ISSN 1977-0677

Volume 56

L 46

Official Journal of the European Union



| English edition | | Legislation 19 February 2 | 2013 |
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(Continued overleaf)

(1) Text with EEA relevance



Price: EUR 3

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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INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 12 February 2013

on the conclusion on behalf of the European Union of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety

(Text with EEA relevance)

(2013/86/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192, in conjunction with Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament (1),

Whereas:

- (1) Article 27 of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (²) ('the Protocol') provides that the Conference of the Parties serving as the Meeting of the Parties to the Protocol (COP/MOP) shall adopt, in its first meeting, a process with respect to the elaboration of international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms.
- (2) In June 2007, the Council adopted a Decision authorising the Commission to participate in the negotiations concerning liability and redress in this field on behalf of the Union as regards matters falling within Union competence, in accordance with certain negotiating directives. That authorisation was extended in October 2008 to cover the final stages of the negotiations.

- (3) During the fifth COP/MOP in Nagoya, Japan, the Union supported the final compromise reached on the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety ('the Supplementary Protocol'), following consideration that it was within the limits of the agreed Union positions and negotiating directives addressed to the Commission.
- (4) On 15 October 2010, the final plenary of the fifth COP/MOP adopted the Supplementary Protocol.
- (5) On 20 December 2010, the Council welcomed the adoption of the Supplementary Protocol.
- (6) In accordance with a Council Decision of 6 May 2011 (³), the Supplementary Protocol was signed by the Union on 11 May 2011, subject to its conclusion at a later date.
- (7) According to Article 34 of the Convention on Biological Diversity (⁴), any protocol to that Convention is subject to ratification, acceptance or approval by States and by regional economic integration organisations.
- (8) The Union and its Member States should endeavour to deposit as soon as possible their instruments of ratification, acceptance or approval of the Supplementary Protocol.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ L 201, 31.7.2002, p. 50.

⁽³⁾ Not yet published in the Official Journal.

^{(&}lt;sup>4</sup>) OJ L 309, 13.12.1993, p. 3.

- (9) The Supplementary Protocol contributes to the achievement of the objectives of the environmental policy of the Union.
- (10) The Supplementary Protocol should therefore be approved on behalf of the Union,

HAS ADOPTED THIS DECISION:

Article 1

The Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety is hereby approved on behalf of the Union.

The text of the Supplementary Protocol is attached to this Decision.

Article 2

The President of the Council shall designate the person(s) empowered to deposit, on behalf of the Union, as regards

matters falling within the Union's competence, the instrument of approval provided for in Article 18 of the Supplementary Protocol (¹). At the same time, these person(s) shall deposit the declaration set out in the Annex to this Decision, in accordance with Article 34(3) of the Convention on Biological Diversity.

Article 3

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

Done at Brussels, 12 February 2013.

For the Council The President M. NOONAN

⁽¹⁾ The date of entry into force of the Supplementary Protocol will be published in the Official Journal of the European Union by the General Secretariat of the Council.

ANNEX

DECLARATION BY THE EUROPEAN UNION IN ACCORDANCE WITH ARTICLE 34, PARAGRAPH 3, OF THE CONVENTION ON BIOLOGICAL DIVERSITY

The European Union declares that, in accordance with the Treaty on the Functioning of the European Union, and in particular Article 191 thereof, it is competent for entering into international agreements, and for implementing the obligations resulting therefrom, which contribute to the pursuit of the following objectives:

- preserving, protecting and improving the quality of the environment;
- protecting human health;
- prudent and rational utilisation of natural resources;
- promoting measures at international level to deal with regional or worldwide environmental problems, and in
 particular combating climate change.

Moreover, the European Union adopts measures at Union level in the area of judicial cooperation in civil matters for the proper functioning of its internal market.

The European Union declares that it has already adopted legal instruments, binding on its Member States, covering matters governed by this Supplementary Protocol. The exercise of Union competence is by nature subject to continuous development. In order to comply with its obligations under Article 20(3)(a) of the Cartagena Protocol on Biosafety to the Convention of Biodiversity, the Union will keep up to date the list of legal instruments already transmitted to the Biosafety Clearing House.

The European Union is responsible for the performance of those obligations resulting from this Supplementary Protocol which are covered by Union law in force.'

NAGOYA-KUALA LUMPUR SUPPLEMENTARY PROTOCOL ON LIABILITY AND REDRESS TO THE CARTAGENA PROTOCOL ON BIOSAFETY

THE PARTIES TO THIS SUPPLEMENTARY PROTOCOL,

BEING Parties to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, hereinafter referred to as 'the Protocol',

TAKING INTO ACCOUNT Principle 13 of the Rio Declaration on Environment and Development,

REAFFIRMING the precautionary approach contained in Principle 15 of the Rio Declaration on Environment and Development,

RECOGNIZING the need to provide for appropriate response measures where there is damage or sufficient likelihood of damage, consistent with the Protocol,

RECALLING Article 27 of the Protocol,

HAVE AGREED AS FOLLOWS:

Article 1

Objective

The objective of this Supplementary Protocol is to contribute to the conservation and sustainable use of biological diversity, taking also into account risks to human health, by providing international rules and procedures in the field of liability and redress relating to living modified organisms.

Article 2

Use of terms

1. The terms used in Article 2 of the Convention on Biological Diversity, hereinafter referred to as 'the Convention', and Article 3 of the Protocol shall apply to this Supplementary Protocol.

2. In addition, for the purposes of this Supplementary Protocol:

- (a) 'Conference of the Parties serving as the meeting of the Parties to the Protocol' means the Conference of the Parties to the Convention serving as the meeting of the Parties to the Protocol;
- (b) 'Damage' means an adverse effect on the conservation and sustainable use of biological diversity, taking also into account risks to human health, that:
 - (i) Is measurable or otherwise observable taking into account, wherever available, scientifically-established baselines recognized by a competent authority that takes into account any other human induced variation and natural variation; and
 - (ii) Is significant as set out in paragraph 3 below;

- (c) 'Operator' means any person in direct or indirect control of the living modified organism which could, as appropriate and as determined by domestic law, include, inter alia, the permit holder, person who placed the living modified organism on the market, developer, producer, notifier, exporter, importer, carrier or supplier;
- (d) 'Response measures' means reasonable actions to:
 - (i) Prevent, minimize, contain, mitigate, or otherwise avoid damage, as appropriate;
 - (ii) Restore biological diversity through actions to be undertaken in the following order of preference:
 - a. Restoration of biological diversity to the condition that existed before the damage occurred, or its nearest equivalent; and where the competent authority determines this is not possible;
 - b. Restoration by, inter alia, replacing the loss of biological diversity with other components of biological diversity for the same, or for another type of use either at the same or, as appropriate, at an alternative location.

3. A 'significant' adverse effect is to be determined on the basis of factors, such as:

- (a) The long-term or permanent change, to be understood as change that will not be redressed through natural recovery within a reasonable period of time;
- (b) The extent of the qualitative or quantitative changes that adversely affect the components of biological diversity;
- (c) The reduction of the ability of components of biological diversity to provide goods and services;

(d) The extent of any adverse effects on human health in the context of the Protocol.

