shaykh, (b) Hajj. Date of birth: (a) 30.7.1957 (b) 28.7.1957, (c) 10.3.1957, (d) 1.1.1957, (e) 1956, (f) 1957. Place of birth: (a) Jeddah, Saudi Arabia, (b) Yemen. Nationality: Saudi citizenship withdrawn, Afghan nationality given by the Taliban regime. Date of designation referred to in Article 2a(4)(b): 25.1.2001.' under the heading 'Natural persons' shall be replaced by the following:

'Usama Muhammed Awad **Bin Laden** (*alias* (a) Usama Bin Muhammed Bin Awad, Osama Bin Laden, (b) Ben Laden Osama, (c) Ben Laden Ossama, (d) Ben Laden Usama, (e) Bin Laden Osama Mohamed Awdh, (f) Bin Laden Usamah Bin Muhammad, (g) Shaykh Usama Bin Ladin, (h) Usamah Bin Muhammad Bin Ladin, (i) Usama bin Laden, (j) Usama bin Ladin, (k) Osama bin Ladin, (l) Osama bin Muhammad bin Awad bin Ladin, (m) Usama bin Muhammad bin Awad bin Ladin, (n) Abu Abdallah Abd Al Hakim, (o) Al Qaqa). Title: (a) Shaykh, (b) Hajj. Date of birth: (a) 30.7.1957 (b) 28.7.1957, (c) 10.3.1957, (d) 1.1.1957, (e) 1956, (f) 1957. Place of birth: (a) Jeddah, Saudi Arabia, (b) Yemen. Nationality: Saudi citizenship withdrawn, Afghan nationality given by the Taliban regime. Other information: Confirmed to have died in Pakistan in May 2011. Date of designation referred to in Article 2a(4)(b): 25.1.2001.'

COMMISSION IMPLEMENTING REGULATION (EU) No 481/2011**of 18 May 2011****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 May 2011.

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

Done at Brussels, 18 May 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	JO	50,2
	MA	49,5
	TN	91,1
	TR	80,7
	ZZ	67,9
0707 00 05	TR	108,2
	ZZ	108,2
0709 90 70	MA	86,8
	TR	107,4
	ZZ	97,1
0709 90 80	EC	27,0
	ZZ	27,0
0805 10 20	EG	55,4
	IL	66,8
	MA	39,8
	TR	68,2
	ZZ	57,6
0805 50 10	TR	76,5
	ZA	91,9
	ZZ	84,2
0808 10 80	AR	89,5
	BR	87,8
	CA	108,5
	CL	81,8
	CN	107,5
	NZ	101,1
	US	143,4
	UY	64,4
	ZA	83,6
	ZZ	96,4

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION IMPLEMENTING REGULATION (EU) No 482/2011**of 18 May 2011****suspending submission of applications for import licences for sugar products under certain tariff quotas**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 891/2009 of 25 September 2009 opening and providing for the administration of certain Community tariff quotas in the sugar sector ⁽²⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Quantities covered by applications for import licences submitted to the competent authorities from 1 to 7 May 2011 in accordance with Regulation (EC) No

891/2009, are equal to the quantity available under order number 09.4319.

- (2) Submission of further applications for licences for order number 09.4319 should be suspended until the end of the marketing year, in accordance with Regulation (EC) No 891/2009,

HAS ADOPTED THIS REGULATION:

Article 1

Submission of further applications for licences, which correspond to the order numbers indicated in the Annex, shall be suspended until the end of the marketing year 2010/11.

Article 2

This Regulation shall enter into force on the day 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, 18 May 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 254, 26.9.2009, p. 82.

ANNEX

CXL Concessions Sugar**2010/2011 marketing year****Applications lodged from 1.5.2011 to 7.5.2011**

Order No	Country	Allocation coefficient (%)	Further applications
09.4317	Australia	—	Suspended
09.4318	Brazil	—	Suspended
09.4319	Cuba	(¹)	Suspended
09.4320	Any third countries	—	Suspended
09.4321	India	—	Suspended

—: Not applicable: no licence application has been sent to the Commission.

(¹) Not applicable: the applications do not exceed the quantities available and are fully granted.

Balkans Sugar**2010/2011 marketing year****Applications lodged from 1.5.2011 to 7.5.2011**

Order No	Country	Allocation coefficient (%)	Further applications
09.4324	Albania	—	
09.4325	Bosnia and Herzegovina	—	
09.4326	Serbia	(¹)	
09.4327	Former Yugoslav Republic of Macedonia	—	
09.4328	Croatia	(¹)	

—: Not applicable: no licence application has been sent to the Commission.

(¹) Not applicable: the applications do not exceed the quantities available and are fully granted.

