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Price: EUR 4

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<sup>(1)</sup> Text with EEA relevance

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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## II

(Non-legislative acts)

## REGULATIONS

## COUNCIL IMPLEMENTING REGULATION (EU) No 672/2012

of 16 July 2012

**extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 791/2011 on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China to imports of certain open mesh fabrics of glass fibres consigned from Malaysia, whether declared as originating in Malaysia or not**

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 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community<sup>(1)</sup> ('the basic Regulation'), and in particular Article 13 thereof,

Having regard to the proposal from the European Commission,

Whereas:

### 1. PROCEDURE

#### 1.1. Existing measures

(1) By Implementing Regulation (EU) No 791/2011<sup>(2)</sup>, ('the original Regulation'), the Council imposed a definitive anti-dumping duty of 62,9 % on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China ('the PRC') for all other companies than the ones mentioned in Article 1(2) and Annex I to that Regulation. These measures will hereinafter be referred to as 'the measures in force' and the investigation that led to the measures imposed by the original Regulation will be hereinafter referred to as 'the original investigation'.

#### 1.2. Request

(2) On 27 September 2011, the Commission received a request pursuant to Articles 13(3) and 14(5) of the basic Regulation to investigate the possible circumvention of the anti-dumping measures imposed on imports of certain open mesh fabrics of glass fibres originating in the PRC and to make imports of certain open mesh fabrics of glass fibres consigned from Malaysia, whether declared as originating in Malaysia or not, subject to registration.

(3) The request was lodged by Saint-Gobain Adfors CZ s.r.o., Tolnatek Fonalfeldolgozó és Műszakiszövet-gyártó Bt., Valmieras stikla šķiedra AS and Vitruvan Technical Textiles GmbH, four Union producers of certain open mesh fabrics of glass fibres.

(4) The request contained sufficient prima facie evidence that following the imposition of the measures in force, a significant change in the pattern of trade involving exports from the PRC and Malaysia to the Union occurred, for which there was insufficient due cause or economic justification other than the imposition of the measures in force. This change in the pattern of trade stemmed allegedly from the transshipment of certain open mesh fabrics of glass fibres originating in the PRC via Malaysia.

(5) Furthermore, the evidence pointed to the fact that the remedial effects of the measures in force were being undermined both in terms of quantity and price. The evidence showed that these increased imports from Malaysia were made at prices below the non-injurious price established in the original investigation.

(6) Finally, there was evidence that prices of certain open mesh fabrics of glass fibres consigned from Malaysia were dumped in relation to the normal value established for the like product during the original investigation.

#### 1.3. Initiation

(7) Having determined, after consulting the Advisory Committee, that sufficient prima facie evidence existed for the initiation of an investigation pursuant to Articles 13(3) and 14(5) of the basic Regulation, the Commission initiated an investigation by Commission Regulation (EU) No 1135/2011<sup>(3)</sup> ('the initiating Regulation'). Pursuant to Articles 13(3) and 14(5) of the basic Regulation, the Commission, by the initiating Regulation,

<sup>(1)</sup> OJ L 343, 22.12.2009, p. 51.

<sup>(2)</sup> OJ L 204, 9.8.2011, p. 1.

<sup>(3)</sup> OJ L 292, 10.11.2011, p. 4.

also directed the customs authorities to register imports of certain open mesh fabrics of glass fibres consigned from Malaysia.

#### 1.4. Investigation

- (8) The Commission officially notified the authorities of the PRC and Malaysia, the exporting producers in those countries, the importers in the Union known to be concerned and the Union industry of the initiation of the investigation. Questionnaires were sent to the producers/exporters in the PRC and Malaysia known to the Commission or which made themselves known within the deadlines specified in recital 14 of the initiating Regulation. Questionnaires were also sent to importers in the Union. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set in the initiating Regulation.
- (9) Three exporting producers in Malaysia, and three unrelated importers in the Union made themselves known and submitted replies to the questionnaires.
- (10) The following exporting producers submitted replies to the questionnaires and verification visits were subsequently carried out at their premises.

##### *Exporting producers in Malaysia:*

- GFTex Fiberglass Manufacturer Sdn Bhd, Selangor,
- Gold Fiberglass Sdn. Bhd, Selangor, and
- GRI Fiberglass Industries, Selangor.

#### 1.5. Investigation period

- (11) The investigation period covered the period from 1 January 2008 to 30 September 2011 ('the IP'). Data were collected for the IP to investigate, inter alia, the alleged change in the pattern of trade. More detailed data were collected for the reporting period 1 October 2010 to 30 September 2011 ('the RP') in order to examine the possible undermining of the remedial effect of the measures in force and existence of dumping.

## 2. RESULTS OF THE INVESTIGATION

### 2.1. General considerations

- (12) In accordance with Article 13(1) of the basic Regulation, the investigation of the existence of circumvention was made by the successive analysis of whether there was a change in the pattern of trade between the PRC, Malaysia and the Union; whether this change stemmed from a practice, process or work for which there was insufficient due cause or economic justification other than the imposition of the duty; whether there was evidence of injury or that the remedial effects of the duty were being undermined in terms of the prices and/or quantities of the like product; and whether there was evidence of dumping in relation to the normal values previously

established for the like product, if necessary in accordance with the provisions of Article 2 of the basic Regulation.

### 2.2. Product concerned and the product under investigation

- (13) The product concerned is as defined in the original investigation: Open mesh fabrics of glass fibres, of a cell size of more than 1,8 mm both in length and in width and weighing more than 35 g/m<sup>2</sup>, excluding fibreglass discs, originating in the PRC, currently falling within CN codes ex 7019 51 00, and ex 7019 59 00.
- (14) The product under investigation is the same as that defined in the previous recital, but consigned from Malaysia, whether declared as originating in Malaysia or not.
- (15) The investigation showed that open mesh fabrics of glass fibres, as defined above, exported from the PRC to the Union and those consigned from Malaysia to the Union have the same basic physical and technical characteristics and have the same uses, and are therefore to be considered as like products within the meaning of Article 1(4) of the basic Regulation.

### 2.3. Degree of cooperation and determination of the trade volumes

#### *Malaysia*

- (16) As stated in recital 10, three exporting producers in Malaysia submitted questionnaire replies.
- (17) On the spot verification visits were subsequently carried out to these three exporting producers.
- (18) The three Malaysian exporting producers covered 75 % of the total exports of the product under investigation from Malaysia to the Union in the RP as reported in Comext <sup>(1)</sup>. The overall export volumes were based on Comext.
- (19) One of the three Malaysian exporting producers, stopped cooperating following the first day of the verification visit, therefore Article 18 of the basic Regulation was applied.
- (20) For the other two companies the application of Article 18(1) of the basic Regulation was also found to be warranted for the reasons explained in recitals 34 and 52 to 59.

#### *People's Republic of China*

- (21) There was no cooperation from the PRC exporting producers. Therefore, findings in respect of imports of certain open mesh fabrics of glass fibres from PRC into the Union and exports of the product concerned from the PRC to Malaysia had to be made partially on the basis of facts available in accordance with Article 18(1) of the basic Regulation. Comext data was used to determine overall import volumes from the PRC to the Union. PRC and Malaysian national statistics were used for the determination of the overall exports from the

<sup>(1)</sup> Comext is a database on foreign trade statistics managed by Eurostat.

PRC to Malaysia. Data were also cross-checked with detailed import and export data that were provided by the customs authorities of Malaysia.

- (22) The import volume recorded in Malaysian and PRC statistics covered a larger product group than the product concerned or the product under investigation. However, in view of Comext data and the data provided by the three Malaysian exporting producers, it could be established that a significant part of this import volume covered the product concerned. Accordingly, these data could be used to establish a change in the pattern of trade.

#### 2.4. Change in the pattern of trade

*Imports of certain open mesh fabrics of glass fibres into the Union*

- (23) Imports of the product concerned from the PRC to the Union dropped dramatically subsequent to the imposition of the provisional measures in February 2011<sup>(1)</sup> and of the definitive measures imposed in August 2011 (pursuant to the original Regulation).
- (24) On the other hand, total exports of the product under investigation from Malaysia to the Union increased significantly in 2011. Based on Comext, exports from Malaysia to the Union increased sharply in the last year whereas they were at insignificant levels in previous years. The trend is also confirmed by the corresponding Malaysian statistics with regard to exports of open mesh fabrics of glass fibres to the Union from Malaysia.
- (25) Table 1 shows import quantities of certain open mesh fabrics of glass fibres from the PRC and Malaysia into the Union from 1 January 2008 to 30 September 2011.

Import volumes in millions of m <sup>2</sup>	2008	2009	2010	1.10.2010-30.9.2011
PRC	307,82	294,98	383,76	282,03
Malaysia	0,02	0,04	0,02	76,10

Source: Comext statistics.

- (26) The data above clearly show that imports from Malaysia into the Union were at negligible levels for the period from 2008 to 2010. However, in 2011, following the imposition of the measures, the imports surged suddenly and to some extent replaced the exports from the PRC on the Union market in terms of volume. Moreover, since the imposition of the measures in force, the decrease of the exports from PRC to the Union has been significant (26 %).

#### *Exports from the PRC to Malaysia*

- (27) A dramatic increase of exports of open mesh fabrics of glass fibres can also be observed from the PRC to Malaysia within the same period. From a relatively small amount in 2008 (4,65 million m<sup>2</sup>) exports increased to 32,78 million m<sup>2</sup> in the RP. The trend is also confirmed by the corresponding Malaysian statistics with regard to imports of open mesh fabrics of glass fibres in Malaysia from the PRC.

Table 2

#### **Exports of open mesh fabrics of glass fibres from the PRC to Malaysia from 1 January 2008 to 30 September 2011**

	2008	2009	2010	1.10.2010-30.9.2011
Quantity (million m <sup>2</sup> )	4,65	5,78	5,94	32,78
Yearly change (%)		24 %	2,8 %	452 %
Index (2008 = 100)	100	124	128	705

Source: PRC statistics.

- (28) To establish the trend of the trade flow of certain open mesh fabrics of glass fibres from PRC to Malaysia, both Malaysian and PRC statistics were considered. Both of these data are only available at a higher product group level than the product concerned. However, in view of Comext data and the data provided by the three Malaysian exporters which cooperated initially, it could be established that a significant part covered the product concerned. Therefore, these data could be taken into account.
- (29) Tables 1 and 2 above clearly demonstrate that the sharp drop of PRC exports of open mesh fabrics of glass fibres to the Union was followed by a significant increase of PRC exports of open mesh fabrics of glass fibres to Malaysia with a subsequent drastic increase of Malaysian exports of open mesh fabrics of glass fibres to the Union in the IP. The investigation revealed also that additional quantities of open mesh fabrics of glass fibres from the PRC to Malaysia were misdeclared at the time of importation to Malaysia under different codes than the ones covered by the investigation. According to the customs import declarations those additional quantities were declared under codes 7019 11 000 and 7019 40 000.

#### *Production volumes in Malaysia*

- (30) The three companies which cooperated initially were established between November 2010 and March 2011 and they started production and exports to the Union only after the imposition of the provisional measures in February 2011. Prior to February 2011 there was no production of open mesh fabrics of glass fibres in Malaysia.

<sup>(1)</sup> OJ L 43, 17.2.2011, p. 9.



## 2.5. Conclusion on the change in the pattern of trade

- (31) The overall decrease of the exports from the PRC to the Union and the parallel increase of exports from Malaysia to the Union and of exports from the PRC to Malaysia after the imposition of provisional measures in February 2011 and of definitive measures in August 2011 constituted a change in the pattern of trade between the above mentioned countries, on the one hand, and the Union, on the other hand.

## 2.6. Nature of the circumvention practice

- (32) Article 13(1) of the basic Regulation requires that the change in the pattern of trade stems from a practice, process or work for which there is insufficient due cause or economic justification other than the imposition of the duty. The practice, process or work includes, inter alia, the consignment of the product subject to measures via third countries and the assembly of parts by an assembly operation in the Union or a third country. For this purpose the existence of assembly operations is determined in accordance with Article 13(2) of the basic Regulation.

### *Transshipment*

- (33) Declared exports of the initially cooperating Malaysian companies amounted to some 75 % of the total Malaysian exports to the Union. The remaining exports can be attributed to Malaysian producers which have not cooperated with the investigation or to transshipment practices. One of the cooperating importers in the Union had sourced open mesh fabrics of glass fibres from a Malaysian exporter who had not cooperated in this investigation.
- (34) As set out in detail in recitals 52 to 59, the three initially cooperating companies were informed on the spot that they might be subject to the application of Article 18 of the basic Regulation as it was found that they had provided misleading information. In particular, evidence suggested that two of the exporting producers which cooperated initially did not disclose the relationship between them. Also, the companies manipulated and altered documents such as bank statements. Moreover, there are doubts as to whether some of their purchase invoices, and bank payment vouchers are genuine. Also two of them failed to demonstrate the origin of the raw materials used for the production of open mesh fabrics of glass fibres exported to the Union. Finally, based on information obtained by the Malaysian authorities, goods could qualify for the certificate of origin at the time of their export if there is a change in the code classification between the imported raw materials used in the production process and the exported finished goods. Evidence seen during the verification visits suggested that some quantities of open mesh fabrics of glass fibres from the PRC are misdeclared under codes not covered by the investigation at the time of their importation to Malaysia while at the time of their

export to the Union they were classified under the two CN codes covered by the investigation. This explains the additional quantities of open mesh fabrics of glass fibres exported from Malaysia to the Union as confirmed by the findings with regard to the change in the pattern of trade as described in recital 29.

- (35) The existence of transshipment of PRC-origin products via Malaysia is therefore confirmed.

### *Assembly and/or completion operations*

- (36) As Article 18 of the basic Regulation was applied to all three initially cooperating companies, it could not be established whether they are involved in assembly operations.

## 2.7. Insufficient due cause or economic justification other than the imposition of the anti-dumping duty

- (37) The investigation did not bring to light any other due cause or economic justification for the transshipment than the avoidance of the measures in force on certain open mesh fabrics of glass fibres originating in the PRC. No elements were found, other than the duty, which could be considered as a compensation for the costs of transshipment, in particular regarding transport and reloading, of the product concerned from the PRC via Malaysia.

## 2.8. Undermining of the remedial effect of the anti-dumping duty

- (38) To assess whether the imported products had, in terms of quantities and prices, undermined the remedial effects of the measures in force on imports of certain open mesh fabrics of glass fibres originating in the PRC, Comext data was used as the best data available concerning quantities and prices of exports by the three initially cooperating exporting producers, where Article 18 of the basic Regulation was applied, and by the non-cooperating companies. The prices so determined were compared to the injury elimination level established for Union producers in recital 74 of the original Regulation.
- (39) The increase of imports from Malaysia to the Union from 20 000 m<sup>2</sup> in 2010 to 76 million m<sup>2</sup> in the period April to September 2011 was considered to be significant in terms of quantities.
- (40) The comparison of the injury elimination level as established in the original Regulation and the weighted average export price (adjusted for post importation costs and quality adjustments established in the original investigation) showed significant underselling. It was therefore concluded that the remedial effects of the measures in force are being undermined in terms of both quantities and prices.

### 2.9. Evidence of dumping

- (41) Finally, in accordance with Article 13(1) and (2) of the basic Regulation it was examined whether there was evidence of dumping in relation to the normal value previously established for the like products.
- (42) In the original Regulation the normal value was established on the basis of prices in Canada, which in that investigation was found to be an appropriate market economy analogue country for the PRC. In line with Article 13(1) of the basic Regulation it was considered appropriate to use the normal value as previously established in the original investigation.
- (43) The export prices from Malaysia were based on the facts available, i.e. on the average export price of certain open mesh fabrics of glass fibres during the RP as reported in Comext. This was due to the application of Article 18 of the basic Regulation to all three initially cooperating exporters, thus their data could not be used to establish the export prices.
- (44) For the purpose of a fair comparison between the normal value and the export price, due allowance, in the form of adjustments, was made for differences which affect prices and price comparability in accordance with Article 2(10) of the basic Regulation. Accordingly, adjustments were made for differences in transport, insurance, ancillary expenses, packing costs and bank charges. Taken that Article 18 of the basic Regulation was applied to all three initially cooperating producers, the adjustments had to be established on the best facts available. Thus, the adjustment for these allowances was based on a percentage calculated as the difference between the total cif value over the total ex-works value of all the transactions provided by the three Malaysian producers in the RP.
- (45) In accordance with Article 2(11) and 2(12) of the basic Regulation, dumping was calculated by comparing the weighted average normal value as established in the original Regulation and the weighted average export prices during this investigation's RP, expressed as a percentage of the cif price at the Union frontier duty unpaid.
- (46) The comparison of the weighted average normal value and the weighted average export price as established showed dumping.

### 3. MEASURES

- (47) Given the above, it was concluded that the definitive anti-dumping duty imposed on imports of certain open mesh fabrics of glass fibres originating in the PRC was circumvented by transshipment from Malaysia within the meaning of Article 13(1) of the basic Regulation.
- (48) In accordance with the first sentence of Article 13(1) of the basic Regulation, the measures in force on imports of the product concerned originating in the PRC, should be

extended to imports of the same product consigned from Malaysia, whether declared as originating in Malaysia or not.

- (49) In light of the non-cooperation in this investigation, the measures to be extended should be the measures established in Article 1(2) of Implementing Regulation (EU) No 791/2011 for 'all other companies', which is a definitive anti-dumping duty of 62,9 % applicable to the net, free-at-Union-frontier price, before duty.
- (50) In accordance with Articles 13(3) and 14(5) of the basic Regulation, which provides that any extended measure should apply to imports which entered the Union under registration imposed by the initiating Regulation, duties should be collected on those registered imports of certain open mesh fabrics of glass fibres consigned from Malaysia.

### 4. REQUESTS FOR EXEMPTION

- (51) The three companies in Malaysia that submitted questionnaire replies requested an exemption from the possible extended measures in accordance with Article 13(4) of the basic Regulation.
- (52) As mentioned in recital 19, one of the companies ceased cooperation following the first day of the verification visit. Even during the one day verification the cooperation was insufficient. In particular, the company failed to provide most of the requested supporting documents like its production sheets, stocks and energy bills. On the other hand, the raw materials kept in the company's plant were at very low levels not justifying the declared production levels, and there were not any finished goods stored in the warehouse. In addition, the purchase invoices presented had the same format as a block of invoices with pre-printed numbers found at the company's premises. This resemblance suggested that the company's purchase invoices may not be genuine. Moreover, evidence suggested that the company did not disclose its relationship with another Malaysian exporter that was also cooperating in the investigation. More specifically, documents related to the other Malaysian producer which cooperated initially were found at the first company's premises while that relationship was not revealed by those companies.
- (53) In accordance with Article 18(4) of the basic Regulation, the company was informed of the intention to disregard the information submitted by it and was granted a time limit to provide its comments. The company did not provide any comments, thus in accordance with Article 18(1) of the basic Regulation, findings with regard to this company were based on facts available.
- (54) The cooperation of the second company during the verification visit was insufficient. The company denied on several occasions access to crucial data such as the production and stock record reports. The raw materials kept in the company's plant were at very low levels compared to the declared production levels and the stock of finished goods stored in the warehouse. The

company also failed to provide evidence with regard to the origin of the raw materials used for the production of open mesh fabrics of glass fibres exported to the Union.