Article 3

Scope

1. This Supplementary Protocol applies to damage resulting from living modified organisms which find their origin in a transboundary movement. The living modified organisms referred to are those:

(a) Intended for direct use as food or feed, or for processing;

(b) Destined for contained use;

(c) Intended for intentional introduction into the environment.

2. With respect to intentional transboundary movements, this Supplementary Protocol applies to damage resulting from any authorized use of the living modified organisms referred to in paragraph 1 above.

3. This Supplementary Protocol also applies to damage resulting from unintentional transboundary movements as referred to in Article 17 of the Protocol as well as damage resulting from illegal transboundary movements as referred to in Article 25 of the Protocol.

4. This Supplementary Protocol applies to damage resulting from a transboundary movement of living modified organisms that started after the entry into force of this Supplementary Protocol for the Party into whose jurisdiction the transboundary movement was made.

5. This Supplementary Protocol applies to damage that occurred in areas within the limits of the national jurisdiction of Parties.

6. Parties may use criteria set out in their domestic law to address damage that occurs within the limits of their national jurisdiction.

7. Domestic law implementing this Supplementary Protocol shall also apply to damage resulting from transboundary movements of living modified organisms from non-Parties.

Article 4

Causation

A causal link shall be established between the damage and the living modified organism in question in accordance with domestic law.

Article 5

Response measures

1. Parties shall require the appropriate operator or operators, in the event of damage, subject to any requirements of the competent authority, to:

- (a) Immediately inform the competent authority;
- (b) Evaluate the damage; and
- (c) Take appropriate response measures.
- 2. The competent authority shall:
- (a) Identify the operator which has caused the damage;
- (b) Evaluate the damage; and
- (c) Determine which response measures should be taken by the operator.

3. Where relevant information, including available scientific information or information available in the Biosafety Clearing-House, indicates that there is a sufficient likelihood that damage will result if timely response measures are not taken, the operator shall be required to take appropriate response measures so as to avoid such damage.

4. The competent authority may implement appropriate response measures, including, in particular, when the operator has failed to do so.

5. The competent authority has the right to recover from the operator the costs and expenses of, and incidental to, the evaluation of the damage and the implementation of any such appropriate response measures. Parties may provide, in their domestic law, for other situations in which the operator may not be required to bear the costs and expenses.

6. Decisions of the competent authority requiring the operator to take response measures should be reasoned. Such decisions should be notified to the operator. Domestic law shall provide for remedies, including the opportunity for administrative or judicial review of such decisions. The competent authority shall, in accordance with domestic law, also inform the operator of the available remedies. Recourse to such remedies shall not impede the competent authority from taking response measures in appropriate circumstances, unless otherwise provided by domestic law.

7. In implementing this Article and with a view to defining the specific response measures to be required or taken by the competent authority, Parties may, as appropriate, assess whether response measures are already addressed by their domestic law on civil liability.

8. Response measures shall be implemented in accordance with domestic law.

Article 6

Exemptions

1. Parties may provide, in their domestic law, for the following exemptions:

(a) Act of God or force majeure; and

(b) Act of war or civil unrest.

2. Parties may provide, in their domestic law, for any other exemptions or mitigations as they may deem fit.

Article 7

Time limits

Parties may provide, in their domestic law, for:

- (a) Relative and/or absolute time limits including for actions related to response measures; and
- (b) The commencement of the period to which a time limit applies.

Article 8

Financial limits

Parties may provide, in their domestic law, for financial limits for the recovery of costs and expenses related to response measures.

Article 9

Right of recourse

This Supplementary Protocol shall not limit or restrict any right of recourse or indemnity that an operator may have against any other person.

Article 10

Financial security

1. Parties retain the right to provide, in their domestic law, for financial security.

2. Parties shall exercise the right referred to in paragraph 1 above in a manner consistent with their rights and obligations under international law, taking into account the final three preambular paragraphs of the Protocol.

3. The first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol after the entry into force of the Supplementary Protocol shall request the Secretariat to undertake a comprehensive study which shall address, inter alia:

- (a) The modalities of financial security mechanisms;
- (b) An assessment of the environmental, economic and social impacts of such mechanisms, in particular on developing countries; and
- (c) An identification of the appropriate entities to provide financial security.

Article 11

Responsibility of States for internationally wrongful acts

This Supplementary Protocol shall not affect the rights and obligations of States under the rules of general international law with respect to the responsibility of States for internationally wrongful acts.

Article 12

Implementation and relation to civil liability

1. Parties shall provide, in their domestic law, for rules and procedures that address damage. To implement this obligation, Parties shall provide for response measures in accordance with this Supplementary Protocol and may, as appropriate:

- (a) Apply their existing domestic law, including, where applicable, general rules and procedures on civil liability;
- (b) Apply or develop civil liability rules and procedures specifically for this purpose; or
- (c) Apply or develop a combination of both.

2. Parties shall, with the aim of providing adequate rules and procedures in their domestic law on civil liability for material or personal damage associated with the damage as defined in Article 2, paragraph 2(b):

- (a) Continue to apply their existing general law on civil liability;
- (b) Develop and apply or continue to apply civil liability law specifically for that purpose; or
- (c) Develop and apply or continue to apply a combination of both.

3. When developing civil liability law as referred to in subparagraphs (b) or (c) of paragraphs 1 or 2 above, Parties shall, as appropriate, address, inter alia, the following elements:

- (a) Damage;
- (b) Standard of liability including strict or fault-based liability;
- (c) Channelling of liability, where appropriate;
- (d) Right to bring claims.

Article 13

Assessment and review

The Conference of the Parties serving as the meeting of the Parties to the Protocol shall undertake a review of the effectiveness of this Supplementary Protocol five years after its entry into force and every five years thereafter, provided information requiring such a review has been made available by Parties. The review shall be undertaken in the context of the assessment and review of the Protocol as specified in Article 35 of the Protocol, unless otherwise decided by the Parties to this Supplementary Protocol. The first review shall include a review of the effectiveness of Articles 10 and 12. 19.2.2013

EN

Article 14

Conference of the Parties serving as the meeting of the Parties to the Protocol

1. Subject to paragraph 2 of Article 32 of the Convention, the Conference of the Parties serving as the meeting of the Parties to the Protocol shall serve as the meeting of the Parties to this Supplementary Protocol.

2. The Conference of the Parties serving as the meeting of the Parties to the Protocol shall keep under regular review the implementation of this Supplementary Protocol and shall make, within its mandate, the decisions necessary to promote its effective implementation. It shall perform the functions assigned to it by this Supplementary Protocol and, *mutatis mutandis*, the functions assigned to it by paragraphs 4(a) and (f) of Article 29 of the Protocol.

Article 15

Secretariat

The Secretariat established by Article 24 of the Convention shall serve as the secretariat to this Supplementary Protocol.

Article 16

Relationship with the Convention and the Protocol

1. This Supplementary Protocol shall supplement the Protocol and shall neither modify nor amend the Protocol.

2. This Supplementary Protocol shall not affect the rights and obligations of the Parties to this Supplementary Protocol under the Convention and the Protocol.

3. Except as otherwise provided in this Supplementary Protocol, the provisions of the Convention and the Protocol shall apply, *mutatis mutandis*, to this Supplementary Protocol.