Exceptional import sugar and industrial import sugar**2010/2011 marketing year****Applications lodged from 1.5.2011 to 7.5.2011**

Order No	Type	Allocation coefficient (%)	Further applications
09.4380	Exceptional	—	Suspended
09.4390	Industrial	(¹)	

—: Not applicable: no licence application has been sent to the Commission.

(¹) Not applicable: the applications do not exceed the quantities available and are fully granted.

DECISIONS

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 2 May 2011

on mobilisation of the European Union Solidarity Fund, in accordance with point 26 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management

(2011/286/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽¹⁾, and in particular point 26 thereof,

Having regard to Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund ⁽²⁾,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Union has created a European Union Solidarity Fund (the 'Fund') to show solidarity with the population of regions struck by disasters.
- (2) The Interinstitutional Agreement of 17 May 2006 allows the mobilisation of the Fund within the annual ceiling of EUR 1 billion.
- (3) Regulation (EC) No 2012/2002 contains the provisions whereby the Fund may be mobilised.

- (4) Poland, Slovakia, Hungary, the Czech Republic, Croatia and Romania submitted their application to mobilise the Fund, concerning disaster caused by landslides and heavy flooding,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the European Union for the financial year 2011, the European Union Solidarity Fund shall be mobilised to provide the sum of EUR 182 388 893 in commitment and payment appropriations.

Article 2

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 2 May 2011.

For the European Parliament

The President

J. BUZEK

For the Council

The President

CSÉFALVAY Z.

⁽¹⁾ OJ C 139, 14.6.2006, p. 1.

⁽²⁾ OJ L 311, 14.11.2002, p. 3.

COUNCIL DECISION**of 13 May 2011****establishing the position to be taken by the European Union within the General Council of the World Trade Organization on the accession of the Republic of Vanuatu to the World Trade Organization**

(2011/287/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, Article 100(2) and Article 207, in conjunction with Article 218(9), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 7 July 1995 the Government of the Republic of Vanuatu applied for accession to the Agreement establishing the World Trade Organization (WTO), pursuant to Article XII of that Agreement.
- (2) A Working Party on Vanuatu's accession was established on 11 July 1995 in order to reach agreement on terms of accession acceptable to the Republic of Vanuatu and all WTO Members.
- (3) The Commission, on behalf of the Union, negotiated a comprehensive series of market opening commitments on the part of the Republic of Vanuatu which are of particular importance to the Union.
- (4) These commitments are now embodied in the Protocol of Accession of the Republic of Vanuatu to the WTO.
- (5) Accession to the WTO is expected to make a positive and lasting contribution to the process of economic reform and sustainable development in the Republic of Vanuatu.

(6) The Protocol of Accession should therefore be approved.

(7) Article XII of the Agreement establishing the WTO provides that the terms of accession are to be agreed between the acceding Member and the WTO, and that the Ministerial Conference of the WTO approves the terms of accession on the WTO side. Article IV.2 of the Agreement establishing the WTO provides that in the intervals between meetings of the Ministerial Conference, its functions shall be conducted by the General Council.

(8) Accordingly, it is necessary to establish the position to be taken by the Union within the General Council,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the European Union within the General Council of the WTO on the accession of the Republic of Vanuatu to the WTO, is to approve the accession.

Article 2

This decision shall enter into force on the day of its adoption.

Done at Brussels, 13 May 2011.

For the Council
The President
MARTONYI J.

COUNCIL DECISION

of 12 May 2011

providing precautionary EU medium-term financial assistance for Romania

(2011/288/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 332/2002 of 18 February 2002 establishing a facility providing medium-term financial assistance for Member States' balances of payments ⁽¹⁾, and in particular Article 3(2) thereof,

Having regard to the proposal from the European Commission made after consulting the Economic and Financial Committee (EFC),

Whereas:

- (1) By Decision 2011/289/EU ⁽²⁾, the Council has decided to continue to grant mutual assistance to Romania.
- (2) A precautionary medium-term financial assistance for Romania under the balance of payments facility for Member States appears to be appropriate under the current circumstances of still reduced capital inflows and remaining elevated fiscal and external imbalances. While under present market conditions Romania does not intend to request the disbursement of any instalment, the precautionary assistance will facilitate a continued orderly adjustment of the fiscal and the external deficits by strengthening credibility of the government's economic programme, including the continued fiscal adjustment, the consolidation of financial market reform, and an increased focus on product and labour market reforms and the increased absorption of Union structural funds. These measures should enhance Romania's growth potential, underpin monetary and financial stability, as well as confidence in Romania's currency (RON), and reduce the likelihood of negative balance sheet effects in the corporate and household sectors.
- (3) If negative risks attached to the current baseline scenario of the Government's economic programme materialise, Romania would not be able to cover its external financing needs from available funding resources, largely due to decreased inflows of foreign direct investment and lower rollover rates for amortising debt, notably from banks. In such a stress scenario, the residual financing needs would have to be covered from activating the precautionary Union financial assistance. The stress scenario has been developed in close collab-

oration with International Monetary Fund (IMF) staff and underpins the additional financing needs of around EUR 5 billion to be covered from international financial assistance.