- (55) In accordance with Article 18(4) of the basic Regulation, the company was informed of the intention to disregard the information submitted by it and was granted a time limit to provide its comments. In its comments the company claimed that the planned three days for the verification visit were a short time frame and insufficient for the company to provide all the data and documents requested by the investigation team. The company also admitted that several times it denied access to data to the investigation team and moreover it confirmed that, most of the time, the persons representing the company during the verification visit had to obtain permission from their directors to grant access to data to the investigation team. In addition, the company admitted that the company's representatives had no involvement with the accounts department while it confirmed that its directors did not participate as they claimed to be occupied.
- (56) The company's explanations confirm the conclusion that the company seriously impeded the investigation. The company was informed on the dates of the verification visit well in advance and agreed with them. Exporting to the Union is the company's main business, and yet its directors were not present. During the verification visit there were deliberate and unjustified delays in providing the requested data and documents while the denial of access to data created further delays and impediments in the completion of the verification within the set time frame. Therefore, in accordance with Article 18(1) of the basic Regulation, findings with regard to this company were based on facts available.
- (57) The third company's cooperation during the verification visit was insufficient, moreover it provided misleading information. It was found that the company had manipulated bank statements while it failed to prove that its bank payment vouchers were genuine documents. Its accounting records were considered unreliable as they presented numerous serious discrepancies with regard to their opening and closing balances carried forward. The raw materials stocks were at low levels compared to the declared production levels and the stock of finished goods stored in the warehouse. The company also failed to provide evidence with regard to the origin of the raw materials used for the production of open mesh fabrics of glass fibres exported to the Union. Also evidence suggested that the company had not disclosed its relationship with the first Malaysian exporter as certain documents which belong to the third company were found in the premises of the first company.
- (58) In accordance with Article 18(4) of the basic Regulation, the company was also informed on the intention to disregard the information submitted by it and was granted a time limit to provide its comments. In its comments the company claimed that it does not have any experience with such kind of verification visits which would explain, in their view, the deficiencies found. It also claimed that it was cautious with the documents requested and provided to the investigation team in particular with the bank statements and proof of payments as it was not officially informed by the Malaysian authorities of the identity of the investigation team. The company nevertheless admitted that its staff had altered the content of the bank statements but this was allegedly done due to the fact that the company was highly concerned with possible leaks of its documents, sabotage and the confidentiality of its data.
- (59) The additional explanations provided by the company were not such that would lead to change the conclusion that the company had provided misleading information within the course of the investigation. Thus, in accordance with Article 18(1) of the basic Regulation, findings with regard to this company were based on the facts available.
- (60) In view of the findings with regard to the change in the pattern of trade and transshipment practices, as set out in recitals 31 and 35 and taking into account the nature of the misleading information as set out in recitals 52 to 59, the exemptions as requested by these three companies could, in accordance with Article 13(4) of the basic Regulation, not be granted.
- (61) Without prejudice to Article 11(3) of the basic Regulation, other producers in Malaysia which did not come forward in this proceeding and did not export the product under investigation to the Union in the RP and which consider lodging a request for an exemption from the extended anti-dumping duty pursuant to Articles 11(4) and 13(4) of the basic Regulation will be required to complete a questionnaire in order to enable the Commission to determine whether an exemption may be warranted. Such exemption may be granted after the assessment of the market situation of the product concerned, production capacity and capacity utilisation, procurement and sales and the likelihood of continuation of practices for which there is insufficient due cause or economic justification and the evidence of dumping. The Commission would normally also carry out an on-the-spot verification visit. The request should be addressed to the Commission forthwith, with all relevant information, in particular any modification in the company's activities linked to the production and sales.
- (62) Where an exemption is warranted, the Commission will, after consultation of the Advisory Committee, propose the amendment of the extended measures in force accordingly. Subsequently, any exemption granted will be monitored to ensure compliance with the conditions set therein.



## 5. DISCLOSURE

- (63) All interested parties were informed of the essential facts and considerations leading to the above conclusions and were invited to comment. The oral and written comments submitted by the parties were considered. None of the arguments presented gave rise to a modification of the definitive findings.
- (64) One cooperating importer asked if consideration could be given to applying different duty rates on registered imports of open mesh fabrics of glass fibres by importers who cooperated in the proceeding and those who did not. The request was rejected as there is no legal basis in the basic Regulation to support such a distinction,

HAS ADOPTED THIS REGULATION:

### Article 1

1. The definitive anti-dumping duty applicable to 'all other companies' imposed by Article 1(2) of Implementing Regulation (EU) No 791/2011 on imports of open mesh fabrics of glass fibres, of a cell size of more than 1,8 mm both in length and in width and weighing more than 35 g/m<sup>2</sup>, excluding fibreglass discs, originating in the People's Republic of China, is hereby extended to imports of open mesh fabrics of glass fibres, of a cell size of more than 1,8 mm both in length and in width and weighing more than 35 g/m<sup>2</sup>, excluding fibreglass discs, consigned from Malaysia, whether declared as originating in Malaysia or not, currently falling within CN codes ex 7019 51 00, and ex 7019 59 00. (TARIC codes 7019 51 00 11 and 7019 59 00 11).

2. The duty extended by paragraph 1 of this Article shall be collected on imports consigned from Malaysia, whether declared as originating in Malaysia or not, registered in accordance with Article 2 of Regulation (EU) No 1135/2011 and Articles 13(3) and 14(5) of Regulation (EC) No 1225/2009.

3. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

### Article 2

1. Requests for exemption from the duty extended by Article 1 shall be made in writing in one of the official languages of the European Union and must be signed by a person authorised to represent the entity requesting the exemption. The request must be sent to the following address:

European Commission  
Directorate-General for Trade  
Directorate H  
Office: N-105 04/92  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË  
Fax +32 22956505

2. In accordance with Article 13(4) of Regulation (EC) No 1225/2009, the Commission, after consulting the Advisory Committee, may authorise, by decision, the exemption of imports from companies which do not circumvent the anti-dumping measures imposed by Implementing Regulation (EU) No 791/2011, from the duty extended by Article 1.

### Article 3

Customs authorities are hereby directed to discontinue the registration of imports, established in accordance with Article 2 of Regulation (EU) No 1135/2011.

### Article 4

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, 16 July 2012.

For the Council  
The President  
S. ALETRARIS

**COUNCIL IMPLEMENTING REGULATION (EU) No 673/2012****of 23 July 2012****implementing Article 32(1) of Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EU) No 36/2012 <sup>(1)</sup>, and in particular Article 32(1) thereof,

Whereas:

- (1) On 18 January 2012, the Council adopted Regulation (EU) No 36/2012.
- (2) In view of the gravity of the situation in Syria, and in accordance with Council Implementing Decision 2012/424/CFSP of 23 July 2012 implementing Council Decision 2011/782/CFSP concerning restrictive measures

against Syria <sup>(2)</sup>, additional persons and entities should be included in the list of natural and legal persons, entities or bodies subject to restrictive measures set out in Annex II to Regulation (EU) No 36/2012,

HAS ADOPTED THIS REGULATION:

*Article 1*

The persons and entities listed in the Annex to this Regulation shall be added to the list set out in Annex II to Regulation (EU) No 36/2012.

*Article 2*

The Regulation shall enter into force on the date 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, 23 July 2012.

*For the Council*  
*The President*  
C. ASHTON

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<sup>(1)</sup> OJ L 16, 19.1.2012, p. 1.

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<sup>(2)</sup> See page 81 of this Official Journal.

## ANNEX

## Persons and entities referred to in Article 1

## Persons

	Name	Identifying information	Reasons	Date of listing
1.	Brigadier General Sha'afiq Masa		Head of Branch 215 (Damascus) of the army's intelligence service. Responsible for the torture of detained opponents. Involved in repressive actions against civilians.	24.7.2012
2.	Brigadier General Burhan Qadour		Head of Branch 291 (Damascus) of the army's intelligence service. Responsible for the torture of opponents in custody.	24.7.2012
3.	Brigadier General Salah Hamad		Deputy Head of Branch 291 of the army's intelligence service. Responsible for the torture of opponents in custody.	24.7.2012
4.	Brigadier General Muhammad (or: Mohammed) Khallouf (a.k.a. Abou Ezzat)		Head of Branch 235, a.k.a. "Palestine" (Damascus) of the army's intelligence service, which is at the centre of the army's apparatus of repression. Directly involved in repression of opponents. Responsible for the torture of opponents in custody.	24.7.2012
5.	Major General Riad al-Ahmed		Deputy Head of Latakia Branch of the army's intelligence service. Responsible for the torture and murder of opponents in custody.	24.7.2012
6.	Brigadier General Abdul Salam Fajr Mahmoud		Head of the Bab Tuma (Damascus) Branch of the air force's intelligence service. Responsible for the torture of opponents in custody.	24.7.2012
7.	Brigadier General Jawdat al-Ahmed		Head of the Homs Branch of the air force's intelligence service. Responsible for the torture of opponents in custody.	24.7.2012
8.	Colonel Qusay Mihoub		Head of the Deraa branch of the air force's intelligence service (sent from Damascus to Deraa at the start of demonstrations there). Responsible for the torture of opponents in custody.	24.7.2012
9.	Colonel Suhail Al-Abdullah		Head of the Latakia Branch of the air force's intelligence service. Responsible for the torture of opponents in custody.	24.7.2012
10.	Brigadier General Khudr Khudr		Head of the Latakia branch of the General Intelligence Directorate. Responsible for the torture of opponents in custody.	24.7.2012
11.	Brigadier General Ibrahim Ma'ala		Head of branch 285 (Damascus) of the General Intelligence Directorate (replaced Brig. Gen. Hussam Fendi at end 2011). Responsible for the torture of opponents in custody.	24.7.2012
12.	Brigadier General Firas Al-Hamed		Head of branch 318 (Homs) of the General Intelligence Directorate. Responsible for the torture of opponents in custody.	24.7.2012

	Name	Identifying information	Reasons	Date of listing
13.	Brigadier General Hussam Luqa		Since April 2012, head of the Homs branch of the Political Security Directorate (succeeded Brig. Gen. Nasr al-Ali). Responsible for the torture of opponents in custody.	24.7.2012
14.	Brigadier General Taha Taha		Site manager of the Latakia branch of the Political Security Directorate. Responsible for the torture of opponents in custody.	24.7.2012
15.	Brigadier General Nasr al-Ali		Since April 2012 manager of the Deraa site of the Political Security Directorate (ex-head of the Homs branch). Responsible for the torture of opponents in custody.	24.7.2012
16.	Bassel Bilal		Police officer at Idlib central prison; has taken part directly in acts of torture of opponents held in Idlib central prison.	24.7.2012
17.	Ahmad Kafan		Police officer at Idlib central prison; has taken part directly in acts of torture of opponents held in Idlib central prison.	24.7.2012
18.	Bassam al-Misri		Police officer at Idlib central prison; has taken part directly in acts of torture of opponents held in Idlib central prison.	24.7.2012
19.	Ahmed al-Jarroucheh	Date of birth: 1957	Head of the foreign branch of General Intelligence (branch 279). As such, responsible for General Intelligence arrangements in Syrian embassies. He participates directly in the repression implemented by the Syrian authorities against opponents and in particular has responsibility for repression of the Syrian opposition abroad.	24.7.2012
20.	Michel Kassouha (a.k.a. Ahmed Salem; a.k.a. Ahmed Salem Hassan)	Date of birth: 1 February 1948	Member of the Syrian security services since the early 1970s, he is involved in combating opposition in France and Germany. Since March 2006, has been responsible for public relations of branch 273 of the Syrian General Intelligence Directorate. A longstanding member of the managerial staff, he is close to General Intelligence Directorate head Ali Mamlouk, one of the top security officials of the regime who has been subject to EU restrictive measures since 9 May 2011. He directly supports the regime's repression of opponents and is responsible inter alia for repression of the Syrian opposition abroad.	24.7.2012
21.	General Ghassan Jaoudat Ismail	Date of birth: 1960 Place of origin: Drekish, Tartus region.	Responsible for the missions branch of the air force intelligence service, which, in cooperation with the special operations branch, manages the elite troops of the air force intelligence service, who play an important role in the repression conducted by the regime. As such, Ghassan Jaoudat Ismail is one of the military leaders directly implementing the repression of opponents conducted by the regime.	24.7.2012
22.	General Amer al-Achi (a.k.a. Amis al Ashi; a.k.a. Ammar Aachi; a.k.a. Amer Ashi)		Graduate of the military school of Aleppo, head of the intelligence branch of the air force intelligence service (since 2012), close to Daoud Rajah, Syrian Minister for Defence. Through his role in the air force intelligence service, Amer al-Achi is implicated in the repression of the Syrian opposition.	24.7.2012

	Name	Identifying information	Reasons	Date of listing
23.	General Mohammed Ali Nasr (or: Mohammed Ali Naser)	Date of birth: around 1964	Close to Maher al-Assad, younger brother of the President. Most of his career has been spent in the Republican Guard. In 2010 he joined the internal branch (or branch 251) of the General Intelligence Directorate which is responsible for combating the political opposition. As one of its senior officers, General Mohammed Ali is directly involved in the repression of opponents.	24.7.2012
24.	General Issam Hallaq		Air Force Chief of Staff since 2010. Commands air operations against opponents.	24.7.2012
25.	Ezzedine Ismael	Date of birth: middle of the 1940s (probably 1947). Place of birth: Bastir. Jableh region.	Retired general, longstanding member of the managerial staff of the air force intelligence service, of which he became the head in the early 2000s. Was appointed political and security adviser to the President in 2006. As political and security adviser to the Syrian president, Ezzedine Ismael is implicated in the political repression conducted by the regime against the opposition.	24.7.2012
26.	Samir Joumaa (a.k.a. Abou Sami)	Date of birth: around 1962	For almost 20 years he has been head of the office of Mohammad Nassif Kheir Bek, one of the main security advisers of Bashar al-Assad (and officially deputy to the Vice-President, Farouk al-Sharaa). Samir Joumaa's closeness to Bashar al-Assad and Mohammed Nassif Kheir Bek means that he is implicated in the policy of repression conducted by the regime against its opponents.	24.7.2012

#### Entities

	Name	Identifying information	Reasons	Date of listing
1.	Drex Technologies S.A.	Incorporation date: 4 July 2000 Incorporation number: 394678 Director: Rami Makhoulf Registered agent: Mossack Fonseca & Co (BVI) Ltd	Drex Technologies is wholly owned by Rami Makhoulf, who is listed under EU sanctions for providing financial support to the Syrian regime. Rami Makhoulf uses Drex Technologies to facilitate and manage his international financial holdings, including a majority share in SyriaTel, which the EU has previously listed on the grounds that it also provides financial support to the Syrian regime.	24.7.2012
2.	Cotton Marketing Organisation	Address: Bab Al-Faraj P.O. Box 729, Aleppo Tél.: +96321 2239495/6/7/8 Cmo-aleppo@mail.sy www.cmo.gov.sy	State-owned company. Provides financial support to the Syrian regime.	
3.	Syrian Arab Airlines (a.k.a. SAA, a.k.a. Syrian Air)	Al-Mohafazeh Square, P.O. Box 417, Damascus, Syria Tel: +963112240774	Public company controlled by the regime. Provides financial support for the regime.	24.7.2012



**COMMISSION REGULATION (EU) No 674/2012****of 23 July 2012****amending Regulation (EC) No 1418/2007 concerning the export for recovery of certain waste to certain non-OECD countries****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste <sup>(1)</sup>, and in particular Article 37 thereof,

After consultation of the countries concerned,

Whereas:

- (1) Annex IIIA to Regulation (EC) No 1013/2006 has been amended by Commission Regulation (EU) No 664/2011 of 11 July 2011 <sup>(2)</sup> on shipments of waste to include certain mixtures of wastes. Consequently, pursuant to Article 37 of Regulation (EC) No 1013/2006, the Commission has sent a written request to each country to which the OECD Decision <sup>(3)</sup> does not apply, seeking confirmation in writing that those mixtures of wastes, the export of which is not prohibited under Article 36 of Regulation (EC) No 1013/2006, may be exported from the European Union for recovery in that country and requesting an indication as to which control procedure, if any, would be followed in the country of destination.

The Annex to Commission Regulation (EC) No 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply <sup>(4)</sup> should therefore be amended to take into account the replies received.

- (2) The Commission has also received further information from several countries relating to other wastes listed in Annex III or IIIA to Regulation (EC) No 1013/2006. The Annex to Regulation (EC) No 1418/2007 should therefore be amended to take this into account,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EC) No 1418/2007 is amended in accordance with the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the fourteenth 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, 23 July 2012.

*For the Commission*

*The President*

José Manuel BARROSO

<sup>(1)</sup> OJ L 190, 12.7.2006, p. 1.

<sup>(2)</sup> OJ L 182, 12.7.2011, p. 2.

<sup>(3)</sup> Decision C(2001)107/Final of the OECD Council concerning the revision of Decision C(92)39/Final on control of transboundary movements of wastes destined for recovery operations.

<sup>(4)</sup> OJ L 316, 4.12.2007, p. 6.

## ANNEX

The Annex to Regulation (EC) No 1418/2007 is amended as follows:

- (1) After the paragraph stating: *Where two codes are separated by a semicolon, this is to be understood as covering the two codes in question*, the following paragraphs are inserted:

"Where option B and option D are both designated for the same entry, that means that local control procedures are applicable in addition to those laid down in Article 35 of Regulation (EC) No 1013/2006.

Where a particular waste or mixture of wastes is not indicated for a given country, this means that this country has not issued a sufficiently clear confirmation that this waste or mixture of wastes may be exported for recovery in that country and as to which control procedure, if any, would be followed in that country. Pursuant to Article 37(2) of Regulation (EC) No 1013/2006, the procedure of prior written notification and consent as described in Article 35 of that Regulation is applicable in such cases."