4. Without prejudice to paragraph 3 above, this Supplementary Protocol shall not affect the rights and obligations of a Party under international law.

Article 17

Signature

This Supplementary Protocol shall be open for signature by Parties to the Protocol at the United Nations Headquarters in New York from 7 March 2011 to 6 March 2012.

Article 18

Entry into force

1. This Supplementary Protocol shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument

of ratification, acceptance, approval or accession by States or regional economic integration organizations that are Parties to the Protocol.

2. This Supplementary Protocol shall enter into force for a State or regional economic integration organization that ratifies, accepts or approves it or accedes thereto after the deposit of the fortieth instrument as referred to in paragraph 1 above, on the ninetieth day after the date on which that State or regional economic integration organization deposits its instrument of ratification, acceptance, approval, or accession, or on the date on which the Protocol enters into force for that State or regional economic integration organization, whichever shall be the later.

3. For the purposes of paragraphs 1 and 2 above, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

Article 19

Reservations

No reservations may be made to this Supplementary Protocol.

Article 20

Withdrawal

1. At any time after two years from the date on which this Supplementary Protocol has entered into force for a Party, that Party may withdraw from this Supplementary Protocol by giving written notification to the Depositary.

2. Any such withdrawal shall take place upon expiry of one year after the date of its receipt by the Depositary, or on such later date as may be specified in the notification of the withdrawal.

3. Any Party which withdraws from the Protocol in accordance with Article 39 of the Protocol shall be considered as also having withdrawn from this Supplementary Protocol.

Article 21

Authentic texts

The original of this Supplementary Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized to that effect, have signed this Supplementary Protocol.

DONE at Nagoya on this fifteenth day of October two thousand and ten.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 135/2013

of 18 February 2013

amending Implementing Regulation (EU) No 926/2011 for the purposes of Council Decision 2009/470/EC as regards Union financial aid to the EU reference laboratories for feed and food and the animal health sector

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision 2009/470/EC of 25 May 2009 on expenditure in the veterinary field (¹), and in particular Article 31(2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 926/2011 of 12 September 2011 for the purposes of Council Decision 2009/470/EC as regards Union financial aid to the EU reference laboratories for feed and food and the animal health sector (²) lays down rules as regards the arrangements for the granting of Union financial aid for the activities of EU reference laboratories, including for the organisation of workshops and the conditions according to which that aid is granted.
- (2) In order to limit the administrative burden for EU reference laboratories and the Commission, the organisation of workshops should be subject to the same rules as other activities of those laboratories. The submission by those laboratories of specific financial and technical reports on workshops should therefore no longer be required. Accordingly, the Commission should no longer be required to make specific payments following the submission and approval of those reports.
- (3) Implementing Regulation (EU) No 926/2011 should therefore be amended accordingly.
- (4) As the amendments to Implementing Regulation (EU) No 926/2011, introduced by this Regulation, will have no negative impact for the EU reference laboratories, this Regulation should apply retroactively from 1 January 2013. This retroactivity is necessary in order to ensure an equal treatment between EU reference laboratories in cases where workshops have been organised before the date of entry into force of this Regulation.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽²⁾ OJ L 241, 17.9.2011, p. 2.

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 926/2011 is amended as follows:

(1) Article 6 is replaced by the following:

'Article 6

Payment of the aid

The balance of Union financial aid for work programmes shall be paid to laboratories following their submission of the financial and technical reports referred to in Article 11(1) and the approval of those reports by the Commission.';

(2) in Chapter II, the title is replaced by the following:

'CHAPTER II

ACTIVITIES OF THE LABORATORIES';

- (3) Article 9 is amended as follows:
 - (a) the title is replaced by the following:

'Article 9

Definitions';

(b) the following paragraph is added:

'A workshop is defined as an annual date for information and coordination to which all National Reference Laboratories are invited by the laboratories.';

(4) Articles 10 and 11 are replaced by the following:

'Article 10

Eligibility

1. Expenditure relating to the following items shall be eligible under the laboratories' work programme:

- (a) staff dedicated to the activities of the laboratories;
- (b) subcontracting;
- (c) capital equipment;
- (d) consumables;
- (e) the shipment of samples for comparative tests;
- (f) missions;

⁽¹⁾ OJ L 155, 18.6.2009, p. 30.

- (g) workshops to which at least one participant per Member State has been invited;
- (h) training activities;
- (i) meetings;
- (j) overheads.

2. The expenditure referred to in paragraph 1 shall be eligible within the limits set out in the annual financing decision and in accordance with the eligibility rules set out in Annexes II and IV.

3. Laboratories shall submit a written request to the Commission for its prior approval to increase the budget of one of the items referred to in Paragraph 1 by more than 10 % without exceeding the total eligible costs stipulated in the annual financing decision.

Article 11

Submission of reports on the laboratories' work programme

1. Laboratories shall submit the following reports to the Commission by 31 March of calendar year "n + 2":

 (a) a paper copy and an electronic version of their financial report concerning the implementation of the work programme for the previous calendar year completed in accordance with Annexes III(a) and III(b);

(b) a technical report of their activities, certified by the laboratory's technical director.

2. Union financial aid may be reduced by the Commission if the work programme is not completely executed or poorly executed by 31 December of the calendar year for which it was approved.';

- (5) the second paragraph of Article 12 is deleted;
- (6) Article 13 is deleted;
- (7) Chapter III is deleted;
- (8) the Annexes to Implementing Regulation (EU) No 926/2011 are amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2013.

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

Done at Brussels, 18 February 2013.

For the Commission The President José Manuel BARROSO

ANNEX

The Annexes to Implementing Regulation (EU) No 926/2011 are amended as follows:

(1) Annexes I(a) to III(b) are replaced by the following:

'ANNEX I(a)

(see Article 2(2))

Estimated budget per activity in euro:

| | Staff costs | Subcon- tracting | Capital Equipment | Consum- ables | Shipment of samples for comparative tests | Missions | Workshops | Training activities | Meetings |
|------------|-------------|---------------------|----------------------|------------------|-------------------------------------------|----------|-----------|---------------------|----------|
| Activity 1 | | | | | | | | | |
| Activity 2 | | | | | | | | | |
| Activity 3 | | | | | | | | | |
| Activity N | | | | | | | | | |
| Total | | | | | | | | | |

ANNEX I(b)

(See Article 2(2))

Estimated budget for laboratories' expenditure in respect of Union activities for the calendar year covered by that budget

Name and address of the EU Reference Laboratory:

Bank account to which Union financial aid is to be transferred:

IMPORTANT: All costs must be expressed in euro

1. STAFF

| Category (1) | Status (²) | Gross monthly salary (3) | Time spent on work programme (number of days) (⁴) | Total eligible costs |
|--------------|------------|--------------------------|----------------------------------------------------------------------|----------------------|
| | | | | |
| | | | | |
| TOTAL: | | | | |

To be specified for each person assigned to the project: senior scientist, junior scientist, technician, etc.
 Public official, contract staff, etc. – for contract staff, state the dates on which the contract starts and ends.
 Actual gross monthly salary (do not use pay scales), including social and other charges appearing on the salary statement.
 Calculated on the reference basis of 220 working days/year (20 working days/month).