- (4) It is appropriate to provide Union support to Romania of up to EUR 1,4 billion on a precautionary basis under the facility providing Union medium-term financial assistance for Member States' balance of payments established in by Regulation (EC) No 332/2002. This assistance should be provided in conjunction with financial support from the IMF of SDR 3,09 billion (around EUR 3,6 billion) under a precautionary stand-by arrangement approved on 25 March 2011. The World Bank will continue support of EUR 400 million committed earlier under its development loan programme (DPL3) and will provide up to EUR 750 million of results-based financing for social assistance and health reforms.
- (5) The assistance should be managed by the Commission who will agree with the authorities of Romania, after consulting the EFC, the specific economic policy conditions attached to the precautionary financial assistance. Those conditions should be laid down in a memorandum of understanding (MoU).
- (6) In view of the precautionary nature of the assistance, Romania will not request the disbursement of any instalment under the Union loan, unless Romania is in difficulty as regards its balance of current payments or capital movements. In the case that Romania makes a request for funding to the Commission, the latter will decide, after having consulted the EFC, on the activation of the programme and on the amount and timing for making available any such instalment. The detailed financial terms related to possible disbursements will be laid down in a framework loan agreement (FLA).
- (7) The precautionary financial assistance shall be provided with a view to contributing to the successful implementation of the Government's economic policy programme, and, in this way, shall support the sustainability of Romania's balance of payments,

HAS ADOPTED THIS DECISION:

Article 1

1. The Union shall make available to Romania a precautionary medium-term financial assistance amounting to a maximum of EUR 1,4 billion. In case the facility is activated and disbursements are provided, the assistance shall be provided in the form of a loan with a maximum average maturity of seven years.

⁽¹⁾ OJ L 53, 23.2.2002, p. 1.

⁽²⁾ See page 18 of this Official Journal.

2. The precautionary Union financial assistance shall be available for activation, and disbursements may be requested, until 31 March 2013.

Article 2

1. The assistance will be managed by the Commission in a manner consistent with Romania's undertakings and the recommendations by the Council, in particular in the context of the implementation of the national reform programme (NRP) as well as of the annual update of Romania's convergence programme (CP).

2. The Commission shall agree with the Romanian authorities, after consulting the EFC, the specific economic policy conditions attached to the precautionary financial assistance as listed under Article 3(3). Those conditions shall be laid down in an MoU consistent with the undertakings and recommendations referred to in paragraph 1. The detailed financial terms shall be laid down by the Commission in an FLA.

3. The Commission shall verify at regular intervals in collaboration with the EFC that the economic policy conditions attached to the assistance are fulfilled.

Article 3

1. The activation of the precautionary Union financial assistance shall be examined by the Commission, following a written request by Romania to the Commission. The Commission, after consulting the EFC, shall decide if the activation of the programme and the subsequent request for disbursements under the assistance is justified, and shall decide on the amount and timing of such disbursements. In case the financial assistance is being activated, the funds may be made available in not more than three instalments, the amount and timing of which shall be laid down in an addendum to the MoU. Each instalment may be disbursed in one or more tranches.

2. Upon an activation of the assistance, any disbursement of the loan, or parts thereof, shall be subject to the entry into force of the addendum to the MoU referred to in paragraph 1. The Commission shall decide on the disbursement of the Union loan, or parts thereof, after having obtained the opinion of the EFC.

3. Any disbursement shall be made on the basis of a satisfactory implementation of the economic programme of the Romanian Government to be included in both the CP and the NRP; more particularly, the specific economic policy conditions laid down in the MoU, shall include, inter alia:

(a) the adoption of budgets and the implementation of policies in line with clear fiscal targets for the fiscal years 2011 to 2013 that underpin the continued fiscal consolidation with a view to stabilising the government debt to GDP ratio and

put an end to the excessive deficit in line with the Council recommendations under the excessive deficit procedure;