- (2) The following entry for Albania is inserted in alphabetical order:

**'Albania**

a	b	c	d
Single waste entries			
from B1010	from B1010		from B1010
— Precious metals (gold, silver, the platinum group but not mercury);	— Iron and steel scrap;		— Iron and steel scrap;
— Tungsten scrap;	— Copper scrap;		— Copper scrap;
— Molybdenum scrap;	— Nickel scrap;		— Nickel scrap;
— Tantalum scrap;	— Aluminium scrap;		— Aluminium scrap;
— Cobalt scrap;	— Zinc scrap;		— Zinc scrap;
— Titanium scrap;	— Tin scrap		— Tin scrap
— Zirconium scrap;	— Magnesium scrap;		— Magnesium scrap;
— Germanium scrap;	— Bismuth scrap;		— Bismuth scrap;
— Vanadium Scrap;	— Manganese scrap;		— Manganese scrap;
— Scrap of Hafnium, Indium, Niobium, Rhenium and Gallium;			
— Thorium scrap;			
— Rare earths scrap;			
— Chromium scrap			
B1020 – B2010			
	B2020 – B2030		B2020 – B2030
from B2040	from B2040		from B2040
— Partially refined calcium sulphate produced from flue-gas desulphurisation (FGD)	— Limestone from the production of calcium cyanamide (having a pH less than 9)		— Limestone from the production of calcium cyanamide (having a pH less than 9)
— Waste gypsum wallboard or plasterboard arising from the demolition of buildings	— Carborundum (silicon carbide)		— Carborundum (silicon carbide)

a	b	c	d
<ul style="list-style-type: none"> <li>— Slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications</li> <li>— Sulphur in solid form</li> <li>— Sodium, potassium, calcium chlorides</li> <li>— Broken concrete</li> <li>— Lithium-Tantalum and Lithium-Niobium containing glass scraps</li> </ul>			
B2060 – B2130			
B3010 all other waste	B3010 — Ethylene — Styrene — Polypropylene		B3010 — Ethylene — Styrene — Polypropylene
from B3020 <ul style="list-style-type: none"> <li>— other, including but not limited to:               <ol style="list-style-type: none"> <li>1. Laminated paper-board;</li> <li>2. Unsorted scrap</li> </ol> </li> </ul>	from B3020 The following materials, provided they are not mixed with hazardous wastes: Waste and scrap of paper or paperboard of: <ul style="list-style-type: none"> <li>— Unbleached paper or paperboard or of corrugated paper or paperboard</li> <li>— Other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass</li> <li>— Paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)</li> </ul>		from B3020 The following materials, provided they are not mixed with hazardous wastes: Waste and scrap of paper or paperboard of: <ul style="list-style-type: none"> <li>— Unbleached paper or paperboard or of corrugated paper or paperboard</li> <li>— Other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass</li> <li>— Paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)</li> </ul>
	B3030 – B3035		B3030 – B3035
B3040			
	B3050		B3050
B3060 – B3065			
from B3070 <ul style="list-style-type: none"> <li>— Waste straw</li> <li>— Deactivated fungus mycelium from penicillin production to be used as animal feed</li> </ul>	from B3070 <ul style="list-style-type: none"> <li>— Waste of human hair</li> </ul>		from B3070 <ul style="list-style-type: none"> <li>— Waste of human hair</li> </ul>

a	b	c	d
B3080 – B4030			
	GB040 – GC010		GB040 – GC010
GC020			
	GC030		GC030
GC050			
	GE020 – GG030		GE020 – GG030
GG040			
	GH013		GH013
GN010 – GN030			
Mixtures of wastes			
All mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(3) The entry for Andorra is replaced by the following:

**'Andorra**

a	b	c	d
	All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

(4) The entry for Argentina is replaced by the following:

**'Argentina**

a	b	c	d
Single waste entries			
			B1010
B1020			
			B1030 – B1050
B1060			
			B1070 – B1090
from B1100			from B1100
— Hard zinc spelter;			— Aluminium skimmings (or skims) excluding salt slag
— Zinc containing drosses;			— Wastes of refractory lining, including crucibles, originating from copper smelting;
— Galvanising slab zinc top dross (>90 % Zn)			— Slags from precious metals processing for further refining;
— Galvanising slab zinc bottom dross (>92 % Zn)			— Tantalum bearing tin slags with less than 0,5 % tin
— Zinc die casting dross (>85 % Zn)			
— Hot dip galvanisers slab zinc dross (batch) (>92 % Zn)			
— Zinc skimmings			

a	b	c	d
			B1115 – B1130
B1140			
			B1150 – B1170
B1180 – B1190			
			B1200 – B1230
B1240			
			B1250 – B2110
B2120 – B2130			
from B3010 — Cured waste resins or condensation products; — The following fluorinated polymer wastes: — Perfluoroethylene/ propylene (FEP) — Perfluoro alkoxy alkane — Tetrafluoroethylene/ perfluoro vinyl ether (PFA) — Tetrafluoroethylene/ perfluoro methylvinyl ether (MFA) — Polyvinylfluoride (PVF) — Polyvinylidene- fluoride (PVDF)			from B3010 — Scrap plastic of non- halogenated polymers and co-polymers
B3020 only unsorted scrap			B3020 all except unsorted scrap
			B3030 – B3120
B3130 – B4030			
			GB040 – GC010
GC020			
			GC030 – GF010
GG030 – GH013			
			GN010 – GN030
Mixtures of wastes			
			Mix B1010 and B1050
			Mix B1010 and B1070
			Mix B3040 and B3080



a	b	c	d
			Mix B1010
			Mix B2010
			Mix B2030
			Mix B3010 Scrap plastic of non-halogenated polymers and copolymers
Mix B3010 Cured waste resins or condensation products			
Mix B3010 Perfluoro alkoxy alkane			
Mix B3020 only unsorted scrap			Mix B3020 except unsorted scrap
			Mix B3030
			Mix B3040
			Mix B3050'

(5) The following entry for Azerbaijan is inserted in alphabetical order:

**'Azerbaijan**

a	b	c	d
Single waste entries			
B3040'			

(6) The following entry for Benin is inserted in alphabetical order:

**'Benin**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(7) The following entry for Burkina Faso is inserted in alphabetical order:

**'Burkina Faso**

a	b	c	d
	All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

- (8) The following entry for Burundi is inserted in alphabetical order:

**Burundi**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

- (9) The following entry for Cape Verde is inserted in alphabetical order:

**Cape Verde**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

- (10) The following entry for Chad is inserted in alphabetical order:

**Chad**

a	b	c	d
	All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

- (11) The entry for Chile is replaced by the following:

**Chile**

a	b	c	d
	All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

- (12) The entry for China is replaced by the following:

**China**

a	b	c	d
Single waste entries			
from B1010 — Precious metals (silver but not mercury); — Molybdenum scrap; — Cobalt scrap; — Manganese scrap; — Scrap of Indium, — Thorium scrap; — Rare earths scrap; — Chromium scrap			from B1010 — Precious metals (only gold and the platinum group but not mercury); — Iron and steel scrap; — Copper scrap; — Nickel scrap; — Aluminium scrap; — Zinc scrap;

a	b	c	d
			<ul style="list-style-type: none"> <li>— Tin scrap</li> <li>— Tungsten scrap;</li> <li>— Tantalum scrap;</li> <li>— Magnesium scrap;</li> <li>— Bismuth scrap;</li> <li>— Titanium scrap;</li> <li>— Zirconium scrap;</li> <li>— Germanium scrap;</li> <li>— Vanadium Scrap;</li> <li>— Scrap of Hafnium, Niobium, Rhenium and Gallium;</li> </ul>
B1020 – B1040			
			B1050
B1060			
			B1070
B1080 – B1100			
			B1115
<p>from B1120</p> <ul style="list-style-type: none"> <li>— Transition metals(except those containing &gt;10%V<sub>2</sub>O<sub>5</sub>), excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) on list A;</li> <li>— Lanthanides (rare earths metals)</li> </ul>			<p>from B1120</p> <p>Transition metals (only those containing &gt;10%V<sub>2</sub>O<sub>5</sub>), excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) on list A</p>
B1130 – B1200			
			B1210
B1220			
			B1230
B1240			
			B1250
<p>B2010</p> <p>except Mica Waste</p>			<p>B2010</p> <p>only Mica Waste</p>
B2020			
<p>from B2030</p> <ul style="list-style-type: none"> <li>— Cermet wastes and scrap (except tungsten carbide scrap)</li> <li>— Ceramic based fibres not elsewhere specified or included</li> </ul>			<p>from B2030</p> <ul style="list-style-type: none"> <li>— Cermet wastes and scrap (only tungsten carbide scrap)</li> </ul>
B2040 – B2130			

a	b	c	d
<p>from B3010</p> <ul style="list-style-type: none"> <li>— Cured waste resins or condensation products (except phenol formaldehyde resins and polyamides)</li> </ul>			<p>from B3010</p> <ul style="list-style-type: none"> <li>— Scrap plastic of non-halogenated polymers and copolymers (all)</li> <li>— Cured waste resins or condensation products (only phenol formaldehyde resins and polyamides)</li> <li>— The following fluorinate polymer wastes: <ul style="list-style-type: none"> <li>— Perfluoroethylene/propylene (FEP)</li> <li>— Perfluoro alkoxy alkane</li> <li>— Tetrafluoroethylene/perfluoro vinyl ether (PFA)</li> <li>— Tetrafluoroethylene/perfluoro methylvinyl ether (MFA)</li> <li>— Polyvinylfluoride (PVF)</li> <li>— Polyvinylidene-fluoride (PVDF)</li> </ul> </li> </ul>
<p>from B3030</p> <p>The following materials, provided they are not mixed with other wastes and are prepared to a specification:</p> <ul style="list-style-type: none"> <li>— Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)</li> <li>— Not carded or combed</li> <li>— Other</li> <li>— Flax tow and waste</li> <li>— Tow and waste (including yarn waste and garnetted stock) of true hemp (<i>Cannabis sativa</i> L.)</li> <li>— Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)</li> <li>— Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus <i>Agave</i></li> </ul>			<p>B3020</p> <p>from B3030</p> <p>The following materials, provided they are not mixed with other wastes and are prepared to a specification:</p> <ul style="list-style-type: none"> <li>— Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock</li> <li>— Noils of wool or of fine animal hair</li> <li>— Other waste of wool or of fine animal hair</li> <li>— Waste of coarse animal hair</li> <li>— Cotton waste (including yarn waste and garnetted stock)</li> <li>— Yarn waste (including thread waste)</li> <li>— Garnetted stock</li> <li>— other</li> <li>— Waste (including noils, yarn waste and garnetted stock) of man-made fibres</li> </ul>

a	b	c	d
<ul style="list-style-type: none"> <li>— Tow, noils and waste (including yarn waste and garnetted stock) of coconut</li> <li>— Tow, noils and waste (including yarn waste and garnetted stock) of abaca (Manila hemp or <i>Musa textilis</i> Nee)</li> <li>— Tow, noils and waste (including yarn waste and garnetted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included</li> <li>— Worn clothing and other worn textile articles</li> <li>— Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile</li> <li>— sorted</li> <li>— other</li> </ul>			<ul style="list-style-type: none"> <li>— of synthetic fibres</li> <li>— of artificial fibres</li> </ul>
B3035			
B3040 except unvulcanized rubber			B3040 only unvulcanized rubber
			B3050
B3060 – B3070			
B3080 except unvulcanized rubber			B3080 only unvulcanized rubber
B3090 – B4030			
GB040 except convertor slag from copper smelt containing >10 % copper			GB040 only convertor slag from copper smelt containing >10 % copper
			GC010
GC020 except waste cable & wire, e-motor scrap			GC020 only waste cable & wire, e-motor scrap
			GC030
GC050 – GG040			
			GH013
GN010 – GN030			



a	b	c	d
Mixtures of wastes			
Mix B1010 and B1050 if some of the non-hazardous waste included is not allowed to be imported			Mix B1010 and B1050 if each non-hazardous waste included is allowed to be imported
Mix B1010 and B1070 if some of the non-hazardous waste included is not allowed to be imported			Mix B1010 and B1070 if each non-hazardous waste included is allowed to be imported
Mix B3040 and B3080 if some of the non-hazardous waste included is not allowed to be imported			Mix B3040 and B3080 if each non-hazardous waste included is allowed to be imported
Mix B1010 if some of the non-hazardous waste included is not allowed to be imported			Mix B1010 if each non-hazardous waste included is allowed to be imported
Mix B2010			
Mix B2030			
Mix B3010 Scrap plastic of non-halogenated polymers and copolymers if some of the non-hazardous waste included is not allowed to be imported			Mix B3010 Scrap plastic of non-halogenated polymers and copolymers if each non-hazardous waste included is allowed to be imported
Mix B3010 Cured waste resins or condensation products			
Mix B3010 Perfluoroalkoxyl alkane if some of the non-hazardous waste included is not allowed to be imported			Mixed B3010 Perfluoroalkoxyl alkane if each non-hazardous waste included is allowed to be imported
			Mix B3020
Mix B3030 if some of the non-hazardous waste included is not allowed to be imported			Mix B3030 if each non-hazardous waste included is allowed to be imported
Mix B3040			
			Mix B3050'

(13) The entry for Chinese Taipei is replaced by the following:

**Chinese Taipei**

a	b	c	d
Single waste entries			
	from B1010 — Precious metals (gold, silver, the platinum group, but not mercury); — Molybdenum scrap; — Tantalum scrap; — Cobalt scrap; — Bismuth scrap; — Zirconium scrap; — Manganese scrap; — Vanadium Scrap; — Scrap of Hafnium, Indium, Niobium, Rhenium and Gallium, — Thorium scrap; — Rare earths scrap; — Chromium scrap		from B1010 — Iron and steel scrap; — Copper scrap; — Nickel scrap; — Aluminium scrap; — Zinc scrap; — Tin scrap — Tungsten scrap; — Magnesium scrap; — Titanium scrap; — Germanium scrap;
from B1020 — Cadmium scrap; — Lead scrap (but excluding lead-acid batteries); — Selenium scrap	from B1020 — Antimony scrap; — Beryllium scrap; — Tellurium scrap		
	B1030 – B1031		
B1040			
	B1050		
B1060			
	B1070 – B1090		
	from B1100 — Aluminium skimmings (or skims) excluding salt slag; — Wastes of refractory lining, including crucibles, originating from copper smelting; — Slags from precious metals processing for further refining; — Tantalum bearing tin slags with less than 0,5 % tin		from B1100 — Hard zinc spelter — Zinc-containing drosses: — Galvanising slab zinc top dross (>90 % Zn) — Galvanising slab zinc bottom dross (>92 % Zn) — Zinc die casting dross (>85 % Zn) — Hot dip galvanisers slab zinc dross (batch) (>92 % Zn) — Zinc skimmings

a	b	c	d
	B1115		
	B1120		B1120
	B1130 – B1240		
B1250			
	B2010 – B2030		
	B2040 except slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications		B2040 only slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications
	B2060 – B2130		
	from B3010 — Polyurethane (not containing CFCs) — Cured waste resins or condensation products		from B3010 — Scrap plastic of non-halogenated polymers and copolymers, except polyurethane (not containing CFCs) — The following fluorinated polymer wastes: — Perfluoroethylene/propylene (FEP) — Perfluoroalkoxyalkane — Tetrafluoroethylene/perfluoro vinyl ether (PFA) — Tetrafluoroethylene/perfluoromethylvinyl ether (MFA) — Polyvinylfluoride (PVF) — Polyvinylidene fluoride (PVDF)
			B3020
	B3030 – B3035		
			B3040 – B3050
	B3060 – B3070		
			B3080
B3090 - B3100			

a	b	c	d
	B3110 – B4030		
GB040 – GC030			
	GC050		
			GEO20
	GF010 – GG040		
			GH013
GN010			
	GN020 – GN030		
Mixtures of wastes			
	Mix B1010 and B1050		
	Mix B1010 and B1070		
	Mix B3040 and B3080		
	Mix B1010		
	Mix B2010		
	Mix B2030		
			Mix B3010 Scrap plastic of non-halogenated polymers and copolymers
	Mix B3010 Cured waste resins or condensation products		
	Mix B3010 Perfluoro alkoxyl alkane		
			Mix B3020
	Mix B3030		
			Mix B3040 except waste tires or processed waste tire flakes greater than 4 mm in diameter
			Mix B3050'

(14) The following entry for Congo (Democratic Republic of Congo) is inserted in alphabetical order:

**'Congo (Democratic Republic of the Congo)**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(15) The following entry for Colombia is inserted in alphabetical order:

**Colombia**

a	b	c	d
Single waste entries			
		B1020 – B1070	
			B1080
		B1090	
		B1115 – B1150	
			B1160
		B1170 – B1190	
			B1200
		B1210	
			B1220
		B1230 – B1250	
		B2010 except Mica waste	B2010 only Mica waste
		B2020 – B2030	
		B2040 except Slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications	B2040 only Slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications
		B2060 – B3020	
		B3035 – B3040	
		from B3050 Untreated cork and wood waste: — Cork waste: crushed, granulated or ground cork	from B3050 Untreated cork and wood waste: — Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms

a	b	c	d
		from B3060 Wastes arising from agro-food industries provided it is not infectious: <ul style="list-style-type: none"> <li>— Wine lees</li> <li>— Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption</li> </ul>	from B3060 Wastes arising from agro-food industries provided it is not infectious: <ul style="list-style-type: none"> <li>— Dried and sterilised vegetable waste, residues and by-products, whether or not in the form of pellets, or a kind used in animal feeding, not elsewhere specified or included</li> <li>— Degras: residues resulting from the treatment of fatty substances or animal or vegetable waxes</li> <li>— Waste of bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised</li> <li>— Fish waste</li> <li>— Cocoa shells, husks, skins and other cocoa waste</li> </ul>
			B3065
		from B3070 <ul style="list-style-type: none"> <li>— Waste of human hair</li> <li>— Waste straw</li> </ul>	from B3070 <ul style="list-style-type: none"> <li>— Deactivated fungus mycelium from penicillin production to be used as animal feed</li> </ul>
		B3080	
			B3090 – B3100
		B3110 – B3130	
			B3140
			B4010
		B4020 – B4030	
		GB040 – GC010	
			GC020
		GC030 – GF010	
			GG030 – GG040
		GH013	
			GN010 – GN030'

(16) The entry for Costa Rica is amended as follows:

**'Costa Rica**

a	b	c	d
Mixtures of wastes			
All mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(17) The entry for Croatia is replaced by the following:

**'Croatia**

a	b	c	d
			All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'

(18) The following entry for Curaçao is inserted in alphabetical order:

**'Curaçao**

a	b	c	d
Single waste entries			
	B1010 – B3020		
from B3030 — Worn clothing and other worn textile articles — Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile	from B3030 all other waste		
B3035			
	B3040 – B3065		
B3070			
	B3080 – B4030		
	GB040 – GF010		
GG030 – GG040			
	GH013		
GN010 – GN030			
Mixtures of wastes			
	All mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

(19) The entry for Egypt is amended as follows:

**Egypt**

a	b	c	d
Mixtures of wastes			
All mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(20) The following entry for FYROM (former Yugoslav Republic of Macedonia) is inserted in alphabetical order:

**FYROM (former Yugoslav Republic of Macedonia)**

a	b	c	d
Single waste entries			
	B1010 – B1031		
B1040			
	B1050 – B2130		
		B3010 – B3020	
	B3030 – B4030		
	GB040 – GH013		
GN010 – GN030			
Mixtures of wastes			
		Mix B3020	
	All other mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

(21) The following entry for Gabon is inserted in alphabetical order:

**Gabon**

a	b	c	d
Mixtures of wastes			
All mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(22) The entry for Georgia is replaced by the following:

**Georgia**

a	b	c	d
Single waste entries			
			B1010 – B1030
B1031 – B1040			



a	b	c	d
			B1050 – B1070
B1080 – B1190			
			B1200
B1210 – B2010			
			B2020
B2030 – B2130			
			B3010 – B3035
B3040			
			B3050
B3060 – B4030			
GB040 – GE020			
			GF010
GG030 – GG040			
			GH013 – GN010
GN020 – GN030			
Mixtures of wastes			
			Mix B1010 and B1050
			Mix B1010 and B1070
Mix B3040 and B3080			
			Mix B1010
Mix B2010			
Mix B2030			
			Mix B3010 Scrap plastic of non-halogenated polymers and copolymers
			Mix B3010 Cured waste resins or condensation products
			Mix B3010 Perfluoro alkoxyl alkane;
			Mix B3020
			Mix B3030
Mix B3040			
			Mix B3050'

(23) The following entry for Guatemala is inserted in alphabetical order:

**'Guatemala**

a	b	c	d
	All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

(24) The entry for Guyana is replaced by the following:

**'Guyana**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(25) The following entry for Honduras is inserted in alphabetical order:

**'Honduras**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(26) The entry for Hong Kong (China) is replaced by the following:

**'Hong Kong (China)**

a	b	c	d
Single waste entries			
			B1010 – B1020
B1030 – B1031			
			B1040 – B1050
B1060 – B1090			
from B1100			from B1100
— Wastes of refractory linings, including crucibles, originating from copper smelting			all other waste
			B1115 – B1130
B1140 – B1190			
			B1200
B1210 – B1240			

a	b	c	d
			B1250 – B2060
B2070 – B2080			
			B2090
B2100 – B2130			
			B3010 – B3030
B3035			
			B3040 – B3060
B3065			
			B3070 – B3090
B3100 – B3130			
			B3140
B4010 – B4030			
			GB040 – GN030
Mixtures of wastes			
Mix B1010 and B1070			
			All other mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'

(27) The following entry for Kazakhstan is inserted in alphabetical order:

**Kazakhstan**

a	b	c	d
Single waste entries			
	B1010 – B1160		
	B1170 – B1240		B1170 – B1240
	B1250 – B3035		
	from B3040 — Waste and scrap of hard rubber (e.g. ebonite)		from B3040 — Other rubber wastes (excluding such wastes specified elsewhere)
	B3050		
	B3060 Wastes arising from agro-food industries provided it is not infectious, except Wine lees		B3060 only Wine lees
	B3065 – B3070		
	B3080		B3080

a	b	c	d
	B3090 – B3130		
	B3140		B3140
	B4010 – B4030		
	GB040 – GG030		
	GG040		GG040
	GH013 – GN030		
Mixtures of wastes			
	Mix B1010 and B1050		
	Mix B1010 and B1070		
	Mix B3040 and B3080		Mix B3040 and B3080
	Mix B1010		
	Mix B2010		
	Mix B2030		
	Mix B3010 Scrap plastic of non-halogenated polymers and copolymers		
	Mix B3010 Cured waste resins or condensation products		
	Mix B3010 Perfluoro alkoxy alkane		
	Mix B3020		
	Mix B3030		
Mix B3040			
	Mix B3050'		

(28) The entry for Kenya is replaced by the following:

**Kenya**

a	b	c	d
Single waste entries			
All waste listed in Annex III of Regulation (EC) No 1013/2006'			

(29) The following entry for Kuwait is inserted in alphabetical order:

**Kuwait**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006 <sup>1</sup>			

(30) The entry for Kyrgyzstan is replaced by the following:

**Kyrgyzstan**

a	b	c	d
Single waste entries			
B1010 only Thorium scrap			B1010 Metal and metal-alloy wastes in metallic, non-dispersible form, except Thorium scrap
			B1020
B1030 – B1100			
			B1115
B1120 – B1140			
			B1150
B1160 – B1240			
			B1250
B2010			
			B2020
from B2030 — Ceramic based fibres not elsewhere specified or included			from B2030 — Cermet waste and scrap (metal ceramic composites)
B2040 – B2130			
from B3010 — Cured waste resins or condensation products; — The following fluorinate polymer wastes: — Perfluoroethylene/propylene (FEP) — Perfluoro alkoxyalkane — Tetrafluoroethylene/perfluoro vinyl ether (PFA) — Tetrafluoroethylene/perfluoro methylvinyl ether (MFA)			from B3010 — Scrap plastic of non-halogenated polymers and copolymers;

a	b	c	d
<ul style="list-style-type: none"> <li>— Polyvinylfluoride (PVF)</li> <li>— Polyvinylidene-fluoride (PVDF)</li> </ul>			
			B3020 – B3030
B3035			
			B3040
from B3050 <ul style="list-style-type: none"> <li>— Cork waste: crushed, granulated or ground cork</li> </ul>			from B3050 <ul style="list-style-type: none"> <li>— Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms</li> </ul>
from B3060 <p>Wastes arising from agro-food industries provided it is not infectious:</p> <ul style="list-style-type: none"> <li>— Wine lees</li> <li>— Degras: residues resulting from the treatment of fatty substances or animal or vegetable waxes</li> <li>— Fish waste</li> <li>— Cocoa shells, husks, skins and other cocoa waste</li> <li>— Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption</li> </ul>			from B3060 <p>Wastes arising from agro-food industries provided it is not infectious:</p> <ul style="list-style-type: none"> <li>— Dried and sterilised vegetable waste, residues and by-products, whether or not in the form of pellets, or a kind used in animal feeding, not elsewhere specified or included</li> <li>— Waste of bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised</li> </ul>
			B3065
B3070 – B3130			
			B3140
B4010 – B4030			
GB040 – GN030			
Mixtures of wastes			
			Mix B1010 and B1050
			Mix B1010 and B1070
Mix B3040 and B3080			
			Mix B1010
Mix B2010			

a	b	c	d
Mix B2030			
			Mix B3010 Scrap plastic of non-halogenated polymers and copolymers
Mix B3010 Cured waste resins or condensation products			
Mix B3010 Perfluoro alkoxyalkane;			
			Mix B3020
			Mix B3030
			Mix B3040
			Mix B3050'

(31) The entry for Liberia is replaced by the following:

**Liberia**

a	b	c	d
	All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

(32) The entry for Macau (China) is replaced by the following:

**Macau (China)**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(33) The following entry for Madagascar is inserted in alphabetical order:

**Madagascar**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(34) The entry for Malaysia is replaced by the following:

**Malaysia**

a	b	c	d
Single waste entries			
from B1010 — Nickel scrap; — Zinc scrap; — Tungsten scrap;	from B1010 — Molybdenum scrap; — Cobalt scrap; — Bismuth scrap;	from B1010 — Precious metals (gold, silver, the platinum group, but not mercury);	

a	b	c	d
<ul style="list-style-type: none"> <li>— Tantalum scrap;</li> <li>— Magnesium scrap;</li> <li>— Titanium scrap;</li> <li>— Manganese scrap;</li> <li>— Germanium scrap;</li> <li>— Vanadium Scrap;</li> <li>— Scrap of Hafnium, Indium, Niobium, Rhenium and Gallium;</li> <li>— Rare earths scrap;</li> <li>— Chromium scrap</li> </ul>	<ul style="list-style-type: none"> <li>— Zirconium scrap;</li> <li>— Thorium scrap</li> </ul>	<ul style="list-style-type: none"> <li>— Iron and steel scrap;</li> <li>— Copper scrap;</li> <li>— Aluminium scrap;</li> <li>— Tin scrap</li> </ul>	
B1020 – B1100			
		B1115	
B1120 – B1140			
		B1150	
B1160 – B1190			
		B1200 – B1210	
B1220 – B1240			
		B1250 – B2030	
from B2040 <ul style="list-style-type: none"> <li>— Partially refined calcium sulphate produced from flue-gas desulphurisation (FGD)</li> <li>— Slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications</li> </ul>		from B2040 <ul style="list-style-type: none"> <li>— Waste gypsum wallboard or plasterboard arising from the demolition of buildings</li> <li>— Sulphur in solid form</li> <li>— Limestone from the production of calcium cyanamide (having a pH less than 9)</li> <li>— Sodium, potassium, calcium chlorides</li> <li>— Carborundum (silicon carbide)</li> <li>— Broken concrete</li> <li>— Lithium-Tantalum and Lithium-Niobium containing glass scraps</li> </ul>	
		B2060	
B2070 – B2080			
		B2090	
B2100			
		B2110 – B2130	
B3010			
		B3020 – B3030	
		B3035	



a	b	c	d
B3040			
	from B3050 — Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms	from B3050 — Cork waste: crushed, granulated or ground cork	
	from B3060 — Dried and sterilised vegetable waste, residues and by-products, whether or not in the form of pellets, or a kind used in animal feeding, not elsewhere specified or included; — Waste of bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised; — Cocoa shells, husks, skins and other cocoa waste; — Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption	from B3060	from B3060 — Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption
	B3065 – B3140		
B4010			
		B4020	
B4030			
GB040 – GC050			
		GE020 – GF010	
GG030 – GH013			
	GN010 – GN030		GN010 – GN030
Mixtures of wastes			
All mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006 <sup>7</sup>			

(35) The following entry for Mauritius (Republic of Mauritius) is inserted in alphabetical order:

**Mauritius (Republic of Mauritius)**

a	b	c	d
	All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

(36) The entry for Moldova (Republic of Moldova) is replaced by the following:

**Moldova (Republic of Moldova)**

a	b	c	d
Single waste entries			
B1010 – B2010			
			B2020
B2030 – B3010			
from B3020			from B3020
— Other, including but not limited to:			Waste and scrap of paper or paperboard of:
— Laminated paperboard			— Unbleached paper or paperboard or of corrugated paper or paperboard
— Unsorted scrap			— Other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass
			— Paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)
B3030 – B4030			
GB040 – GN030			
Mixtures of wastes			
Mix B3020			Mix B3020
only if containing laminated paperboard or unsorted scrap			except if containing laminated paperboard or unsorted scrap
All other mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(37) The following entry for New Zealand is inserted in alphabetical order:

**New Zealand**

a	b	c	d
		All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'	

(38) The entry for Philippines is replaced by the following:

**Philippines**

a	b	c	d
Single waste entries			
from B1010 — Cobalt scrap; — Chromium scrap			from B1010 — Precious metals (gold, silver, the platinum group, but not mercury); — all other scraps
B1020 – B1030			
	B1031 – B1050		
B1060			
	B1070 – B1080		
B1090			
	B1100 – B1120		
B1130 – B1140			
	B1150 – B1240		
		B1250	
B2010			
		B2020 – B2030	
from B2040 — Partially refined calcium sulphate produced from flue-gas desulphurisation (FGD) — Waste gypsum wallboard or plasterboard arising from the demolition of buildings — Sulphur in solid form — Limestone from the production of calcium cyanamide (having a pH less than 9) — Sodium, potassium, calcium chlorides — Carborundum (silicon carbide) — Broken concrete — Lithium-Tantalum and Lithium-Niobium containing glass scraps	from B2040 — Slag from copper production chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications		
B2060 – B2130			
			B3010

a	b	c	d
		B3020	
B3030			
		B3035	
B3040			
		B3050	
B3060- B4030			
	GB040 – GC030		
GC050			
		GE020 – GF010	
GG030			
	GG040		
			GH013
GN010 – GN030			
Mixtures of wastes			
Mix B1010 and B1050 only if containing Cobalt scrap			Mix B1010 and B1050 except if containing Cobalt scrap
Mix B1010 and B1070 only if containing Cobalt scrap			Mix B1010 and B1070 except if containing Cobalt scrap
Mix B3040 and B3080			
Mix B1010 only if containing Cobalt scrap			Mix B1010 except if containing Cobalt scrap
Mix B2010			
Mix B2030			
			Mix B3010 Scrap plastic of non-halo- genated polymers and copolymers
			Mix B3010 Cured waste resins or condensation products
			Mix B3010 Perfluoro alkoxy alkane
		Mix B3020	
		Mix B3030	
Mix B3040			
		Mix B3050'	

(39) The following entry for Qatar is inserted in alphabetical order:

**Qatar**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(40) The following entry for Rwanda is inserted in alphabetical order:

**Rwanda**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(41) The following entry for Senegal is inserted in alphabetical order:

**Senegal**

a	b	c	d
	All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

(42) The entry for Serbia is replaced by the following:

**Serbia**

a	b	c	d
			All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'

(43) The following entry for Tajikistan is inserted in alphabetical order:

**Tajikistan**

a	b	c	d
Single waste entries			
	B1010 – B1150		
B1160 – B1200			
	B1210 – B1240		
B1250			
	B2010 – B2030		
B2040 only Broken concrete	B2040 all other waste		
	B2060 – B2110		

a	b	c	d
B2120 – B2130			
	B3010 – B3020		
<p>from B3030</p> <p>The following materials, provided they are not mixed with other wastes and are prepared to a specification:</p> <ul style="list-style-type: none"> <li>— Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)</li> <li>— Not carded or combed</li> <li>— Other</li> <li>— Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock</li> <li>— Noils of wool or of fine animal hair</li> <li>— Other waste of wool or of fine animal hair</li> <li>— Waste of coarse animal hair</li> <li>— Flax tow and waste</li> <li>— Tow and waste (including yarn waste and garnetted stock) of true hemp (<i>Cannabis sativa</i> L.)</li> <li>— Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)</li> <li>— Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus <i>Agave</i></li> <li>— Tow, noils and waste (including yarn waste and garnetted stock) of coconut</li> <li>— Tow, noils and waste (including yarn waste and garnetted stock) of abaca (Manila hemp or <i>Musa textilis</i> Nee)</li> <li>— Tow, noils and waste (including yarn waste and garnetted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included</li> </ul>	<p>from B3030</p> <p>The following materials, provided they are not mixed with other wastes and are prepared to a specification:</p> <ul style="list-style-type: none"> <li>— Cotton waste (including yarn waste and garnetted stock)</li> <li>— Yarn waste (including thread waste)</li> <li>— Garnetted stock</li> <li>— Other</li> <li>— Waste (including noils, yarn waste and garnetted stock) of man-made fibres</li> <li>— of synthetic fibres</li> <li>— of artificial fibres</li> <li>— Worn clothing and other worn textile articles</li> <li>— Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile</li> <li>— sorted</li> <li>— other</li> </ul>		

a	b	c	d
	B3035 – B3040		
B3050			
from B3060 — Wine lees — Dried and sterilised vegetable waste, residues and byproducts, whether or not in the form of pellets, or a kind used in animal feeding, not elsewhere specified or included — Degras: residues resulting from the treatment of fatty substances or animal or vegetable waxes	from B3060 — Waste of bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised — Fish waste — Cocoa shells, husks, skins and other cocoa waste — Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption		
	B3065		
B3070			
	B3080		
B3090 – B3120			
	B3130 – B3140		
B4010 – B4020			
	B4030		
	GB040 – GC020		
GC030			
	GC050 – GG030		
GG040			
	GH013		
GN010 – GN030			
Mixtures of wastes			
	All mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'		

(44) The following entry for Tanzania is inserted in alphabetical order:

**Tanzania**

a	b	c	d
Mixtures of wastes			
All mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006 <sup>7</sup>			

(45) The entry for Thailand is replaced by the following:

**Thailand**

a	b	c	d
Single waste entries			
		B1010 – B1100	
	B1115		
		B1120 – B1150	
	B1160		
		B1170 – B2040	
	B2060		
		B2070	
	B2080		
		B2090 – B2110	
	B2120 – B2130		
	B3010		B3010
		B3020 – B3035	
B3040 only for waste tyre		B3040 except for waste tyre	
		B3050 – B3070	
B3080 only for waste tyre		B3080 except for waste tyre	
		B3090 – B3130	
B3140			
		B4010 – B4020	
	B4030		B4030
		GB040	



a	b	c	d
	GC010 – GC020		
GC030			
		GC050 – GF010	
	GG030 – GG040		
	GH013		GH013
			GN010 – GN030
Mixtures of wastes			
		Mix B1010 and B1050	
		Mix B1010 and B1070	
Mix B3040 and B3080 only for waste tyre		Mix B3040 and B3080 except for waste tyre	
		Mix B1010	
		Mix B2010	
		Mix B2030	
	Mix B3010 Scrap plastic of non-halogenated polymers and copolymers		Mix B3010 Scrap plastic of non-halogenated polymers and copolymers
	Mix B3010 Cured waste resins or condensation products		Mix B3010 Cured waste resins or condensation products
	Mix B3010 Perfluoro alkoxyalkane		Mix B3010 Perfluoro alkoxyalkane
		Mix B3020	
		Mix B3030	
Mix B3040 only for waste tyre		Mix B3040 except for waste tyre	
		Mix B3050'	

(46) The entry for Tunisia is replaced by the following:

**Tunisia**

a	b	c	d
Single waste entries			
	B1010		B1010

a	b	c	d
B1020 – B1220			
	B1230 – B1240		B1230 – B1240
B1250 – B2130			
<p>from B3010</p> <ul style="list-style-type: none"> <li>— Scrap plastic of non-halogenated polymers and copolymers, including but not limited to the following: <ul style="list-style-type: none"> <li>— Polyvinyl alcohol</li> <li>— Polyvinyl butyral</li> <li>— Polyvinyl acetate</li> </ul> </li> <li>— Cured waste resins or condensation products including the following: <ul style="list-style-type: none"> <li>— Urea formaldehyde resins</li> <li>— Phenol formaldehyde resins</li> <li>— Melamine formaldehyde resins</li> <li>— Epoxy resins</li> <li>— Alkyd resins</li> <li>— Polyamides</li> </ul> </li> <li>— The following fluorinated polymer wastes: <ul style="list-style-type: none"> <li>— Perfluoroethylene/propylene (FEP)</li> <li>— Perfluoro alkoxyalkane</li> <li>— Tetrafluoroethylene/per fluoro vinyl ether (PFA)</li> <li>— Tetrafluoroethylene/per fluoro methylvinyl ether (MFA)</li> <li>— Polyvinylfluoride (PVF)</li> <li>— Polyvinylidene-fluoride (PVDF)</li> </ul> </li> </ul>	<p>from B3010</p> <ul style="list-style-type: none"> <li>— Scrap plastic of non-halogenated polymers and copolymers, including but not limited to the following: <ul style="list-style-type: none"> <li>— Ethylene</li> <li>— Styrene</li> <li>— Polypropylene</li> <li>— Polyethylene terephthalate</li> <li>— Acrylonitrile</li> <li>— Butadiene</li> <li>— Polyacetals</li> <li>— Polyamides</li> <li>— Polybutylene terephthalate</li> <li>— Polycarbonates</li> <li>— Polyethers</li> <li>— Polyphenylene sulphides</li> <li>— Acrylic polymers</li> <li>— Alkanes C10-C13 (plasticiser)</li> <li>— Polyurethane (not containing CFCs)</li> <li>— Polysiloxanes</li> <li>— Polymethyl methacrylate</li> </ul> </li> </ul>		<p>from B3010</p> <ul style="list-style-type: none"> <li>— Scrap plastic of non-halogenated polymers and copolymers, including but not limited to the following: <ul style="list-style-type: none"> <li>— Ethylene</li> <li>— Styrene</li> <li>— Polypropylene</li> <li>— Polyethylene terephthalate</li> <li>— Acrylonitrile</li> <li>— Butadiene</li> <li>— Polyacetals</li> <li>— Polyamides</li> <li>— Polybutylene terephthalate</li> <li>— Polycarbonates</li> <li>— Polyethers</li> <li>— Polyphenylene sulphides</li> <li>— Acrylic polymers</li> <li>— Alkanes C10-C13 (plasticiser)</li> <li>— Polyurethane (not containing CFCs)</li> <li>— Polysiloxanes</li> <li>— Polymethyl methacrylate</li> </ul> </li> </ul>
<p>from B3020</p> <p>Paper, paperboard and paper product wastes:</p> <ul style="list-style-type: none"> <li>— Other, including but not limited to: <ul style="list-style-type: none"> <li>— Laminated paperboard;</li> </ul> </li> </ul>	<p>from B3020</p> <p>Paper, paperboard and paper product wastes:</p> <p>The following materials, provided they are not mixed with hazardous wastes:</p>		<p>from B3020</p> <p>Paper, paperboard and paper product wastes:</p> <p>The following materials, provided they are not mixed with hazardous wastes:</p>

a	b	c	d
— Unsorted scrap	Waste and scrap of paper or paperboard of: — Unbleached paper or paperboard or of corrugated paper or paperboard — Other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass — Paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)		Waste and scrap of paper or paperboard of: — Unbleached paper or paperboard or of corrugated paper or paperboard — Other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass — Paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)
	B3030 Textile wastes, except Worn clothing and other worn textile articles	B3030 only Worn clothing and other worn textile articles	B3030 Textile wastes, except Worn clothing and other worn textile articles
	B3035 – B3065		B3035 – B3065
from B3070 Deactivated fungus mycelium from penicillin production to be used as animal feed	from B3070 — Waste of human hair — Waste straw		from B3070 — Waste of human hair — Waste straw
	B3080		B3080
B3090 – B4030			
GB040 – GN030			
Mixtures of wastes			
Mix B1010 and B1050			
Mix B1010 and B1070			
	Mix B3040 and B3080		Mix B3040 and B3080
	Mix B1010		Mix B1010
Mix B2010			
Mix B2030			
	Mix B3010 Scrap plastic of non-halogenated polymers and copolymers		Mix B3010 Scrap plastic of non-halogenated polymers and copolymers

a	b	c	d
Mix B3010 Cured waste resins or condensation products			
Mix B3010 Perfluoro alkoxy alkane			
	Mix B3020		Mix B3020
	Mix B3030		Mix B3030
	Mix B3040		Mix B3040
	Mix B3050		Mix B3050'

(47) The following entry for United Arab Emirates is inserted in alphabetical order:

**United Arab Emirates**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(48) The entry for Vietnam is replaced by the following:

**Vietnam**

a	b	c	d
Single waste entries			
from B1010 — Precious metals (gold, silver, the platinum group, but not mercury); — Tantalum scrap; — Cobalt scrap; — Bismuth scrap; — Germanium scrap; — Vanadium Scrap; — Scrap of Hafnium, Indium, Niobium, Rhenium and Gallium; — Thorium scrap; — Rare earths scrap		from B1010 — Iron and steel scrap; — Copper scrap; — Nickel scrap; — Aluminium scrap; — Zinc scrap; — Tin scrap; — Tungsten scrap; — Molybdenum scrap; — Magnesium scrap; — Zirconium scrap; — Titanium scrap; — Manganese scrap; — Chromium scrap	
from B1020 — Beryllium scrap; — Cadmium scrap;		from B1020 — Antimony scrap;	

a	b	c	d
<ul style="list-style-type: none"> <li>— Selenium scrap;</li> <li>— Tellurium scrap</li> </ul>		<ul style="list-style-type: none"> <li>— Lead scrap (but excluding lead-acid batteries)</li> </ul>	
B1030 – B1190			
		B1200	
B1210 – B2010			
		B2020	
B2030			
<p>from B2040</p> <ul style="list-style-type: none"> <li>— Waste gypsum wallboard or plasterboard arising from the demolition of buildings</li> <li>— Slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications</li> <li>— Sulphur in solid form</li> <li>— Limestone from the production of calcium cyanamide (having a pH less than 9)</li> <li>— Sodium, potassium, calcium chlorides</li> <li>— Carborundum (silicon carbide)</li> <li>— Broken concrete</li> <li>— Lithium-Tantalum and Lithium-Niobium containing glass scraps</li> </ul>		<p>from B2040</p> <ul style="list-style-type: none"> <li>— Partially Refined calcium sulphate produced from flue-gas desulphurisation (FGD)</li> </ul>	
B2060 – B2130			
<p>from B3010</p> <p>all other wastes</p>		<p>from B3010</p> <ul style="list-style-type: none"> <li>— Ethylene;</li> <li>— Styrene;</li> <li>— Polypropylene;</li> <li>— Polyethylene Terephthalate;</li> <li>— Polycarbonates</li> </ul>	
		B3020	
B3030 – B4030			
GB040			

a	b	c	d
		GC010	
GC020			
		GC030	
GC050 – GN030			
Mixtures of wastes			
All mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

(49) The following entry for Zambia is inserted in alphabetical order:

**Zambia**

a	b	c	d
All waste listed in Annex III and mixtures of wastes listed in Annex IIIA of Regulation (EC) No 1013/2006'			

## COMMISSION REGULATION (EU) No 675/2012

of 23 July 2012

amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of Talc (E 553b) and Carnauba wax (E 903) on unpeeled coloured boiled eggs and the use of Shellac (E 904) on unpeeled boiled eggs

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives <sup>(1)</sup>, and in particular Article 10(3) and Article 30(5) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in foods and their conditions of use.
- (2) That list may be amended in accordance with the procedure referred to in Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings <sup>(2)</sup>.
- (3) Pursuant to Article 3(1) of Regulation (EC) No 1331/2008, the Union list of food additives may be updated either on the initiative of the Commission or following an application.
- (4) An application for authorisation of the use of Talc (E 553b) and Carnauba wax (E 903) on unpeeled coloured boiled eggs and the use of Shellac (E 904) on unpeeled boiled eggs was submitted and was made available to the Member States.
- (5) When used on the surface of unpeeled coloured boiled eggs the food additives Talc (E 553b), Carnauba wax (E 903) and Shellac (E 904) can serve decoration purposes by providing a more or less shining effect. In addition, Shellac (E 904) can contribute to a better preservation of all unpeeled boiled eggs when used on their surface.
- (6) Those food additives are not expected to migrate into the internal edible part of the eggs due to their insolubility

and to their high molecular weight. The use of those food additives is not liable to have an effect on human health as their waxes remain on the egg shell. It is therefore appropriate to allow the use of Talc (E 553b) and Carnauba wax (E 903) on unpeeled coloured boiled eggs and the use of Shellac (E 904) on all unpeeled boiled eggs, coloured as well as non-coloured.

- (7) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission is to seek the opinion of the European Food Safety Authority in order to update the Union list of food additives set out in Annex II to Regulation (EC) No 1333/2008, except where the update in question is not liable to have an effect on human health. Since the authorisation of use of Talc (E 553b), Carnauba wax (E 903) and Shellac (E 904) on unpeeled boiled eggs constitutes an update of that list which is not liable to have an effect on human health, it is not necessary to seek the opinion of the European Food Safety Authority.
- (8) Pursuant to the transitional provisions of Commission Regulation (EU) No 1129/2011 of 11 November 2011 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council by establishing a Union list of food additives <sup>(3)</sup>, Annex II establishing the Union list of food additives approved for use in foods and conditions of use applies from 1 June 2013. In order to allow the use of Talc (E 553b) and Carnauba wax (E 903) on unpeeled coloured boiled eggs and the use of Shellac (E 904) on unpeeled boiled eggs before that date, it is necessary to specify an earlier date of application with regard to those food additives.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EC) No 1333/2008 is amended in accordance with the Annex to this Regulation.

<sup>(1)</sup> OJ L 354, 31.12.2008, p. 16.

<sup>(2)</sup> OJ L 354, 31.12.2008, p. 1.

<sup>(3)</sup> OJ L 295, 12.11.2011, p. 1.

*Article 2*

This Regulation shall enter into force on the twentieth 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, 23 July 2012.

*For the Commission*  
*The President*  
José Manuel BARROSO

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## ANNEX

In Part E of Annex II to Regulation (EC) No 1333/2008 the following entries are inserted in the food category 10.2 'Processed eggs and egg products' after the entry for E 520-523:

'E 553b	Talc	5 400		only on the surface of unpeeled coloured boiled eggs	Period of application: From 13 August 2012
E 903	Carnauba wax	3 600		only on the surface of unpeeled coloured boiled eggs	Period of application: From 13 August 2012
E 904	Shellac	<i>quantum satis</i>		only on the surface of unpeeled boiled eggs	Period of application: From 13 August 2012'

**COMMISSION IMPLEMENTING REGULATION (EU) No 676/2012****of 23 July 2012****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) <sup>(1)</sup>,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors <sup>(2)</sup>, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 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 XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed 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, 23 July 2012.

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 157, 15.6.2011, p. 1.

## ANNEX

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

<i>(EUR/100 kg)</i>		
CN code	Third country code <sup>(1)</sup>	Standard import value
0707 00 05	TR	95,4
	ZZ	95,4
0709 93 10	TR	95,4
	ZZ	95,4
0805 50 10	AR	76,8
	BO	97,8
	TR	52,0
	UY	101,4
	ZA	101,1
	ZZ	85,8
0808 10 80	AR	182,4
	BR	89,7
	CL	107,3
	CN	126,4
	NZ	134,8
	US	160,2
	UY	52,1
	ZA	108,5
	ZZ	120,2
0808 30 90	AR	158,6
	CL	150,6
	ZA	112,8
	ZZ	140,7
0809 10 00	TR	170,8
	ZZ	170,8
0809 29 00	TR	359,0
	ZZ	359,0
0809 30	TR	174,4
	ZZ	174,4
0809 40 05	BA	71,0
	IL	84,6
	ZZ	77,8

<sup>(1)</sup> 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 677/2012

of 23 July 2012

## amending the representative prices and additional import duties for certain products in the sugar sector fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year

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) <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector <sup>(2)</sup>, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2011/12 marketing year are fixed by Commission Implementing Regulation (EU) No 971/2011 <sup>(3)</sup>. Those prices and duties were last amended by Commission Implementing Regulation (EU) No 655/2012 <sup>(4)</sup>.

- (2) The data currently available to the Commission indicate that those amounts should be amended in accordance with Article 36 of Regulation (EC) No 951/2006.

- (3) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year, are hereby amended as set out in the Annex hereto.

*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, 23 July 2012.

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 178, 1.7.2006, p. 24.

<sup>(3)</sup> OJ L 254, 30.9.2011, p. 12.

<sup>(4)</sup> OJ L 188, 18.7.2012, p. 13.

## ANNEX

**Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 24 July 2012**

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 12 10 <sup>(1)</sup>	45,28	0,00
1701 12 90 <sup>(1)</sup>	45,28	1,02
1701 13 10 <sup>(1)</sup>	45,28	0,00
1701 13 90 <sup>(1)</sup>	45,28	1,32
1701 14 10 <sup>(1)</sup>	45,28	0,00
1701 14 90 <sup>(1)</sup>	45,28	1,32
1701 91 00 <sup>(2)</sup>	53,44	1,44
1701 99 10 <sup>(2)</sup>	53,44	0,00
1701 99 90 <sup>(2)</sup>	53,44	0,00
1702 90 95 <sup>(3)</sup>	0,53	0,20

<sup>(1)</sup> For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.<sup>(2)</sup> For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.<sup>(3)</sup> Per 1 % sucrose content.

## DECISIONS

## COUNCIL DECISION 2012/420/CFSP

of 23 July 2012

## amending Decision 2011/782/CFSP concerning restrictive measures against Syria

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- (1) On 1 December 2011, the Council adopted Decision 2011/782/CFSP <sup>(1)</sup>.
- (2) In order to further strengthen the enforcement of the measures set out in Decision 2011/782/CFSP, Member States should inspect all vessels and aircraft bound for Syria in their seaports and airports, and in their territorial sea, with the consent, as necessary in accordance with international law, of the flag State, if the Member State concerned has information that provides reasonable grounds to believe that the cargo of such vessels and aircraft contains arms or equipment, goods or technology which might be used for internal repression and the supply, sale, transfer or export of which is prohibited or subject to authorisation under Decision 2011/782/CFSP.
- (3) Furthermore, a derogation from the freezing of funds and economic resources should be included in relation to a transfer of funds due in connection with the provision of financial support to Syrian nationals pursuing an education, professional training or engaged in academic research in the Union.
- (4) Decision 2011/782/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 2011/782/CFSP is hereby amended as follows:

- (1) The following Article is inserted:

<sup>(1)</sup> OJ L 319, 2.12.2011, p. 56.

*"Article 17b*

1. If Member States have information that provides reasonable grounds to believe that the cargo of vessels and aircraft bound for Syria contains items whose supply, sale, transfer or export is prohibited under Article 1 or subject to authorisation under Article 1a, they shall inspect, in accordance with their national legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements and maritime transport agreements, such vessels and aircraft in their seaports and airports, as well as in their territorial sea, in accordance with decisions and capabilities of their competent authorities and with the consent, as necessary in accordance with international law for the territorial sea, of the flag State.

2. Member States, in accordance with their national legislation and consistent with international law, shall, upon discovery, seize and dispose of items whose supply, sale, transfer or export is prohibited under Article 1 or 1a.

3. Member States shall cooperate, in accordance with their national legislation, with inspections and disposals undertaken pursuant to paragraphs 1 and 2.

4. Aircraft and vessels transporting cargo to Syria shall be subject to the requirement of additional pre-arrival or pre-departure information for all goods brought into or out of a Member State."

- (2) In Article 19, the following paragraph is added:

"10. Paragraphs 1 and 2 shall not apply to a transfer, by or through a financial entity listed in Annex I or II, of frozen funds or economic resources where the transfer is related to a payment by a person or entity not listed in Annex I or II in connection with the provision of financial support to Syrian nationals pursuing an education, professional training or engaged in academic research in the Union, provided that the relevant Member State has determined, on a case-by-case basis, that the payment is not directly or indirectly received by a person or entity referred to in paragraph 1."

*Article 2*

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

Done at Brussels, 23 July 2012.

*For the Council*  
*The President*  
C. ASHTON

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**COUNCIL DECISION 2012/421/CFSP**

**of 23 July 2012**

**in support of the Biological and Toxin Weapons Convention (BTWC), in the framework of the EU Strategy against Proliferation of Weapons of Mass Destruction**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 26(2) and 31(1) thereof,

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

Whereas:

- (1) On 12 December 2003, the European Council adopted the EU Strategy against Proliferation of Weapons of Mass Destruction ('the EU Strategy'), Chapter III of which contains a list of measures to combat such proliferation.
- (2) The Union is actively implementing the EU Strategy and is giving effect to the measures listed in its Chapter III thereof, in particular those measures related to reinforcement, implementation and universalisation of the Biological and Toxin Weapons Convention (BTWC).
- (3) On 27 February 2006, the Council adopted Joint Action 2006/184/CFSP<sup>(1)</sup> in support of the BTWC, in the framework of the EU Strategy against the proliferation of the Weapons of Mass Destruction (WMD), which expired on 26 August 2007. Seven more States became States Parties to the BTWC since the adoption of Joint Action 2006/184/CFSP.
- (4) On 20 March 2006, the Council adopted an Action Plan on biological and toxin weapons, complementary to Joint Action 2006/184/CFSP in support of the BTWC<sup>(2)</sup>. The Action Plans provided for an efficient use of Confidence Building Measures (CBMs) and the United Nations (UN) Secretary-General investigation mechanism for alleged use of biological weapons.
- (5) On 10 November 2008, the Council adopted Joint Action 2008/858/CFSP<sup>(3)</sup> in support of the BTWC, in the framework of the EU Strategy against the proliferation of WMD. Three more States became States Parties to the BTWC since the adoption of Joint Action 2008/858/CFSP and several States benefited from assistance provided by Union experts.
- (6) The Sixth Review Conference of the BTWC decided to establish the Implementation Support Unit (ISU), with a five-year mandate (2007-2011), within the Geneva Branch of the U N Office for Disarmament Affairs (UN ODA) in order to provide administrative support to meetings agreed by the Sixth Review Conference as well as support for the comprehensive implementation and universalisation of the BTWC and the exchange of Confidence-Building Measures.
- (7) On 18 July 2011, the Council adopted Decision 2011/429/CFSP<sup>(4)</sup> relating to the position of the European Union for the Seventh Review Conference of the BTWC.
- (8) The Seventh Review Conference of the BTWC decided to renew the mandate of the Implementation Support Unit for another five-year term (2012-2016) and decided to expand its tasks to include the implementation of the decision to establish and administer the database for assistance requests and offers, and facilitating the associated exchange of information among States Parties, as well as support, as appropriate, the implementation by States Parties of the decisions and recommendations of the Seventh Review Conference.
- (9) The Commission should be entrusted with the supervision of the proper implementation of the Union financial contribution,

HAS ADOPTED THIS DECISION:

*Article 1*

1. For the purpose of giving immediate and practical application to some elements of the EU Strategy against the Proliferation of Weapons of Mass Destruction, the European Union shall support the BTWC, with the following objectives:

- promoting the universality of the BTWC,
- supporting the implementation of the BTWC, including submission of CBMs by the States Parties,
- supporting the work of the 2012-2015 inter-sessional programme with a view to strengthening the implementation and effectiveness of the BTWC.

<sup>(1)</sup> OJ L 65, 7.3.2006, p. 51.

<sup>(2)</sup> OJ C 57, 9.3.2006, p. 1.

<sup>(3)</sup> OJ L 302, 13.11.2008, p. 29.

<sup>(4)</sup> OJ L 188, 19.7.2011, p. 42.



2. The projects corresponding to measures of the EU Strategy, are those that aim at:

- promoting awareness about implementation of the BTWC, strengthening the regional discussion of inter-sessional topics and their application, and supporting key regional actors in defining needs and requirements for national implementation,
- assisting both States Parties and States non-Parties, in order to ensure that States Parties transpose their international obligations into their national legislation and administrative measures and establish functioning relationship among all national stakeholders. The assistance entails support to States Parties for establishing a national CBMs process and nomination of national contact points. For non-States Parties, the assistance would include support for acceding to or ratifying the BTWC,
- supporting the development of various enabling tools and activities that would assist States Parties in national implementation, including the submission of CBMs, allow representatives of States Parties to actively engage in the international BTWC process, and raise States Parties' awareness of available international support.

A detailed description of these projects is set out in the Annex.

#### *Article 2*

1. The High Representative of the Union for Foreign Affairs and Security Policy (HR) shall be responsible for the implementation of this Decision.
2. The technical implementation of the activities referred to in Article 1 shall be entrusted to the UN ODA. It shall perform its task under the responsibility of the HR. For this purpose, the HR shall enter into the necessary arrangements with the UN ODA.