Percentage of the laboratory's overall budget: ... %

2. SUBCONTRACTING

| Description | Cost excluding VAT | VAT | Total cost |
|-------------|--------------------|-----|------------|
| | | | |
| | | | |
| | | | |
| TOTAL: | | | |

Percentage of the laboratory's overall budget: ... %

3. CAPITAL EQUIPMENT

| | Description | Cost excluding VAT | VAT | Total cost/value | Date of purchase or rental | Date of delivery | Depreciati- on period (36 or 60 months) | % use for work program- me | Annual depreciat- ion cost |
|------------------------------------------------------------------|-------------|--------------------------|-----|---------------------|----------------------------------|---------------------|--------------------------------------------------|-------------------------------------|----------------------------------|
| 2.1 Equipment to be acquired during the period in question | | | | | | | | | |
| 2.2 Equipment acquired before the period in question | | | | | | | | | |
| TOTAL: | | | | | | | | | |

Percentage of the laboratory's overall budget: ... %

4. CONSUMABLES

| Description by type (1) | Cost excluding VAT | VAT | Total cost |
|-------------------------|--------------------|-----|------------|
| | | | |
| | | | |
| | | | |
| TOTAL: | | | |

 $(^{1})$ Examples: reagents, test animals, small laboratory supplies, etc.

Percentage of the laboratory's overall budget: ... %

5. SHIPMENT OF SAMPLES FOR COMPARATIVE TESTS

| Description | Supplier | Cost excluding VAT | VAT | Total cost |
|-------------|----------|--------------------|-----|------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL: | | | | |

Percentage of the laboratory's overall budget: ... %

6. MISSIONS

| Description | Travel expenses | Hotel expenses | Daily allowance | Total |
|-------------|-----------------|----------------|-----------------|-------|
| | | | | |
| | | | | |
| TOTAL: | | | | |

Percentage of the laboratory's overall budget: ... %

7. WORKSHOPS

| | Cost |
|---------------------------------|------|
| Participants' travel expenses: | |
| Hotel expenses: | |
| Participants' daily allowances: | |
| TOTAL: | |

Percentage of the laboratory's overall budget: ... %

8. TRAINING ACTIVITIES

| | Cost |
|---------------------------------|------|
| Participants' travel expenses: | |
| Hotel expenses: | |
| Participants' daily allowances: | |
| TOTAL: | |

Percentage of the laboratory's overall budget: ... %

9. MEETINGS

| Description | Travel expenses | Hotel expenses | Daily allowance | Total |
|-------------|-----------------|----------------|-----------------|-------|
| | | | | |
| | | | | |
| TOTAL: | | | | |

Percentage of the laboratory's overall budget: ... %

10. OVERHEADS AND TOTAL EXPENDITURE FOR ACTIVITIES

| Subtotal of items listed in tables at points 1 to 9 | |
|-----------------------------------------------------|--|
| Overheads: 7 % of subtotal | |
| TOTAL EXPENDITURE: | |

ANNEX II

Eligibility rules applicable to expenditure relating to staff, subcontracting, capital equipment, consumables, shipment of samples for comparative tests, missions, workshops, training activities, meetings and overheads

(see Article 10(2))

1. Staff

Staff costs whatever the staff's status, shall be limited to actual wage costs, namely remuneration, wages, social charges and retirement costs, for staff specifically allocated entirely or in part to the implementation of the work programme.

All staff working-time devoted to the work programme shall be recorded and certified on a basis of 220 working days/year (20 working days/month). Recording and certification shall be done at least once a month by the appointed project leader or a duly authorised senior member of the laboratories' staff.

2. Subcontracting

Reimbursement shall be based on the actual costs incurred.

3. Capital equipment

Equipment purchased, leased or rented shall be eligible as direct costs. The reimbursable amount for leased or rented equipment may not exceed the amount at which such equipment could have been purchased. Reimbursable costs shall be calculated as follows:

 $\frac{A \times C \times D}{B}$

- A = period in months for which the equipment is to be used for the work programme, from the date of delivery
- B = depreciation period of 60 months (36 months in the case of computer equipment costing less than EUR 25 000)
- C = cost of equipment
- D = percentage use of equipment on the work programme

For capital equipment costing less than EUR 3 000 the entire cost may be declared. There is no depreciation on such equipment.

4. Consumables

Reimbursement shall be based on actual costs incurred.

All other expenditure on administration, business travel other than missions referred to in point 6 and secretarial services shall be considered to be covered by 'overheads' referred to in point 10.

5. Shipment of samples for comparative tests

Reimbursement shall be based on the actual costs incurred in shipping samples for comparative tests.

6. Missions

Travel and hotel expenses incurred by the staff of the laboratories for missions scheduled in the work programme shall be reimbursed in accordance with Annex IV. Daily allowances shall be granted in accordance with Annex IV.

7. Workshops

Expenditure relating to travel expenses, hotel expenses and daily allowances for a maximum of 32 participants in workshops shall be eligible under the organisation of workshops.

Additional expenditure relating to travel expenses, hotel expenses and daily allowances for a maximum of three invited speakers in workshops shall be eligible under the organisation of workshops.

Additional expenditure relating to travel expenses, hotel expenses and daily allowances for a maximum of 10 representatives of third countries in workshops shall be eligible under the organisation of workshops.

8. Training activities

Travel and hotel expenses incurred by a maximum of 32 representatives of national reference laboratories for training activities provided for in the work programme shall be reimbursed in accordance with Annex IV. Daily allowances shall be granted in accordance with Annex IV.

9. Meetings

Travel and hotel expenses incurred by a maximum of eight outside experts (namely experts that are not staff members of the EU reference laboratories) for meetings taking place on the premises of the laboratories and scheduled in the work programme shall be reimbursed in accordance with Annex IV. Daily allowances shall be granted in accordance with Annex IV.

10. Overheads

A flat-rate contribution of 7 % of actual eligible costs, calculated on the basis of all the direct costs listed in points 1 to 9, shall be made automatically.

ANNEX III(a)

(see Article 11(1)(a))

Financial report per activity

Expenditure per activity in euro:

| | Staff costs | Subcon- tracting | Capital Equipment | Consum- ables | Shipment of samples for comparative tests | Missions | Workshops | Training activities | Meetings |
|------------|-------------|---------------------|----------------------|------------------|-------------------------------------------|----------|-----------|---------------------|----------|
| Activity 1 | | | | | | | | | |
| Activity 2 | | | | | | | | | |
| Activity N | | | | | | | | | |
| Total | | | | | | | | | |

ANNEX III(b)

(see Article 11(1)(a))

Certified financial report

Year:

Reference number of the annual financing decision:

Name and address of laboratory:

Ceiling on annual Union financial aid:

| | Category of costs | Estimated budget | Declared costs |
|-----|-------------------------------------------|------------------|----------------|
| 1. | Staff | | |
| 2. | Subcontracting | | |
| 3. | Capital equipment | | |
| 4. | Consumables | | |
| 5. | Shipment of samples for comparative tests | | |
| 6. | Missions | | |
| 7. | Workshops | | |
| 8. | Training activities | | |
| 9. | Meetings | | |
| | Subtotal | | |
| 10. | Overheads: 7 % of subtotal | | |
| | Total | | |

Certification by the laboratory:

We certify that:

- the expenditure listed above was incurred in connection with the Union activities defined in the work programme and
 was necessary to the performance of those Union activities,
- the expenditure was actually incurred, accurately accounted for and eligible under Commission Implementing Regulation (EU) No 926/2011,
- all supporting documents relating to the expenditure are available for inspection,
- no other Union financial aid was requested for the activities of EU reference laboratories regarding the submitted financial report,
- the Union financial aid does not have the purpose or effect of producing a profit for the beneficiary regarding the submitted financial report.

| Date: | Date: |
|-----------------------------|--------------------------|
| Name of Technical Director: | Name of Finance Officer: |
| Signature: | Signature: |

Breakdown by category

(in euro)

1. STAFF

| Name of the person | Category | Status | Gross monthly salary | Time spent on work programme (number of days) | Total eligible costs |
|--------------------|----------|--------|----------------------|-----------------------------------------------------|----------------------|
| | | | | | |
| | | | | | |
| TOTAL: | | | | | |

Percentage of the laboratory's overall budget: ... %

2. SUBCONTRACTING

| Description | Supplier | Cost excluding VAT | VAT | Total cost |
|-------------|----------|--------------------|-----|------------|
| | | | | |
| | | | | |
| TOTAL: | | | | |

Percentage of the laboratory's overall budget: ... %

3. CAPITAL EQUIPMENT

| | Description | Cost excluding VAT | VAT | Total cost/ value | Date of purchase or rental | Date of delivery | Depreciat- ion period (36 or 60 months) | Annual depreciati- on cost |
|--------------------------------------------------------------------------|-------------|--------------------------|-----|----------------------|----------------------------------|---------------------|--------------------------------------------------|----------------------------------|
| 2.1 Equipment acquired for the purposes of the work programme | | | | | | | | |
| 2.2 Equipment acquired prior to the start of the work programme | | | | | | | | |
| TOTAL | | | | | | | | |

Percentage of the laboratory's overall budget: ... %

4. CONSUMABLES

| Description by type (1) | Supplier | Cost excluding VAT | VAT | Total cost |
|-------------------------|----------|--------------------|-----|------------|
| | | | | |
| | | | | |
| TOTAL | | | | |
| | | L | 1 | 1 |

(1) A detailed breakdown is requested

Percentage of the laboratory's overall budget: ... %

5. SHIPMENT OF SAMPLES FOR COMPARATIVE TESTS

| Description | Supplier | Cost excluding VAT | VAT | Total cost |
|-------------|----------|--------------------|-----|------------|
| | | | | |
| | | | | |
| | | | | |
| TOTAL | | | | |

Percentage of the laboratory's overall budget: ... %

6. MISSIONS

| Description | Travel expenses | Hotel expenses | Daily allowance | Total cost |
|-------------|-----------------|----------------|-----------------|------------|
| | | | | |
| | | | | |
| TOTAL | | | | |

Percentage of the laboratory's overall budget: ... %

7. WORKSHOPS

| | Cost |
|---------------------------------|------|
| Participants' travel expenses: | |
| Hotel expenses: | |
| Participants' daily allowances: | |
| TOTAL | |

Percentage of the laboratory's overall budget: ... %

8. TRAINING ACTIVITIES

| | Cost |
|---------------------------------|------|
| Participants' travel expenses: | |
| Hotel expenses: | |
| Participants' daily allowances: | |
| TOTAL | |

Percentage of the laboratory's overall budget: ... %

9. MEETINGS

| Description | Travel expenses | Hotel expenses | Daily allowance | Total cost |
|-------------|-----------------|----------------|-----------------|------------|
| | | | | |
| | | | | |
| TOTAL | | | | |

Percentage of the laboratory's overall budget: ... %

10. OVERHEADS AND TOTAL EXPENDITURE FOR ACTIVITIES

| Subtotal of items listed in tables at points 1 to 9 | |
|-----------------------------------------------------|--|
| Overheads: 7 % of subtotal | |
| TOTAL EXPENDITURE:' | |

(2) Annex IV is amended as follows:

(a) the title is replaced by the following:

'ANNEX IV

(see Article 10(2))

Eligibility rules applicable to expenditure relating to missions, workshops, training activities and meetings;'

(b) point IV is replaced by the following:

IV. OTHER

If the maximum number of participants is not reached, but a minimum of 20 participants from National Reference Laboratories have attended the workshop or training activities, the Commission shall accept that a maximum of three participants from EU reference laboratories may receive daily allowances, depending on the length of their attendance at the workshop or training activities.

The Commission shall not reimburse the travel and hotel expenses of those three participants, unless the workshop or training activities take place in another town than that of the EU reference laboratory.

In addition, payment of such daily allowance as well as travel and hotel expenses shall only be made where the maximum Union financial aid is not exceeded.;

(3) Annex V is deleted.

COMMISSION IMPLEMENTING REGULATION (EU) No 136/2013

of 18 February 2013

excluding ICES Subdivisions 27 and 28.2 from certain fishing effort limitations for 2013, pursuant to Council Regulation (EC) No 1098/2007 establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 779/97 (¹), and in particular Article 29(2) thereof,

Whereas:

- Provisions for setting fishing effort limitations for the cod stocks in the Baltic Sea are set out in Regulation (EC) No 1098/2007.
- (2) On the basis of Regulation (EC) No 1098/2007, Annex II to Council Regulation (EU) No 1088/2012 of 20 November 2012 fixing for 2013 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea (²) has established fishing effort limitations for 2013 in the Baltic Sea.
- (3) According to Article 29(2) of Regulation (EC) No 1098/2007 the Commission may exclude ICES Subdivisions 27 and 28.2 from the scope of certain fishing effort limitations when the catches of cod were below a certain threshold in the last reporting period.

- (4) Taking into account the reports submitted by Member States and the advice from the Scientific, Technical and Economic Committee for Fisheries, ICES Subdivisions 27 and 28.2 should be excluded in 2013 from the scope of those fishing effort limitations.
- (5) Regulation (EU) No 1088/2012 will apply from 1 January 2013. In order to ensure coherence with that Regulation, this Regulation should also apply from 1 January 2013.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

The provisions of Article 8(1)(b), (3), (4) and (5) of Regulation (EC) No 1098/2007 shall not apply to ICES Subdivisions 27 and 28.2 in the year 2013.

Article 2

This Regulation shall enter into force on the seventh day following that of its publication in the Official Journal of the European Union.

It shall apply from 1 January 2013.

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

Done at Brussels, 18 February 2013.

For the Commission The President José Manuel BARROSO

^{(&}lt;sup>1</sup>) OJ L 248, 22.9.2007, p. 1.

⁽²⁾ OJ L 323, 22.11.2012, p. 2.

COMMISSION IMPLEMENTING REGULATION (EU) No 137/2013

of 18 February 2013

amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea (¹), and in particular Article 13(1)(b), (d) and (e) thereof,

Whereas:

- Annex II to Regulation (EC) No 329/2007 should be updated with the latest information provided by Member States regarding the identification of competent authorities.
- (2) Annex IV to Regulation (EC) No 329/2007 lists persons, entities and bodies who, having been designated by the Sanctions Committee or the UN Security Council (UNSC) in accordance with paragraph 8(d) of UNSC Resolution 1718 (2006), are covered by the freezing of funds and economic resources under that Regulation.
- (3) On 2 May 2012 the Sanctions Committee of the UNSC added three entities to the list of persons, entities and bodies to whom the freezing of funds and economic resources should apply. Furthermore, on 22 January 2013, UNSC Resolution 2087 (2013) added four natural persons and six entities to the list of persons, entities and bodies to whom the freezing of funds and economic resources should apply. Those entities and natural persons should be included in the list set out in Annex IV to Regulation (EC) No 329/2007.