- (b) the requirement to attain progressively more restrictive benchmarks for the reduction in government payment arrears both at central government and local government levels;
- (c) the introduction of an enhanced reporting system for the State-owned enterprises which are already part of the European system of accounts definition of the general government, and also for those which will likely be reclassified into the general government sector by Eurostat in 2011 and 2012, with a view to enabling the government to assess on a continuous basis the likely impact on the general government deficit and the evolution of arrears, subsidies and transfers, and losses linked to these enterprises;
- (d) the continued monitoring of the public sector wage bill such that it respects the relevant limits set in the medium-term fiscal strategy;
- (e) the introduction of a means-tested co-payment system for medical services, as well as an adequate system of checks and controls against the accumulation of arrears in the health system;
- (f) the implementation of measures to improve the management of the public investment budget in line with the fiscal strategy 2012-2014 and with a focus on shifting from entirely domestically financed investment to Union co-financed investment;
- (g) the review, update and publication of a multiannual debt management strategy on an annual basis;
- (h) the implementation of policy measures aimed at rationalising the wage-setting system with a view to allowing wage developments to better reflect productivity and reforms increasing the flexibility of labour contracts and working time arrangements within an integrated flexibility approach;
- (i) the adoption of measures aiming at improving the market functioning in energy and transport, in line, where applicable, with Union legislation;
- (j) the implementation of measures to facilitate the business environment in services in line with the service Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market ⁽¹⁾;
- (k) measures to further strengthen the prudential framework for credit institutions and to prepare the introduction of International Financial Reporting Standard as of 2012;

⁽¹⁾ OJ L 376, 27.12.2006, p. 36.

- (l) legislative amendments to ensure the mutual consistency between the law on the winding-up of insurance undertakings, the general law on insolvency and the law on insurance business and insurance supervision;
- (m) to improve the absorption of Union structural and cohesion funds and specific targets to be met for the cumulative aggregate level of certified expenditure under these funds.
4. If required in order to finance the loan, the prudent use of interest rate swaps with counterparties of highest credit quality shall be permitted. The EFC shall be kept informed by the Commission of possible refinancing of the borrowings or restructuring of the financial conditions.

Article 4

This Decision shall take effect on the day of its notification.

Article 5

This Decision is addressed to Romania.

Done at Brussels, 12 May 2011.

For the Council
The President
PINTÉR S.

COUNCIL DECISION
of 12 May 2011
granting mutual assistance for Romania
(2011/289/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 143 thereof,

Having regard to the recommendation from the European Commission made after consulting the Economic and Financial Committee,

Whereas:

- (1) Romania has implemented a substantial reform programme since 2009. Public finances have been brought back onto a more sustainable path and the government's access to market-based financing has improved markedly. As the fiscal adjustment continues and the exchange rate of Romania's national currency (RON) with the currencies of major trading partners has become more stable and as parent institutions of foreign-owned banks have kept their exposure to Romania, the banking sector has remained stable and well capitalised, and Romania's external deficit has been contained.
- (2) Continued fiscal consolidation needs to be pursued in order to further stabilise the debt to GDP ratio and to ensure the long-run sustainability of public finances in a rapidly ageing society. Romania has begun to build a yield curve, but for the time being the financing of the budget deficit as well as of the refinancing of maturing debt remain expensive, and Romania continues to rely on debt instruments with predominantly short maturities. While the stability of the banking sector has been maintained, the increase in impaired assets may continue putting strain on the system.
- (3) Against this background, it is crucial that the Romanian authorities pursue sound and credible macroeconomic policies to avoid any resurgence of major financial market stress. A cornerstone of the economic programme remains the reduction of the fiscal deficit in line with the Council recommendations to Romania adopted under the excessive deficit procedure. In order to render the achievement of lower budgetary deficits sustainable, Romania needs to continue the reform of its public financial management and control environment.
- (4) The Council is reviewing on a regular basis the economic policies implemented by Romania, in particular in the context of the annual reviews of Romania's update of

the convergence programme and implementation of the national reform programme and the regular review of progress made by Romania in the context of the convergence report.

- (5) While in the baseline scenario of the economic programme, total gross financing needs until the first quarter of 2013 are fully covered, and the government continues to consolidate its access to market-based financing, the unfinished reform agenda and substantial risks surrounding the baseline scenario support Romania's request for a financial assistance of a precautionary nature as a follow up to the assistance granted under Council Decision 2009/458/EC of 6 May 2009 granting mutual assistance for Romania ⁽¹⁾.
- (6) The Romanian authorities have requested financial assistance from the Union and other international financial institutions to support balance of payments sustainability and to ensure that international currency reserves can be kept at a prudent level even in the case of adverse economic developments.
- (7) Romania remains seriously threatened with difficulties as regards its balance of payments, a threat which continues to justify the granting of mutual assistance by the Union,

HAS ADOPTED THIS DECISION:

Article 1

The Union shall continue to grant mutual assistance to Romania, thereby continuing the assistance which has been provided pursuant to Decision 2009/458/EC.

Article 2

This Decision shall take effect on the day of its notification.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 12 May 2011.

For the Council
The President
PINTÉR S.

⁽¹⁾ OJ L 150, 13.6.2009, p. 6.

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