#### *Article 3*

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 1 700 000.

2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.

3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 1. For this purpose, it shall conclude a financing agreement with the UN ODA. The agreement shall stipulate that the UN ODA is to ensure visibility of the Union contribution.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the agreement.

#### *Article 4*

The HR shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the UN ODA. Those reports shall form the basis for the evaluation carried out by the Council. The Commission shall provide information on the financial aspects of the projects referred to in Article 1(2).

#### *Article 5*

1. This Decision shall enter into force on the day of its adoption.
2. This Decision shall expire 24 months after the date of the conclusion of the financing agreement referred to in Article 3(3) or six months after the date of its adoption if no financing agreement has been concluded within that period.

Done at Brussels, 23 July 2012.

*For the Council*  
*The President*  
C. ASHTON

## ANNEX

## 1. GENERAL FRAMEWORK

Building on the successful implementation of Joint Action 2008/858/CFSP, this Decision serves as an operational policy tool for carrying forward the objectives of Decision 2011/429/CFSP and focuses in particular on those aspects on which consensus was reached at the Seventh Review Conference, as reflected in its Final Document.

This Decision is guided by the following principles:

- (a) making best use of the experience gained through Joint Action 2008/858/CFSP;
- (b) reflecting on specific needs expressed by the States Parties as well as States non-Parties to the BTWC with respect to better implementation and universalisation of the BTWC;
- (c) encouraging local and regional ownership of the projects in order to ensure their long-term sustainability and to build a partnership between the Union and third parties in the framework of the BTWC;
- (d) focusing on those activities that bring concrete results and/or contribute to an early framing of common understanding relevant for the 2016 BTWC review process;
- (e) supporting the Chair of the States Parties' meetings and making best use of the mandate of the ISU as agreed at the Sixth Review Conference and renewed and expanded at the Seventh Review Conference.

## 2. PROJECTS

## 2.1. Project 1: Regional workshops to raise awareness and identify needs

## 2.1.1. Project purpose

To raise awareness among relevant national officials and experts on different aspects of BTWC implementation (including CBMs), to discuss inter-sessional programme topics and their application in a regional context, and to identify key personnel, national needs and requirements, and possible recipient countries for extended national implementation assistance (see Project 2) through organising regional workshops building on the experience and contacts resulting from Joint Action 2008/858/CFSP.

This project will support the implementation of the decisions and recommendations of the Seventh Review Conference concerning Article IV of the BTWC (in particular paragraphs 13 and 14 of the Final Declaration), and the 2012-2015 inter-sessional programme.

## 2.1.2. Expected results of the Project

- (a) Increased adherence to the BTWC in all geographic regions.
- (b) Enhanced understanding of the BTWC among the relevant national authorities and/or strengthened sub-regional networking concerning the BTWC in order to promote accession to and implementation of the BTWC.
- (c) Identification of needs for enhancing regional and national activities aimed at implementation of the BTWC.
- (d) Promotion of and support for, the creation and adherence to national and regional bio-safety associations.
- (e) Requests for extended assistance, to be executed under Project 2.

## 2.1.3. Project description and implementation

A maximum number of four regional or sub-regional workshops will be held, where appropriate in collaboration with international and regional organisations and in coordination with the 2012-2015 BTWC inter-sessional programme.

Both States Parties and States non-Parties to the BTWC will be invited to the workshops, as well as relevant international and regional organisations, national and regional bio-safety associations, academic experts and non-governmental organisations (NGOs).

The regions or sub-regions will be selected for workshops on the basis of criteria such as previous activities within the framework of Joint Actions 2006/184/CFSP and 2008/858/CFSP and Council Common Position 2006/242/CFSP<sup>(1)</sup>, other Union activities (including the Centres of Excellence project), activities of other assistance providers, and assessed needs and interests for strengthening of BTWC processes in the regions.

<sup>(1)</sup> OJ L 88, 25.3.2006, p. 65.

The workshops will be used for outreach and information on the extended assistance programme and available support activities.

## 2.2. Project 2: Extended national implementation assistance programmes

### 2.2.1. Project purpose

To promote universal adherence to the BTWC and enhance national capabilities for implementing obligations under the BTWC, including CBM submissions, by means of legislation, administrative and enforcement measures, awareness raising, codes of conduct, standards on bio-safety and bio-security, and establishment of modalities for national coordination through extended assistance programmes.

### 2.2.2. Expected results of the Project

- (a) Increased number of States Parties to the BTWC.
- (b) Voluntary implementation of the BTWC by States prior to their accession thereto.
- (c) Adoption of appropriate legislative or administrative measures, including criminal law provisions, which encompass the full scope of the prohibitions and preventive measures provided for in the BTWC and elaborated by the Seventh Review Conference.
- (d) Effective implementation and enforcement to prevent violations of the BTWC and to impose sanctions in cases of breaches.
- (e) Creation or enhancement of national mechanisms for compilation of required information and annual submissions of CBMs with a view to increase the number of States Parties participating in CBMs exchange.
- (f) Better coordination and networking among all stakeholders involved in the BTWC process, including national and regional bio-safety associations and the private sector, in order to promote effective implementation.
- (g) Promotion of awareness raising programs, codes of conduct and standards on bio-safety and bio-security.

### 2.2.3. Project description

The Seventh Review Conference reaffirmed that the enactment and implementation of necessary national measures would strengthen the effectiveness of the BTWC. That Conference called upon States Parties to adopt legislative, administrative, judicial and other measures designed to enhance domestic implementation of the BTWC and to ensure the safety and security of microbial or other biological agents or toxins. That Conference emphasised the importance of the exchange of information among States Parties through the CBMs and recognised the need to increase the number of States Parties participating in the CBMs. That Conference agreed that a further concerted effort by States Parties through bilateral, regional and multilateral activities is needed for promoting the universalisation of the BTWC.

Based on experiences gained through Joint Action 2008/858/CFSP, extended national implementation assistance programmes will be provided to a maximum of eight countries identified as suitable through the regional workshops of Project 1.

Each programme will run for approximately 12 months, involve participation by EU delegations in beneficiary countries and the UN regional disarmament offices where appropriate, and will comprise:

- an initial national workshop, to gather all the relevant domestic agencies and stakeholders, to introduce the various BTWC concepts, to identify motivated and reliable local partners, and to make an initial assessment of needs and priorities,
- the development of a structured plan for assistance (Action Plan), tailored for the beneficiary country, that would involve visits and/or workshops by various assistance providers over the duration of the programme, as well as training provided in EU Member States or elsewhere,
- the execution of the Action Plan, with providers such as Interpol, WHO, VERTIC, EU Member States, the BTWC ISU, and academic institutions conducting the respective assistance activities (e.g. drafting of legislation, bio-safety/bio-security training, CBM preparation, police training, awareness-raising for scientists, emergency response planning, etc),
- a wrap-up workshop following the conclusion of the activities, where the threads will be drawn together, agencies will report on their activities and progress, and any needs for further or continuing assistance will be assessed,

- to support universalisation of the BTWC, extended national assistance programmes could, where appropriate, be provided to States non-Parties, in which case accession to the BTWC would form part of the Action Plan agreed with the recipient country,
- to ensure efficient and productive assistance, a EU workshop for EU experts assisting beneficiary countries under Project 2 will be organised with an objective of discussing best practices and appropriate preparations for assistance activities.

### 2.3. Project 3: Enabling tools and activities

#### 2.3.1. Project purpose

To provide various tools and activities, which will enable and support effective national implementation of the BTWC including submission of CBMs.

#### 2.3.2. Expected results of the Project

- (a) Guidance brochure on national implementation.
- (b) Revised CBM guidance brochure.
- (c) System for electronic submission of CBMs.
- (d) Increased participation by developing countries in the BTWC inter-sessional programme.
- (e) Increased capacity for the UN Secretary-General mechanism for the investigation of alleged use of biological and toxin weapons.

#### 2.3.3. Project description

The Seventh Review Conference decided that strengthening of national implementation will be a Standing Agenda Item during the 2012-2015 inter-sessional programme. The topics to be addressed include specific measures for full and comprehensive implementation of the BTWC, especially Articles III and IV, and ways and means to enhance national implementation and sharing of best practices and experiences.

The Seventh Review Conference decided to adopt a revision of the reporting forms for CBMs submissions. Further, it was decided that the ISU in cooperation with States Parties will examine and develop options for electronic means of CBMs submission.

The Seventh Review Conference further discussed and decided on specific measures to support and increase the participation of developing States parties in the meetings of the inter-sessional programme.

The Seventh Review Conference referred to the UN Secretary-General investigation mechanism for alleged use of chemical and biological weapons. Its promotion, including through specialised training courses for experts, would be instrumental.

Based on experiences gained through the Joint Action 2008/858/CFSP and as a continuation of completed and/or initiated activities, the following actions will be performed:

- (a) preparation of comprehensive documentation (guidance brochure) providing an overview of the obligations of the States Parties of the BTWC and covering national measures for full and comprehensive implementation of the BTWC. The brochure will be designed as a toolkit of implementation measures and will provide examples of best practices while recognising differences in the national procedures. Experts from the EU Member States, BTWC States Parties, relevant international organisations, as well as the non-governmental sector concerned with BTWC implementation would be consulted in the process of its preparation. The brochure will be reproduced in all the official languages of the UN. Overall coordination of the preparation of the brochure will be carried out by UN ODA;
- (b) revision and further development of the CBMs guidance brochure, prepared under Joint Action 2008/858/CFSP, in accordance with the decision taken by the Seventh Review Conference;
- (c) development and maintenance of an electronic tool for CBMs submission, processing and dissemination (CBMs electronic facility);
- (d) further development of the ISU website and related IT and communication tools;
- (e) sponsorship for participation of experts from a maximum of ten developing countries in the BTWC inter-sessional programme;
- (f) organisation of an international exercise on the UN Secretary-General investigation mechanism for alleged use of biological weapons, with sponsorship for experts' participation.

### 3. PROCEDURAL ASPECTS, COORDINATION

The implementation of the projects will be initiated by a Steering Committee with an objective of determining procedures and modalities for cooperation. The Steering Committee will review the implementation of the projects regularly, at least once every six months, including by using electronic communication means.

The Steering Committee will be composed of the representatives of HR and UN ODA.

The applications of States Parties, which are not EU Member States, for any assistance and cooperation under this decision shall be addressed to the UN ODA. The UN ODA will review and assess those applications, as appropriate, and submit recommendations to the Steering Committee. The Steering Committee will examine the applications for assistance as well as the Action Plans and their implementation. On the proposal of the HR, and taking into account the outcomes of discussions in the Steering Committee, the HR will make the final decision on the beneficiary countries in consultation with the competent working parties of the Council.

To ensure a strong ownership and sustainability of EU-initiated activities by beneficiary countries, it is envisaged that whenever possible and appropriate, selected beneficiaries will be asked to prepare the Action Plans, which will inter alia specify the timetable for carrying out funded activities (including those funded through national resources), the scope and the duration of the project, the main stakeholders. The UN ODA, or EU Member States as appropriate, will be associated with the preparation of those Action Plans. The implementation of the projects will be carried out in accordance with the Action Plans.

### 4. REPORTING AND ASSESSMENT

The UN ODA will submit to the HR regular six-monthly progress reports on the implementation of the projects. In addition, reports will be submitted on individual assistance activities taking place under the established Actions Plans for beneficiary countries. The reports will be transmitted to the relevant working party of the Council for assessment of progress and overall evaluation of projects and a possible follow-up.

Whenever possible, the BTWC States Parties will be informed about the implementation of the projects, including through electronic means.

### 5. PARTICIPATION OF EXPERTS COMING FROM EU MEMBER STATES

The active involvement of experts coming from EU Member States is necessary for successful implementation of the Decision. The UN ODA will be encouraged to make use of those experts. Their mission costs related to the implementation of projects will be covered by this Decision.

It is expected that when assistance visits are envisaged (such as legal assistance or assistance with CBMs), a visit by a maximum of three experts for a maximum duration of five days will be considered as standard practice.

### 6. DURATION

The total estimated duration of the projects' implementation is 24 months.

### 7. BENEFICIARIES

The beneficiaries of universalisation-related activities are States non-Parties to the BTWC (both signatory States and non-signatory States).

The beneficiaries of national implementation activities are both States Parties and States non-Parties to the BTWC, as well as representatives of national and regional bio-safety associations, the private sector, academia and NGOs.

The beneficiaries of CBM-related activities are States Parties to the BTWC.

### 8. THIRD PARTY REPRESENTATIVES

In order to promote regional ownership and the sustainability of the projects, the participation of non-EU experts, including those from relevant regional and international organisations, will be funded by this Decision. Participation by UN ODA in BTWC workshops and meetings will be funded. The participation of the Chair of BTWC States Parties meetings may be funded on a case-by-case basis.

### 9. IMPLEMENTING ENTITY — STAFF ISSUES

Given the extra-budgetary character of the activities envisaged in this Decision for the UN ODA, additional staff will be required.

**COUNCIL DECISION 2012/422/CFSP****of 23 July 2012****in support of a process leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28 and Article 31(1) thereof;

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy;

Whereas:

- (1) The Union is actively implementing the EU Strategy against Proliferation of Weapons of Mass Destruction (WMD) of 12 December 2003, and giving effect to the measures listed in Chapter III thereof, such as rendering multilateralism more effective and promoting a stable international and regional environment.
- (2) The Union is committed to the multilateral treaty system, which provides the legal and normative basis for all non-proliferation efforts. The Union's policy is to pursue the implementation and universalisation of the existing disarmament and non-proliferation norms. The Union assists third countries in the fulfilment of their obligations under multilateral conventions and regimes.
- (3) The Joint Declaration of the Paris Summit for the Mediterranean of 13 July 2008, establishing the Union for the Mediterranean, reaffirmed the common aspiration to achieve peace as well as regional security as set out in the Barcelona Declaration adopted at the Euro-Mediterranean Conference of 27-28 November 1995, which, inter alia, promotes regional security by acting in favour of nuclear, chemical and biological non-proliferation through adherence to and compliance with a combination of international and regional non-proliferation regimes and arms control and disarmament agreements such as the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Chemical Weapons Convention, the Biological and Toxin Weapons Convention, the Comprehensive Nuclear Test-Ban Treaty, and/or regional arrangements such as zones free of nuclear weapons, including their verification regimes, as well as by fulfilling in good faith their commitments under arms control, disarmament and non-proliferation conventions.
- (4) The parties to the Union for the Mediterranean will pursue a mutually and effectively verifiable Middle East zone free of WMD — nuclear, chemical and biological — and their delivery systems. Furthermore the parties will consider practical steps, inter alia, to prevent the proliferation of nuclear, chemical and biological weapons as well as the excessive accumulation of conventional arms.
- (5) On 19-20 June 2008, the European Union organised a seminar in Paris on 'Middle East Security, WMD Non-Proliferation and Disarmament', which brought together representatives of States of the region and Union Member States as well as academics and national nuclear energy agencies. Participants encouraged the Union to promote the continuation of the debate in various fora, and to gradually move to a more formal format that would include discussions among government officials, building on the Barcelona Framework, but doing so in a geographically more inclusive format.
- (6) The 2010 NPT Review Conference emphasised the importance of a process leading to full implementation of its 1995 Resolution on the Middle East (the 1995 Resolution). To that end, the Conference endorsed practical steps, inter alia, consideration of all offers aimed at supporting the implementation of the 1995 Resolution, including the offer of the Union to host a follow-up seminar related to the one organised in June 2008.
- (7) The 2010 NPT Review Conference further recognised the important role played by civil society in contributing to the implementation of the 1995 Resolution and encouraged all efforts in this regard.
- (8) On 6-7 July 2011, the Union organised a seminar in Brussels to 'promote confidence building and in support of a process aimed at establishing a zone free of WMD and means of delivery in the Middle East', which brought together senior representatives of States of the region, the three NPT depositary States, the Union Member States, other interested States, as well as academics and official representatives of the major regional and international organizations. Participants strongly encouraged the Union to continue to facilitate the process towards the establishment of a zone free of WMD in the Middle East, including through further similar initiatives prior to the 2012 Conference to be convened by the UNSG and the co-sponsors of the 1995 Resolution.
- (9) On 14 October 2011, the Secretary-General of the United Nations and the Governments of the Russian Federation, the United Kingdom and the United States, as co-sponsors of the 1995 NPT Resolution on the Middle East and depositary States of the Treaty, in consultation with the States of the region, appointed Under-Secretary of State Jaakko Laajava as Facilitator, and designated Finland as the host Government, for the 2012 Conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.



(10) Since November 2011, the Union has been in close consultation with the Facilitator and his team in order to provide further support to the process aimed at establishing a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East,

(d) providing means for the participation of non-governmental experts from the Union, when necessary and in close coordination with the European External Action Service (EEAS), to relevant official, non-governmental and track-2 initiatives, such as the Amman Framework.

HAS ADOPTED THIS DECISION:

A detailed description of the projects is set out in the Annex.

#### *Article 1*

1. For the purpose of providing follow-up to the 2011 seminar to 'promote confidence building and in support of a process aimed at establishing a zone free of WMD and means of delivery in the Middle East', the Union shall support activities in order to further the following objectives:

- (a) to support the work of the Facilitator for the 2012 Conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction;
- (b) to enhance the visibility of the Union as a global actor and in the region in the field of non-proliferation;
- (c) to encourage regional political and security-related dialogue within civil societies and governments, and more particularly among experts, officials and academics;
- (d) to identify concrete confidence-building measures that could serve as practical steps towards the prospect of a Middle East zone free of WMD and their means of delivery;
- (e) to encourage discussion on the universalisation and implementation of relevant international treaties and other instruments to prevent the proliferation of WMD and their delivery systems;
- (f) to discuss issues related to the peaceful uses of nuclear energy and international and regional cooperation in this regard.

2. In this context, the projects to be supported by the Union shall cover the following specific activities:

- (a) providing means for the organisation of a follow-up event related to the 2008 and 2011 Union seminars, to be held before the 2012 Conference in the form of a track-2 seminar;
- (b) providing means for the preparation of background papers on subjects dealt with by the follow-up seminar;
- (c) providing means for the creation of a dedicated page on the website of the EU Non Proliferation Consortium of Think Tanks;

#### *Article 2*

1. The High Representative of the Union for Foreign Affairs and Security Policy (HR) shall be responsible for the implementation of this Decision.

2. Technical implementation of the projects referred to in Article 1(2) shall be carried out by the EU Non-Proliferation Consortium, which shall perform this task under the responsibility of the HR. For this purpose, the HR shall enter into the necessary arrangements with the EU Non-Proliferation Consortium.

#### *Article 3*

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 352 000.

2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the Union budget.

3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 1. For this purpose, it shall conclude a financing agreement with the EU Non-Proliferation Consortium. The agreement shall stipulate that the EU Non-Proliferation Consortium is to ensure visibility of the Union contribution, appropriate to its size.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the agreement.

#### *Article 4*

1. The HR shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the EU Non-Proliferation Consortium. Those reports shall form the basis for the evaluation carried out by the Council.