- (4) Annex V to Regulation (EC) No 329/2007 lists persons, entities and bodies not listed in Annex IV who, in accordance with points (b) and (c) of Article 4(1) of Common Position 2006/795/CFSP, have been designated by the Council. On 18 February 2013, the Council decided that six listed entities that were designated by the UN and are to be included in Annex IV, should be removed from Annex V to Regulation (EC) No 329/2007.
- (5) Annexes II, IV and V to Regulation (EC) No 329/2007 should therefore be amended accordingly.
- (6) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 329/2007 is amended as follows:

- (1) Annex II is replaced by the text set out in Annex I to this Regulation.
- (2) Annex IV is amended in accordance with Annex II to this Regulation.
- (3) Annex V is amended in accordance with Annex III to this Regulation.

Article 2

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

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

Done at Brussels, 18 February 2013.

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

⁽¹⁾ OJ L 88, 29.3.2007, p. 1.

ANNEX I

"ANNEX II

Websites for information on the competent authorities referred to in Articles 5, 7, 8, 10 and 15, and address for notifications to the European Commission

BELGIUM

http://www.diplomatie.be/eusanctions

BULGARIA

http://www.mfa.bg/en/pages/135/index.html

CZECH REPUBLIC

http://www.mfcr.cz/mezinarodnisankce

DENMARK

http://um.dk/da/politik-og-diplomati/retsorden/sanktioner/

GERMANY

http://www.bmwi.de/DE/Themen/Aussenwirtschaft/aussenwirtschaftsrecht,did=404888.html

ESTONIA

http://www.vm.ee/est/kat_622/

IRELAND

http://www.dfa.ie/home/index.aspx?id=28519

GREECE

http://www.mfa.gr/en/foreign-policy/global-issues/international-sanctions.html

SPAIN

http://www.maec.es/es/MenuPpal/Asuntos/Sanciones%20Internacionales/Paginas/Sanciones_%20Internacionales.aspx

FRANCE

http://www.diplomatie.gouv.fr/autorites-sanctions/

ITALY

http://www.esteri.it/MAE/IT/Politica_Europea/Deroghe.htm

CYPRUS http://www.mfa.gov.cy/sanctions

LATVIA http://www.mfa.gov.lv/en/security/4539

LITHUANIA http://www.urm.lt/sanctions

LUXEMBOURG

http://www.mae.lu/sanctions

HUNGARY

http://www.kulugyminiszterium.hu/kum/hu/bal/Kulpolitikank/nemzetkozi_szankciok/

MALTA

http://www.doi.gov.mt/EN/bodies/boards/sanctions_monitoring.asp

19.2.2013

EN

NETHERLANDS

www.rijksoverheid.nl/onderwerpen/internationale-vrede-en-veiligheid/sancties

AUSTRIA

http://www.bmeia.gv.at/view.php3?f_id=12750&LNG=en&version=

POLAND

http://www.msz.gov.pl

PORTUGAL

http://www.min-nestrangeiros.pt

ROMANIA

http://www.mae.ro/node/1548

SLOVENIA

http://www.mzz.gov.si/si/zunanja_politika_in_mednarodno_pravo/zunanja_politika/mednarodna_varnost/omejevalni_ukrepi/

SLOVAKIA

http://www.foreign.gov.sk

FINLAND

http://formin.finland.fi/kvyhteistyo/pakotteet

SWEDEN

http://www.ud.se/sanktioner

UNITED KINGDOM

www.fco.gov.uk/competentauthorities

Address for notifications to the European Commission

European Commission Service for Foreign Policy Instruments (FPI) EEAS 02/309 B-1049 Brussels Belgium E-mail: relex-sanctions@ec.europa.eu"

ANNEX II

Annex IV to Regulation (EC) No 329/2007 is amended as follows:

- (1) The following entries shall be added under the heading 'A. Natural persons':
 - (a) 'Paek Chang-Ho (alias (a) Pak Chang-Ho; (b) Paek Ch'ang-Ho). Post: Senior official and head of the satellite control center of Korean Committee for Space Technology. Passport: 381420754 (issued on 7.12.2011, expiring on 7.12.2016). Date of birth: 18.6.1964. Place of birth: Kaesong, DPRK. Date of designation: 22.1.2013.'
 - (b) 'Chang Myong-Chin (alias Jang Myong-Jin). Post: General Manager of the Sohae Satellite Launching Station. Year of birth: (a) 1966, (b) 1965. Date of designation: 22.1.2013.'
 - (c) 'Ra Ky'ong-Su. Post: Tanchon Commercial Bank (TCB) official. Date of designation: 22.1.2013.'
 - (d) 'Kim Kwang-il. Post: Tanchon Commercial Bank (TCB) official. Date of designation: 22.1.2013.'
- (2) The following entries shall be added under the heading 'B. Legal persons, entities and bodies':
 - (a) 'Amroggang Development Banking Corporation (aka (a) AMROGGANG DEVELOPMENT BANK; (b) AMNOKKANG DEVELOPMENT BANK). Address: Tongan-dong, Pyongyang, DPRK. Date of designation: 2.5.2012.'
 - (b) 'Green Pine Associated Corporation (aka (a) CHO'NGSONG UNITED TRADING COMPANY; (b) CHONGSONG YONHAP; (c) CH'O'NGSONG YO'NHAP; (d) CHOSUN CHAWO'N KAEBAL T'UJA HOESA; (e) JINDALLAE; (f) KU'MHAERYONG COMPANY LTD; (g) NATURAL RESOURCES DEVELOPMENT AND INVESTMENT CORPOR-ATION; (h) SAEINGP'IL COMPANY). Address: (a) c/o Reconnaissance General Bureau Headquarters, Hyongjesan-Guyok, Pyongyang, North Korea, (b) Nungrado, Pyongyang, DPRK. Date of designation: 2.5.2012.'
 - (c) 'Korea Heungjin Trading Company (aka (a) HUNJIN TRADING CO.; (b) KOREA HENJIN TRADING CO.; (c) KOREA HENGJIN TRADING COMPANY). Address: Pyongyang, DPRK. Date of designation: 2.5.2012.'
 - (d) 'Korean Committee for Space Technology (aka (a) DPRK Committee for Space Technology; (b) Department of Space Technology of the DPRK; (c) Committee for Space Technology; (d) KCST). Address: Pyongyang, DPRK. Date of designation: 22.1.2013.'
 - (e) '**Bank of East Land** (aka (a) Dongbang BANK; (b) TONGBANG U'NHAENG; (c) TONGBANG BANK). Address: P.O. Box 32, BEL Building, Jonseung-Dung, Moranbong District, Pyongyang, DPRK. Date of designation: 22.1.2013.'
 - (f) 'Korea Kumryong Trading Corporation. Date of designation: 22.1.2013.'
 - (g) 'Tosong Technology Trading Corporation. Address: Pyongyang, DPRK. Date of designation: 22.1.2013.'
 - (h) 'Korea Ryonha Machinery Joint Venture Corporation (aka (a) CHOSUN YUNHA MACHINERY JOINT OPERATION COMPANY; (b) KOREA RYENHA MACHINERY J/V CORPORATION; (c) RYONHA MACHINERY JOINT VENTURE CORPORATION). Address: (a) Central District, Pyongyang, DPRK, (b) Mangungdae-gu, Pyongyang, DPRK, (c) Mangyongdae District, Pyongyang, DPRK. Date of designation: 22.1.2013.'
 - (i) 'Leader (Hong Kong) International (aka Leader International Trading Limited). Address: Room 1610 Nan Fung Tower, 173 Des Voeux Road, Hong Kong. Date of designation: 22.1.2013.'

ANNEX III

Annex V to Regulation (EC) No 329/2007 is amended as follows:

| (] |) The following entries under the heading | 'B. Le | gal | l persons, entities and bodies referred to in Article 6(2)(a)' are deleted: | |
|----|-------------------------------------------|--------|-----|-----------------------------------------------------------------------------|--|
| | | | | | |

| | Name (and possible aliases) | Identifying information | Reasons |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Green Pine Associated Corporation (alias: Chongsong Yonhap; Ch'o'ngsong Yo'nhap; Saengpil Associated Company; General Precious Metal Complex (GPM); Myong Dae Company; Twin Dragon Trading (TDT)) | c/o Reconnaissance General Bureau Headquarters, Hyongjesan-Guyok, Pyongyang / Nungrado, Pyongyang | Ch'o'ngsong Yo'nhap has been identified for sanctions for exporting arms or related material from North Korea. Green Pine specializes in the production of maritime military craft and armaments, such as submarines, military boats and missile systems, and has exported torpedoes and technical assistance to Iranian defence-related firms. Green Pine is responsible for approximately half of the arms and related materiel exported by North Korea and has taken over many of the activities of KOMID after its designation by the UNSC. |
| 4. | Korea Heungjin Trading Company | Location: Pyongyang | Pyongyang-based entity used by the Korea Mining Development Trading Corporation (KOMID) for trading purposes (KOMID was designated by the United Nations, 24.4.2009). Korea Heungjin Trading Company is also suspected to have been involved in supplying missile-related goods to Iran's Shahid Hemmat Industrial Group. |
| 8. | Korea Ryonha Machinery Joint Venture Corporation (alias: Chosun Yunha Machinery Joint Operation Company; Korea Ryenha Machinery J/V Corporation; Ryonha Machinery Joint Venture Corporation) | Location: Central District, Pyongyang; Mangungdae- gu, Pyongyang; Mangyongdae District, Pyongyang | Controlled by Korea Ryonbong General Corporation (entity designated by the United Nations, 24.4.2009); defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales. The production sites of Korea Ryonha Machinery Joint Venture Corporation have been modernized lately and are partly intended for processing materials relevant to nuclear produc- tion. |
| 15. | Tosong Technology Trading Corporation | Location: Pyongyang | Controlled by the Korea Mining Development Corporation (KOMID) (entity designated by the United Nations, 24.4.2009); primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. |

(2) The following entries under the heading 'D. Legal persons, entities and bodies referred to in Article 6(2)(b)' are deleted:

| | Name (and possible aliases) | Identifying information | Reasons | | |
|----|--------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| 1. | Amroggang Development Banking Corporation (alias: Amroggang Development Bank; Amnokkang Development Bank) | Address: Tongan-dong, Pyongyang | Entity owned or controlled by Tanchon Commercial Bank (entity designated by the United Nations, 24.4.2009). Established in 2006, Amroggang Development Banking Corporation is managed by officials of the Tanchon Commercial Bank, which plays a role in financing KOMID's (entity designated by the United Nations, 24.4.2009) sales of ballistic missiles and has also been involved in ballistic missile transactions from KOMID to Iran's Shahid Hemmat Industrial Group (SHIG). | | |

| | Name (and possible aliases) | Identifying information | Reasons |
|----|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2. | Bank of East Land (alias: Dongbang Bank; Tongbang U'nhaeng; Tongbang Bank) | Address: PO Box 32, BEL Building, Jonseung-Dung, Moranbong District, Pyongyang | North Korean financial institution that facilitates weapons-related transactions for, and other support to, designated arms manufacturer and exporter Green Pine Associated Corporation (Green Pine). Bank of East Land has actively worked with Green Pine to transfer funds in a manner that circumvents sanctions. In 2007 and 2008, Bank of East Land facilitated transactions involving Green Pine and designated Iranian financial institutions, including Bank Melli and Bank Sepah. Bank of East Land has also facilitated financial transactions for the benefit of North Korea's Reconnaissance General Bureau's (RGB) weapons program. |

COMMISSION IMPLEMENTING REGULATION (EU) No 138/2013

of 18 February 2013

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

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission 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 ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

 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, 18 February 2013.

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

^{(&}lt;sup>1</sup>) OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

(EUR/100 kg) CN code Third country code (1) Standard import value 0702 00 00 IL 80,1 MA 58,7 78,9 ΤN TR 96,9 ZZ 78,7 0707 00 05 EG 191,6 MA 191,6 144,4 TR ZZ 175,9 0709 91 00 EG 91,5 91,5 ZZ 0709 93 10 MA 49,3 TR 130,5 ZZ 89,9 0805 10 20 EG 52,5 71,3 IL MA 54,8 ΤN 51,1 TR 57,6 57,5 ZZ 0805 20 10 IL 182,8 MA 101,9 142,4 ZZ 0805 20 30, 0805 20 50, 0805 20 70, EG 72,6 0805 20 90 IL 132,7 KR 134,8 MA 119,9 TR 72,3 148,7 ZA ZZ 113,5 EG 83,9 0805 50 10 TR 74,1 , 79,0 ZZ 0808 10 80 CN 81,9 MK 34,9 US 178,0 ZZ 98,3 0808 30 90 AR 136,8 248,4 CL CN 36,6 TR 168,0 140,7 US ZA 110,4 ZZ 140,2

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

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

DECISIONS

COUNCIL DECISION 2013/87/CFSP

of 18 February 2013

on the launch of a European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 42(4) and 43(2) thereof,

Having regard to Council Decision 2013/34/CFSP of 17 January 2013 on a European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali) (¹), and in particular Article 4 thereof,

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

Whereas:

- By letter dated 24 December 2012, the President of the Republic of Mali addressed an invitation letter to the High Representative of the Union for Foreign Affairs and Security Policy welcoming the deployment of an EU military training mission in Mali.
- (2) On 17 January 2013, the Council adopted Decision 2013/34/CFSP.
- (3) In accordance with Article 5 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications.

Denmark does not participate in the implementation of this Decision and therefore does not participate in the financing of this mission,

HAS ADOPTED THIS DECISION:

Article 1

The Mission Plan and the Rules of Engagement concerning the EU military mission to contribute to the training of the Malian Armed Forces (EUTM Mali) are approved.

Article 2

EUTM Mali shall be launched on 18 February 2013.