2. The Commission shall provide information on the financial aspects of the projects referred to in Article 1(2).

#### *Article 5*

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

2. This Decision shall expire 18 months after the date of the conclusion of the financing agreements referred to in Article 3(3). However, it shall expire six months after its entry into force if no financing agreement has been concluded by that time.

Done at Brussels, 23 July 2012.

*For the Council*  
*The President*  
C. ASHTON

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## ANNEX

**Projects in support of a process leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East**

## 1. OBJECTIVES

In the Barcelona Declaration adopted at the Euro-Mediterranean Conference of 27-28 November 1995, the Union and its Mediterranean Partners agreed to pursue an effectively verifiable Middle East zone free of weapons of mass destruction (WMD) and their delivery systems. In 2008, the Joint Declaration of the Paris Summit for the Mediterranean confirmed the Union's readiness to consider and work out practical steps to prepare the proper ground for full implementation of the NPT Review Conference's 1995 Resolution on the Middle East (the 1995 Resolution) and the creation of such a zone. Such practical steps were first examined during the EU Seminar on 'Middle East Security, WMD Non-Proliferation and Disarmament', held in Paris in June 2008, and were subsequently identified in the EU Seminar to 'promote confidence building and in support of a process aimed at establishing a zone free of WMD and means of delivery in the Middle East', held in Brussels in July 2011.

In the Union's view, practical steps should, inter alia, promote universal adherence to and compliance with all multilateral agreements and instruments in the field of non-proliferation, arms control and disarmament, such as the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Chemical Weapons Convention, the Biological and Toxin Weapons Convention, the Comprehensive Nuclear Test-Ban Treaty and the Hague Code of Conduct against Ballistic Missile Proliferation as well as the IAEA Comprehensive Safeguards Agreements and the Additional Protocol. The start of negotiations on a Fissile Material Cut-off Treaty would be another crucial step in this context. Such steps could constitute an important regional confidence-building measure with a view to the establishment of a verifiable zone free of WMD and their delivery systems.

The Union wishes to continue and intensify political and security dialogue among the relevant partners of the Union for the Mediterranean and all other countries in the Middle East on issues related to the establishment of a zone free of WMD. The European Union believes that elaboration and implementation of concrete confidence-building measures could facilitate progress towards a zone free of WMD.

Against the background of increasing interest in the development of peaceful uses of nuclear energy in the region, efforts should also be carried out in order to ensure that the development of peaceful uses take place in accordance with the best safety, security and non-proliferation standards. The Union continues to support the decisions and the resolution on the Middle East adopted at the 1995 NPT Review and Extension Conference as well as the Final Documents of the 2000 NPT Review Conference and of the 2010 NPT Review Conference. The 2010 NPT Review Conference endorsed several practical steps, which include, inter alia, the convening of a 2012 Conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction as well as consideration of all offers aimed at supporting the implementation of the 1995 Resolution.

Following the success of the EU seminar of July 2011, the Union believes that these objectives could be furthered through another seminar in support of the 2012 Conference.

The Union wishes to support the above-mentioned objectives, as follows:

- through the organisation of a follow-up seminar to be held before the 2012 Conference;
- through providing means for the preparation of background policy papers commissioned to experts from the region and beyond in order to support the follow-up seminar;
- through providing means for the creation of a dedicated page on the website of the EU Non-Proliferation Consortium ([www.non-proliferation.eu](http://www.non-proliferation.eu));
- through providing means for the participation of non-governmental experts from the Union, when necessary and in close coordination with the EEAS, to relevant official, non governmental and track-2 initiatives, such as the Amman Framework.

## 2. DESCRIPTION OF THE PROJECTS

2.1. *Project 1: Seminar in support of a process leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East prior to the 2012 Conference*

## 2.1.1 Purpose of the project

- (a) to provide a follow-up event related to the EU seminar to 'promote a process aimed at establishing a zone free of WMD and means of delivery in the Middle East' which was held in Brussels on 6-7 July 2011 in the form of a general track-2 meeting, prior to the 2012 Conference;

- (b) to discuss issues related to regional security in the Middle East, including proliferation of WMD and their means of delivery and conventional issues;
- (c) to explore possible confidence-building measures to facilitate the process towards the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East;
- (d) to discuss possibilities to universalise and implement international non-proliferation and disarmament treaties and other instruments;
- (e) to explore perspectives for peaceful nuclear cooperation and related assistance activities.

#### 2.1.2. Expected results of the project

- (a) supporting the Facilitator of the 2012 Conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction in the run up to and the organisation of that event;
- (b) deepening dialogue and generate trust within civil society and governments in order to achieve further progress in support of a process leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East;
- (c) increasing mutual understanding of issues affecting the regional security landscape, including proliferation of WMD and their means of delivery and conventional issues;
- (d) increasing the awareness, knowledge and understanding of practical steps required for the establishment of a Middle East zone free of WMD and their means of delivery;
- (e) contributing to efforts to universalise and implement international non-proliferation and disarmament treaties and other instruments;
- (f) facilitating international and regional cooperation on peaceful uses of nuclear energy in accordance with the best standards of nuclear safety, security and non-proliferation.

#### 2.1.3. Description of the project

The project provides for the organisation of one two days seminar, which will take place preferably in Brussels or in the Middle East Region. Participants will include representatives of relevant Union Institutions, Member States, all Middle East countries, nuclear weapon states, relevant international organisations and academic experts. Approximately 150 representatives are expected to participate.

Discussions will be led by academic experts. In view of the sensitivity of the topics to be addressed, discussions will be carried out under the Chatham House Rule to enable a more informal and open debate without identifying the source of information received at the meeting.

Invited participants and speakers (academics and non-Union officials) will have their costs covered: travel, accommodation and per diems. The Council Decision also provides financial means to cover all other costs, including conference facility, equipment, lunches, dinners, coffee breaks. The working language of the seminar will be English.

The EU Non-Proliferation Consortium, in close consultation with the representative of the HR and Member States, will invite participants to the seminar and prepares the agenda for the conference.

A report of the meetings will be prepared by the EU Non-Proliferation Consortium and sent to the representative of the HR and the Facilitator. The report may be shared with relevant bodies in the Union, all Middle East countries, other interested countries, and competent international organisations.

### 2.2. Project 2: Background papers

#### 2.2.1. Purpose of the project

- (a) to provide up to twenty background papers on topics covered by the seminar in support of a process leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East;
- (b) to provide tools to understand the regional security landscape, including proliferation of WMD and their means of delivery and conventional issues;
- (c) to identify possible confidence-building measures that could serve as practical steps towards the prospect of a Middle East zone free of WMD and their means of delivery;
- (d) to identify ways to achieve further progress in the universalisation and implementation of international non-proliferation and disarmament treaties and other instruments;

- (e) identify perspectives for peaceful nuclear cooperation in the context of countries' energy policy and needs.

#### 2.2.2. Expected results of the project

- (a) feeding ideas and suggestions to the seminar in support of a process of confidence building leading to the establishment of a zone free of WMD and their means of delivery in the Middle East and contribute to achieving a focused and structured discussion on all relevant issues;
- (b) increasing the awareness, knowledge and understanding within civil societies and governments of issues related to a zone free of WMD and their means of delivery and regional security in the Middle East;
- (c) providing political and/or operational policy options to governments and international organisations to facilitate the process towards the establishment of zone free of WMD and their means of delivery and regional security in the Middle East.

#### 2.2.3. Description of the project

The project provides for the preparation of up to twenty background papers of five to ten pages each. The background papers will be prepared or commissioned by the EU Non-Proliferation Consortium and do not necessarily represent the views of the Unions Institutions or the Member States. A call for papers aimed at encouraging the participation of experts from the region will be organised by the EU non-proliferation consortium.

The background papers will cover the topics discussed by the seminar in support of a process leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East. Every paper will frame political/and or operational policy options.

The background papers will be submitted to seminar participants, relevant bodies in the Union and the Member States, all Middle East countries, other interested countries, and competent international organisations. The background papers could be published on the website of the EU Non-Proliferation Consortium.

The background papers could be collected together in one volume for a single publication, after the seminar.

#### 2.3. *Project 3: Creation of a dedicated page on the website of the EU Non Proliferation Consortium of Think Tanks*

##### 2.3.1. purpose of the project

- (a) to encourage the discussion and the interaction between Government officials and civil society, NGOs and academia;
- (b) to establish a dedicated page where non-proliferation think tanks can share their independent views and analysis on the topics covered by the Seminar.

##### 2.3.2. expected results of the project

Facilitating the exchange of views and increase the contribution of civil society, NGOs and academia to the process of establishing of a zone free of WMD in the Middle East

##### 2.3.3. description of the project

The project provides for the preparation of a dedicated page to the meeting within the EU Non-Proliferation Consortium website. The dedicated page will allow the free download of all relevant documents, including documents prepared and published for the seminar and from independent think tanks who may wish to share their research results on the topics covered by the seminar.

#### 2.4. *Project 4: Participation of non-governmental experts from the Union, when necessary and in close coordination with the EEAS, in relevant official, non governmental and track-2 initiatives, such as the Amman Framework. Financing of relevant ad hoc thematic initiative*

##### 2.4.1. purpose of the project

To guarantee adequate participation and full representation of the Union experts, including through funding of thematic initiatives, in relevant official, non governmental and track-2 initiatives, international or regional in scope already launched (Amman Framework), or to be launched in the near future, with the aim to help the process towards the establishment of a zone free of WMD in the Middle East.

#### 2.4.2. expected results of the project

Gathering information and thematic publications, maintaining useful network and influencing positively the overall process towards the establishment of a zone free of WMD in the Middle East.

#### 2.4.3. Project Description

Supporting participation of non-governmental experts from the Union when Union officials do not attend relevant official, non governmental and track-2 initiatives, international or regional in scope.

#### 3. DURATION

The total estimated duration of the implementation of the projects is 18 months.

#### 4. BENEFICIARIES

The beneficiaries of this project are:

- (a) countries in the Middle East;
- (b) other interested countries;
- (c) relevant international organisations;
- (d) civil society.

#### 5. PROCEDURAL ASPECTS, COORDINATION AND THE STEERING COMMITTEE

The Steering Committee will be composed of representatives of the HR and representatives of the Implementing Entity for each specific project. The Steering Committee will review the implementation of the Council Decision regularly, at least once every six months, including by the use of electronic means of communication.

#### 6. IMPLEMENTING ENTITIES

Technical implementation of the Council Decision will be entrusted to the EU Non-Proliferation Consortium.

The EU Non-Proliferation Consortium will perform its tasks under the responsibility of the HR. In carrying out its activities, it will cooperate with the HR, the EU Member States, other participating states, and international organisations as appropriate.

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## COUNCIL DECISION 2012/423/CFSP

of 23 July 2012

**in support of ballistic missile non-proliferation in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction and of the Council Common Position 2003/805/CFSP**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28 and Article 31(1) thereof,

Whereas:

- (1) On 12 December 2003, the European Council adopted the EU Strategy against Proliferation of Weapons of Mass Destruction ("WMD"), Chapter III of which contains a list of measures that need to be taken both within the European Union and in third countries to combat such proliferation;
- (2) The Union is actively implementing that Strategy and giving effect to the measures listed in Chapters II and III thereof, for example by releasing financial resources to support specific projects leading to the enhancement of a multilateral non-proliferation system and multilateral confidence building measures. The Hague Code of Conduct against ballistic missile proliferation ('the Code' or 'HCoC') is an integral part of that system. It aims at preventing and curbing the proliferation of ballistic missile systems capable of delivering weapons of mass destruction and related technologies;
- (3) On 17 November 2003, the Council adopted Common Position 2003/805/CFSP <sup>(1)</sup> on the universalisation and reinforcement of multilateral agreements in the field of non-proliferation of weapons of mass destruction and means of delivery.

That Common Position calls, *inter alia*, for the promotion of the subscription of as many countries as possible to the Code, especially those with ballistic missile capabilities, as well as for the further development and implementation of the Code, especially its confidence building measures, and for the promotion of a closer relationship between the Code and the UN multilateral non-proliferation system;

- (4) On 8 December 2008, the Council adopted its conclusions and a document entitled "New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery

systems", which states that proliferation of WMD and their delivery systems continue to constitute one of the greatest security challenges and that non-proliferation policy constitute an essential part of the Common and Security Policy. In the light of progress made and of ongoing efforts in the implementation of the "new lines for action", the Council agreed in December 2010 to prolong their implementation period until the end of 2012;

- (5) On 18 December 2008, the Council adopted Decision 2008/974/CFSP <sup>(2)</sup> in support of the Hague Code of Conduct against Ballistic Missile Proliferation in the framework of the implementation of the EU Security Strategy against Proliferation of Weapons of Mass Destruction. That Decision allowed the successful promotion of the universality of the Code and compliance with its principles. It is a priority of the Union to continue the dialogue among subscribing and non-subscribing States with the aim of further promoting the universality of the Code as well as its better implementation and enhancement. This follow-up Decision should contribute to this process;
- (6) Beyond The HCoC, the continued proliferation of ballistic missiles capable of delivering WMD constitutes a cause of growing concern for the international community, in particular ongoing missiles programmes in the Middle-East, North-East Asia and South Asia, including Iran and the Democratic People's Republic of Korea;
- (7) The UN security Council emphasised in its Resolution (UNSCR) 1540 (2004) and recalled in UNSCR 1977 (2011) that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constituted a threat to international peace and security and obliged States, *inter alia*, to refrain from supporting by any means non-State actors from developing, acquiring, manufacturing, possessing, transporting, transferring or using nuclear, chemical or biological weapons and their delivery systems. The threat caused by nuclear, chemical and biological weapons and their means of delivery to international peace and security was reaffirmed in UNSCR 1887 (2009) on nuclear non-proliferation and nuclear disarmament. Furthermore, the UN Security Council decided in UNSCR 1929 (2010), based *inter alia* on the prior Security Council resolutions, that Iran should not undertake any activity related to ballistic missiles capable of delivering nuclear weapons, including launches using ballistic missile technology, and that States should take all necessary measures to prevent the

<sup>(1)</sup> OJ L 302, 20.11.2003, p. 34.

<sup>(2)</sup> OJ L 345, 23.12.2008, p. 91.

transfer of technology or technical assistance to Iran related to such activities. This Decision should serve, more generally, to support a range of activities aimed to fight the proliferation of ballistic missiles,

HAS ADOPTED THIS DECISION:

*Article 1*

1. For the purposes of ensuring the continuous and practical implementation of certain elements of the EU Strategy against Proliferation of Weapons of Mass Destruction, the Union shall:

(a) support activities in support of The Hague Code of Conduct against ballistic missile proliferation, in particular with the aim to:

- promoting the universality of the Code, and in particular the subscription to the Code by all States with ballistic missile capabilities;
- supporting the implementation of the Code;
- reinforce the visibility of the Code, in particular on the occasion of the tenth anniversary of its signature;

(b) more generally, support a range of activities to fight against the proliferation of ballistic missiles, aimed in particular at raising awareness of this threat, stepping up efforts to increase the effectiveness of multilateral instruments, building up support to initiatives to address these specific challenges and helping interested countries to reinforce nationally their relevant export control regimes.

2. In this context, the projects to be supported by the Union shall cover the following specific activities:

(a) Activities in support of the Code:

- The preparation and publication of a "welcome package" for outreach activities towards non-subscribing States, also recalling obligations for subscribing States;
- Organising outreach side events in Vienna in the margins of the HCoC annual meeting of subscribing states;
- Organising outreach side events in support of the HCoC in the margins of the UN General Assembly First Committee;
- Organising up to three regional outreach seminars based on Union priorities (possibly Asia, Gulf countries and Latin America);

- Encouraging subscribing and non-subscribing States' representatives from developing countries to attend the HCoC Annual meetings and outreach seminars;

- Organising awareness sessions for States having recently joined the HCoC to assist them in fulfilling their obligations, including in the margins of the HCoC annual meeting in Vienna;

- Supporting the coordination of HCoC promotion efforts with the activities of the UN 1540 Committee, including through financing the participation of HCoC experts into 1540 Committee country visits;

- Supporting the HCoC secure internet-based information and communication mechanism (e-ICC), including through technical enhancement of the website;

- Providing financial support to activities to mark the tenth anniversary of the HCoC.

(b) Activities in support of ballistic missile non-proliferation in general:

- Organising up to four seminars to raise awareness on ballistic missile proliferation in the margins of multilateral fora, possibly linked with the HCoC outreach events referred to in point (a), such as a seminar in the margins of UNGA, the Conference on Disarmament or the Non-Proliferation Treaty Preparatory committees;

- Organising up to three regional seminars to raise awareness of ballistic missile proliferation and encourage discussions on perspectives to better address the ballistic missile proliferation threat at a regional level, possibly linked with other Union outreach activities on HCoC; in association with the States concerned, seminars could take place in Asia, the Gulf region and Latin America;

- Providing three food-for-thought papers on possible further multilateral steps to prevent the threat of missile proliferation and to promote disarmament efforts in the field of ballistic missiles, focusing in particular on possible confidence-building measures; possible legally-binding measures on short-range and intermediate range ground-to-ground ballistic missiles; and exploring the possibility of adopting a regional focus as a first step, for instance in regions of particular interest for the Union and/or where progress can be expected in the near future;

- In order to prevent dual-use technology and knowledge transfer at an early stage, organising up to three awareness-building sessions for experts, especially from the scientific and/or space communities and industry;



- Encouraging access for academics from developing countries working on missile non-proliferation to projects of the European Union Centres of Excellence;
- In coordination with the European Union Centres of Excellence, organising targeted expert missions in countries outside the Union in order to share information and lessons learned regarding missile technology and dual use goods related export control and help them build up their national capabilities;
- Supporting experts' training on ballistic non-proliferation, through participation in Union programmes such as that of the ESDP College or in EU Member States' programmes.

#### Article 2

1. The High Representative of the Union for Foreign Affairs and Security Policy (HR) shall be responsible for the implementation of this Decision.
2. Technical implementation of the projects referred to in Article 1(2) shall be carried out by the *Fondation pour la recherche stratégique* (FRS), which shall perform this task under the responsibility of the HR. For this purpose, the HR shall enter into the necessary arrangements with the FRS.

#### Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 930 000.
2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the Union budget.
3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 1. For that purpose,

it shall conclude a financing agreement with the FRS. The agreement shall stipulate that the FRS is to ensure visibility of the Union contribution, appropriate to its size.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the agreement.

#### Article 4

1. The HR shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the FRS. Those reports shall form the basis for the evaluation carried out by the Council.

2. The Commission shall provide information on the financial aspects of the projects referred to in Article 1(2).

#### Article 5

1. This Decision shall enter into force on the day of its adoption.
2. This Decision shall expire 24 months after the date of the conclusion of the financing agreements referred to in Article 3(3). However, it shall expire six months after its entry into force if no financing agreement has been concluded by that time.

Done at Brussels, 23 July 2012.

For the Council  
The President  
C. ASHTON

## ANNEX

**EU support to ballistic missile non-proliferation in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction and of the Council Common Position 2003/805/CFSP**

## 1. OBJECTIVES

The European Union is a strong promoter of missile non-proliferation (EU Strategy against the Proliferation of Weapons of Mass Destruction of 12 December 2003; Council Common Position 2003/805/CFSP of 17 November 2003 on the universalisation and reinforcement of multilateral agreements in the field of non-proliferation of weapons of mass destruction and means of delivery; Council endorsed "New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems" of 8 December 2008; EU support to UNSC resolution 1540 (2004), recalled in UNSC resolution 1977 (2010)).

The Union has strongly supported the Hague Code of Conduct against ballistic missile proliferation ('the Code' or 'HCoC') from its inception and has expressed regular concern over ballistic missile proliferation. The European Union considers the Code as an important multilateral instrument which aims at curbing the proliferation of ballistic missile systems and related technologies through transparency and confidence building measures. All the European Union Member States have subscribed to the Code and are implementing the Code in good faith.

In the past, the Union tried to overcome remaining loopholes in the implementation of the Code and its universality by organising a workshop of subscribing and non-subscribing States to the Code in the margins of the 2007 Annual Meeting.

Encouraged by the outcome of the workshop, the European Union has pursued its initiative and supported three aspects of the Code as follows:

- Universality of the Code;
- Implementation of the Code;
- Enhancement and improved functioning of the Code.

This action was undertaken under Council Decision 2008/974/CFSP of 18 December 2008, which allowed developing several initiatives in support of HCoC including:

- the development of a dedicated secure website;
- the organisation of several side-events aimed at promoting the Code vis-à-vis non-subscribing States in Vienna and New York;
- an awareness raising workshop for African and Middle Eastern Countries in Paris
- a visit by observers to SLV launch site in French Guyana (Kourou);
- preparation of food-for-thought papers.

That Decision contributed to raising awareness about the Code and to its promotion with third countries. It supported Costa Rica, Hungary, France and Romania in their activities as HCoC Chairs. By raising the profile of the HCoC, it facilitated the accession of new members to the Code.

In view of the results achieved, and of the continued proliferation of ballistic missiles capable of delivering WMD which constitute a cause of growing concern for the international community, in particular ongoing missile programmes in the Middle-East, North-East Asia and South Asia, including Iran and the Democratic People's Republic of Korea, the following actions will be carried out:

- supporting the HCoC;
- supporting ballistic missile non-proliferation;
- organising outreach events on HCoC and ballistic missile non-proliferation.

Going beyond the sole promotion of adherence to the Code, this Decision allows deepening the international debate over missile proliferation and engaging new regional areas and new communities.



## 2. DESCRIPTION OF THE PROJECT

### 2.1. **Project 1: Support to the HCoC**

#### 2.1.1. *Objective of the project*

The Code represents an important instrument for curbing the proliferation of ballistic missiles and related technologies through confidence-building and transparency measures. However, more needs to be done to support it, in particular with the aim of:

- promoting the universality of the Code, and in particular the subscription to the Code by all States with ballistic missile capabilities;
- supporting the implementation of the Code in all its aspects;
- reinforce the visibility of the Code, in particular on the occasion of the 10th anniversary of its signature.

#### 2.1.2. *Description of the project*

The project provides for three types of activities:

- (a) the preparation and publication of a "welcome package" printed booklet and a CD or USB stick for outreach activities towards non-subscribing States, also recalling obligations for subscribing States. It will also be available online, covering all the necessary information about the Code and the relevant points of contact.
- (b) Supporting the HCoC secure Internet-based information and communication mechanism ("electronic Immediate Central Contact" – e-ICC), including through technical enhancement of the website in close cooperation with the Austrian Ministry of Foreign Affairs.
- (c) Organising of an event for the 10th anniversary of the HCoC. The implementing agency will provide financial support to activities to mark this anniversary. This will primarily take the form of an international conference to be organised during winter 2012-2013 possibly in the Hague, New York or Vienna (to be determined by the High Representative of the Union for Foreign Affairs and Security Policy (HR) in close consultation with Member States in the framework of the competent Council Working Party).

#### 2.1.3. *Expected results of the project*

- Use of the "welcome package" by the HCoC chair, the Austrian Secretariat ("Immediate Central Contact" – ICC), the Union and other partners as necessary in their outreach activities.
- Wide distribution of the "welcome package" during the various events.
- Further developing and upgrading the dedicated HCoC website.
- Raising the international profile of the HCoC by organising an international event on its tenth anniversary.

#### 2.1.4. *Beneficiaries of the project*

The beneficiaries of the project are both States subscribing to the HCoC and non-subscribing States.

### 2.2. **Project 2: Support To Ballistic Missile Non-Proliferation**

#### 2.2.1. *Purpose of the project*

Beyond the HCoC, the continued proliferation of ballistic missiles capable of delivering WMD constitutes a cause of growing concern for the international community, in particular ongoing missiles programmes in the Middle-East, North-East Asia and South Asia, including Iran and the Democratic People's Republic of Korea.

More generally, the project will support a range of activities to fight against the proliferation of ballistic missiles, aimed in particular at raising awareness of the threat, stepping up efforts to increase the effectiveness of multilateral instruments, building up support to initiatives to address those specific challenges and helping interested countries to reinforce nationally their relevant export control regimes.

#### 2.2.2. *Description of the project*

The project provides for three types of measures:

- (a) The publication of food-for-thought papers. Possible subjects could include:
  - legally-binding measures on short-range and intermediate range ground-to-ground ballistic missiles;

- further multilateral steps to prevent the threat of missile proliferation and to promote disarmament efforts in the field of ballistic missile, focusing in particular on possible confidence-building measures;
  - export and transit control mechanisms.
- (b) The organisation of three awareness-building sessions about dual-use technology and knowledge transfer issues in order to prevent them in the field of ballistic missiles. The sessions will allow considering both trends in the technology transfer for ballistic missiles and what could be promoted to prevent it at an early stage. To this end, FRS will organise three workshops for experts from scientific, space and industry communities of HCoC subscribing and non-subscribing States.
- (c) Targeted expert missions outside the Union. In coordination with the European Union Centres of Excellence, two experts on ballistic missile non-proliferation will conduct field missions in targeted countries. Possible destinations could include, but are not limited to, Malaysia, the United Arab Emirates, China, Algeria, South Africa, India, Brazil, Thailand and Mexico. The final list of countries will be defined in close cooperation with the EEAS, as well as the opportunity of joint demarches with UN 1540 Committee outreach efforts.

#### 2.2.3. *Expected results of the project*

- Fostering missile non-proliferation;
- Promoting multilateral efforts curbing missile proliferation including the HCoC;
- Encouraging the debate on new initiatives aimed at curbing missile proliferation;
- Raising awareness about dual-use technology and knowledge transfer issues in order to prevent them in the field of ballistic missiles through awareness-building sessions.

#### 2.2.4. *Project beneficiaries*

The Union and the Member States will benefit from the food-for-thought papers; wider distribution will be decided by the HR in close consultation with Member States in the framework of the competent Council Working Party. The final Decision will be based on proposals by the implementing entity in accordance with Article 2(2).

Awareness-building sessions will be an opportunity to engage the wider community of experts on space and missile issues by holding sessions for representatives of the industry, of the research community, and beyond.

Targeted expert missions will focus on key non-subscribing States or on regional players with an important role in technological transfers and space related activities.

### 2.3. **Project 3: Organise Outreach events on HCoC and Ballistic Missile Non-Proliferation**

#### 2.3.1. *Purpose of the project*

This project will raise awareness of both missile non-proliferation and the HCoC by organising several events aimed at engaging non-subscribing States. To this end, events will be organised in Vienna, Geneva and New York to engage the UN delegations in the margins of relevant events.

#### 2.3.2. *Project description*

The project will provide for two types of events:

- (a) Financing of six outreach events in support of both the HCoC and ballistic missile non-proliferation that will take place in three cities:
- in New York, in the margins of the UN General Assembly First Committee or of the non-Proliferation Treaty Preparatory Committees;
  - in Geneva, in the margins of the Conference on Disarmament;
  - in Vienna, in the margins of the HCoC, COPUOS or other relevant activities of the UN in Vienna.

Those events could take different forms:

- seminars gathering up to 80 participants from UN missions in New York, Geneva and Vienna around a selected group of speakers and European Union officials;
- closed lunches or dinners aimed at engaging senior officials from selected countries around an EU senior representative and experts.

To this end, the implementing entity will propose for each event to the HR a list of countries, some of which will be non-subscribing States. This will allow convening senior representatives that deal with non-proliferation issues.

- (b) Financing of three regional outreach seminars that could take place in Latin America (e.g. Chile, Mexico, Argentina, or Brazil), the Middle East (e.g. the Gulf countries, UAE or Jordan), and Asia (e.g. Singapore or Vietnam). The choice of the location will be made in agreement with the HR, in close consultation with Member States in the framework of the competent Council Working Party. The seminar will be dedicated to trends in missile proliferation and a focus on regional issues and will address the HCoC and practical information about being a subscribing state.

#### 2.3.3. *Expected results of the project*

- Raising awareness of missile proliferation trends and more particularly on the Code of Conduct against ballistic missile proliferation (HCoC) with regard to non-subscribing States and promoting discussions on further efforts to promote missile non-proliferation;
- Fostering debate within and outside the Union on future initiatives;
- Raising the profile of missile proliferation as a strategic challenge.

#### 2.3.4. *Beneficiaries of the project*

The main focus of these events will be non-subscribing States, although subscribing States might be associated with some events for policy reasons. Participants should be primarily governmental experts and senior officials.

The final choice of the beneficiary States will be made in consultation between the implementing entity and the HR in close consultation with Member States in the framework of the competent Council Working Party. The final Decision will be based on proposals by the implementing entity in accordance with Article 2(2).

### 3. DURATION

The total estimated duration of the implementation of the project is 24 months.

### 4. IMPLEMENTING ENTITY

The FRS will be entrusted with the technical implementation of the projects.

The implementing entity will prepare:

- (a) quarterly reports on the implementation of the projects;
- (b) a final report not later than one month after the end of the implementation of the projects.

Reports will be sent to the HR.

The FRS will ensure the visibility of the Union contribution, appropriate to its size.

### 5. THIRD PARTY PARTICIPANTS

The projects will be financed in their entirety by this Decision. Experts from States subscribing to the Code or from non-subscribing States may be considered as third-party participants. They will work in accordance with the standard rules of the FRS.

**COUNCIL IMPLEMENTING DECISION 2012/424/CFSP**  
**of 23 July 2012**  
**implementing Decision 2011/782/CFSP concerning restrictive measures against Syria**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on European Union,

*Article 1*

The persons and entities listed in the Annex to this Decision shall be added to the list set out in Annex I to Decision 2011/782/CFSP.

Having regard to Decision 2011/782/CFSP <sup>(1)</sup>, and in particular Article 21(1) thereof,

*Article 2*

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

Whereas:

(1) On 1 December 2011, the Council adopted Decision 2011/782/CFSP.

Done at Brussels, 23 July 2012.

(2) In view of the gravity of the situation in Syria, additional persons and entities should be included in the list of persons and entities subject to restrictive measures set out in Annex I to Decision 2011/782/CFSP,

*For the Council*  
*The President*  
C. ASHTON

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<sup>(1)</sup> OJ L 319, 2.12.2011, p. 56.

## ANNEX

## Persons and entities referred to in Article 1

## Persons

	Name	Identifying information	Reasons	Date of listing
1.	Brigadier General Sha'afiq Masa		Head of Branch 215 (Damascus) of the army's intelligence service. Responsible for the torture of detained opponents. Involved in repressive actions against civilians.	24.7.2012
2.	Brigadier General Burhan Qadour		Head of Branch 291 (Damascus) of the army's intelligence service. Responsible for the torture of opponents in custody.	24.7.2012
3.	Brigadier General Salah Hamad		Deputy Head of Branch 291 of the army's intelligence service. Responsible for the torture of opponents in custody.	24.7.2012
4.	Brigadier General Muhammad (or: Mohammed) Khallouf (a.k.a. Abou Ezzat)		Head of Branch 235, a.k.a. "Palestine" (Damascus) of the army's intelligence service, which is at the centre of the army's apparatus of repression. Directly involved in repression of opponents. Responsible for the torture of opponents in custody.	24.7.2012
5.	Major General Riad al-Ahmed		Deputy Head of Latakia Branch of the army's intelligence service. Responsible for the torture and murder of opponents in custody.	24.7.2012
6.	Brigadier General Abdul Salam Fajr Mahmoud		Head of the Bab Tuma (Damascus) Branch of the air force's intelligence service. Responsible for the torture of opponents in custody.	24.7.2012
7.	Brigadier General Jawdat al-Ahmed		Head of the Homs Branch of the air force's intelligence service. Responsible for the torture of opponents in custody.	24.7.2012
8.	Colonel Qusay Mihoub		Head of the Deraa branch of the air force's intelligence service (sent from Damascus to Deraa at the start of demonstrations there). Responsible for the torture of opponents in custody.	24.7.2012
9.	Colonel Suhail Al-Abdullah		Head of the Latakia Branch of the air force's intelligence service. Responsible for the torture of opponents in custody.	24.7.2012
10.	Brigadier General Khudr Khudr		Head of the Latakia branch of the General Intelligence Directorate. Responsible for the torture of opponents in custody.	24.7.2012
11.	Brigadier General Ibrahim Ma'ala		Head of branch 285 (Damascus) of the General Intelligence Directorate (replaced Brig. Gen. Hussam Fendi at end 2011). Responsible for the torture of opponents in custody.	24.7.2012
12.	Brigadier General Firas Al-Hamed		Head of branch 318 (Homs) of the General Intelligence Directorate. Responsible for the torture of opponents in custody.	24.7.2012

	Name	Identifying information	Reasons	Date of listing
13.	Brigadier General Hussam Luqa		Since April 2012, head of the Homs branch of the Political Security Directorate (succeeded Brig. Gen. Nasr al-Ali). Responsible for the torture of opponents in custody.	24.7.2012
14.	Brigadier General Taha Taha		Site manager of the Latakia branch of the Political Security Directorate. Responsible for the torture of opponents in custody.	24.7.2012
15.	Brigadier General Nasr al-Ali		Since April 2012 manager of the Deraa site of the Political Security Directorate (ex-head of the Homs branch). Responsible for the torture of opponents in custody.	24.7.2012
16.	Bassel Bilal		Police officer at Idlib central prison; has taken part directly in acts of torture of opponents held in Idlib central prison.	24.7.2012
17.	Ahmad Kafan		Police officer at Idlib central prison; has taken part directly in acts of torture of opponents held in Idlib central prison.	24.7.2012
18.	Bassam al-Misri		Police officer at Idlib central prison; has taken part directly in acts of torture of opponents held in Idlib central prison.	24.7.2012
19.	Ahmed al-Jarroucheh	Date of birth: 1957	Head of the foreign branch of General Intelligence (branch 279). As such, responsible for General Intelligence arrangements in Syrian embassies. He participates directly in the repression implemented by the Syrian authorities against opponents and in particular has responsibility for repression of the Syrian opposition abroad.	24.7.2012
20.	Michel Kassouha (a.k.a. Ahmed Salem; a.k.a. Ahmed Salem Hassan)	Date of birth: 1 February 1948	Member of the Syrian security services since the early 1970s, he is involved in combating opposition in France and Germany. Since March 2006, has been responsible for public relations of branch 273 of the Syrian General Intelligence Directorate. A longstanding member of the managerial staff, he is close to General Intelligence Directorate head Ali Mamlouk, one of the top security officials of the regime who has been subject to EU restrictive measures since 9 May 2011. He directly supports the regime's repression of opponents and is responsible inter alia for repression of the Syrian opposition abroad.	24.7.2012
21.	General Ghassan Jaoudat Ismail	Date of birth: 1960 Place of origin: Drekish, Tartus region.	Responsible for the missions branch of the air force intelligence service, which, in cooperation with the special operations branch, manages the elite troops of the air force intelligence service, who play an important role in the repression conducted by the regime. As such, Ghassan Jaoudat Ismail is one of the military leaders directly implementing the repression of opponents conducted by the regime.	24.7.2012
22.	General Amer al-Achi (a.k.a. Amis al Ashi; a.k.a. Ammar Aachi; a.k.a. Amer Ashi)		Graduate of the military school of Aleppo, head of the intelligence branch of the air force intelligence service (since 2012), close to Daoud Rajah, Syrian Minister for Defence. Through his role in the air force intelligence service, Amer al-Achi is implicated in the repression of the Syrian opposition.	24.7.2012

	Name	Identifying information	Reasons	Date of listing
23.	General Mohammed Ali Nasr (or: Mohammed Ali Naser)	Date of birth: around 1964	Close to Maher al-Assad, younger brother of the President. Most of his career has been spent in the Republican Guard. In 2010 he joined the internal branch (or branch 251) of the General Intelligence Directorate which is responsible for combating the political opposition. As one of its senior officers, General Mohammed Ali is directly involved in the repression of opponents.	24.7.2012
24.	General Issam Hallaq		Air Force Chief of Staff since 2010. Commands air operations against opponents.	24.7.2012
25.	Ezzedine Ismael	Date of birth: middle of the 1940s (probably 1947). Place of birth: Bastir. Jableh region.	Retired general, longstanding member of the managerial staff of the air force intelligence service, of which he became the head in the early 2000s. Was appointed political and security adviser to the President in 2006. As political and security adviser to the Syrian president, Ezzedine Ismael is implicated in the political repression conducted by the regime against the opposition.	24.7.2012
26.	Samir Joumaa (a.k.a. Abou Sami)	Date of birth: around 1962	For almost 20 years he has been head of the office of Mohammad Nassif Kheir Bek, one of the main security advisers of Bashar al-Assad (and officially deputy to the Vice-President, Farouk al-Sharaa). Samir Joumaa's closeness to Bashar al-Assad and Mohammed Nassif Kheir Bek means that he is implicated in the policy of repression conducted by the regime against its opponents.	24.7.2012

#### Entities

	Name	Identifying information	Reasons	Date of listing
1.	Drex Technologies S.A.	Incorporation date: 4 July 2000 Incorporation number: 394678 Director: Rami Makhlof Registered agent: Mossack Fonseca & Co (BVI) Ltd	Drex Technologies is wholly owned by Rami Makhlof, who is listed under EU sanctions for providing financial support to the Syrian regime. Rami Makhlof uses Drex Technologies to facilitate and manage his international financial holdings, including a majority share in SyriaTel, which the EU has previously listed on the grounds that it also provides financial support to the Syrian regime.	24.7.2012
2.	Cotton Marketing Organisation	Address: Bab Al-Faraj P.O. Box 729, Aleppo Tél.: +96321 2239495/6/7/8 Cmo-aleppo@mail.sy www.cmo.gov.sy	State-owned company. Provides financial support to the Syrian regime.	
3.	Syrian Arab Airlines (a.k.a. SAA, a.k.a. Syrian Air)	Al-Mohafazeh Square, P.O. Box 417, Damascus, Syria Tel: +963112240774	Public company controlled by the regime. Provides financial support for the regime.	24.7.2012





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