Article 3

The Mission Commander of EUTM Mali is hereby authorised with immediate effect to start execution of EUTM Mali.

Article 4

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

Done at Brussels, 18 February 2013.

For the Council The President C. ASHTON

⁽¹⁾ OJ L 14, 18.1.2013, p. 19.

COUNCIL DECISION 2013/88/CFSP

of 18 February 2013

amending Decision 2010/800/CFSP concerning restrictive measures against the Democratic People's Republic of Korea

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2010/800/CFSP of 22 December 2010 concerning restrictive measures against the Democratic People's Republic of Korea (¹), and in particular Articles 10(1) and 12(3) thereof,

Whereas:

- (1) On 22 December 2010, the Council adopted Decision 2010/800/CFSP.
- (2) On 10 December 2012, the Council expressed its deep concern about the intent of the Democratic People's Republic of Korea (the "DPRK") to launch a "working satellite", as such a launch makes use of ballistic missile technology, representing another clear violation of the DPRK's international obligations as set out in particular under United Nations Security Council (UNSC) Resolution (UNSCR) 1695 (2006), UNSCR 1718 (2006) and UNSCR 1874 (2009), and directly contravening the international community's unified call not to conduct such launches.
- (3) On 22 January 2013, the UNSC adopted UNSCR 2087 (2013), condemning the DPRK's launch of 12 December 2012, which used ballistic missile technology and was in violation of UNSCR 1718 (2006) and UNSCR 1874 (2009).
- (4) On 12 February 2013, the DPRK carried out a nuclear test, in violation of its international obligations under UNSCR 1718 (2006), UNSCR 1874 (2009) and UNSCR 2087 (2013) and representing a serious threat to regional and international peace and security.
- (5) Paragraph 5(a) of UNSCR 2087 (2013) provides that additional persons and entities are to be subject to restrictive measures.
- (6) In addition, paragraph 5(b) of UNSCR 2087 (2013) establishes that the prohibition to supply, sell or transfer certain items, materials, equipment, goods and technology in accordance with paragraph 8(a)(ii) of UNSCR 1718 (2006) is also to apply to the items specified in paragraph 5(b) of UNSCR 2087 (2013).

- (7) Paragraph 8 of UNSCR 2087 (2013) clarifies certain methods for States to dispose of items seized consistent with provisions of UNSCR 1718 (2006) and UNSCR 1874 (2009) and in accordance with paragraph 14 of UNSCR 1874 (2009).
- (8) Paragraph 12 of UNSCR 2087 (2013) also calls on States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals working on behalf or at the direction of designated individuals or entities.
- (9) In line with paragraph 13 of UNSCR 2087 (2013), it is necessary to establish that no claims in connection with the performance of any contract or transaction affected by measures decided on pursuant to relevant UNSC resolutions or measures of the Union or any Member State in accordance with relevant decision of the UNSC or covered by this Decision, may be granted to designated persons or entities or any other person or entity in the DPRK.
- (10) In accordance with the Council's conclusions on the DPRK of 10 December 2012, it is appropriate to adopt additional restrictive measures.
- (11) An additional criterion for autonomous designation by the Union of persons and entities subject to restrictive measures should be included in Decision 2010/800/CFSP.
- (12) The sale, supply or transfer to the DPRK of certain other goods relevant to the DPRK's weapons of mass destruction-related programmes, in particular its ballistic-missile sector, should be prohibited, especially certain types of aluminium.
- (13) Furthermore, it should be clarified that where this decision provides for a prohibition on financial services, this includes the provision of insurance and re-insurance services.
- (14) Moreover, the sale, purchase, transportation or brokering of gold, precious metals and diamonds to, from or for the Government of the DPRK should be prohibited.
- (15) In addition, the delivery of newly printed or minted or unissued DPRK denominated banknotes and coinage to or for the benefit of the Central Bank of the DPRK should be prohibited.

⁽¹⁾ OJ L 341, 23.12.2010, p. 32.

- (16) The sale or purchase of DPRK public or public-guaranteed bonds should be prohibited.
- (17) Moreover, the opening of new branches, subsidiaries, or representative offices of DPRK banks in the territories of Member States, and the establishment of new joint ventures, or the taking of an ownership interest by the DPRK banks, including the Central Bank of DPRK, with banks within the jurisdiction of Member States, should be prohibited. Furthermore, Member States should take the appropriate measures to prohibit financial institutions within their territories or under their jurisdiction from opening representatives offices or subsidiaries in the DPRK.
- (18) Following a decision by the UNSC Committee established pursuant to UNSCR 1718 (2006), six entities should be removed from the lists set out in Annexes II and III to Decision 2010/800/CFSP and should be added to the list set out in Annex I to that Decision. It is also necessary to amend the entries for those entities.
- (19) Furthermore, in accordance with Article 12(3) of Decision 2010/800/CFSP, the Council has carried out a complete review of the list of other persons and entities set out in Annexes II and III to that Decision and has concluded that those persons and entities should continue to be subject to the appropriate restrictive measures provided for in that Decision.
- (20) Decision 2010/800/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/800/CFSP is hereby amended as follows:

- (1) Article 1 is hereby amended as follows:
 - (a) in paragraph 1, point (b) is replaced by the following:
 - "(b) all items, materials, equipment, goods and technology as determined by the Security Council or the Committee established pursuant to paragraph 12 of UNSCR 1718 (2006) (the 'Sanctions Committee') in accordance with paragraph 8(a)(ii) of UNSCR 1718 (2006) and paragraph 5(b) of UNSCR 2087 (2013), which could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes;";

- (b) in paragraph 1, the following point is added:
 - "(d) certain key components for the ballistic-missile sector, such as certain types of aluminum used in ballistic-missile related systems. The Union shall take the necessary measures in order to determine the relevant items to be covered by this provision.";
- (c) in paragraph 2, point (b) is replaced by the following:
 - "(b) provide financing or financial assistance related to items and technology referred to in paragraph 1, including, in particular, grants, loans and export credit insurance, as well as insurance and reinsurance, for any sale, supply, transfer or export of these items and technology, or for the provision of related technical training, advice, services, assistance, or brokering services, directly or indirectly to any person, entity or body in, or for use in, the DPRK;".
- (2) The following articles are inserted:

"Article 1a

The direct or indirect sale, purchase, transportation or brokering of gold and precious metals, as well as of diamonds, to, from or for the Government of the DPRK, its public bodies, corporations and agencies, the Central Bank of the DPRK, as well as to, from or for persons and entities acting on their behalf or at their direction, or entities owned or controlled by them shall be prohibited.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this provision.

Article 1b

The delivery of newly printed or minted or unissued DPRK denominated banknotes and coinage to or for the benefit of the Central Bank of the DPRK shall be prohibited."

"Article 2a

The direct or indirect sale or purchase of, or brokering or assistance in the issuance of DPRK public or public-guaranteed bonds issued after the entry into force of this Decision to and from the Government of the DPRK, its public bodies, corporations and agencies, the Central Bank of the DPRK, or banks domiciled in the DPRK, or branches and subsidiaries within and outside the jurisdiction of Member States of banks domiciled in the DPRK, or financial entities that are neither domiciled in the DPRK nor within the jurisdiction of the Member States, but are controlled by persons and entities domiciled in the DPRK as well as any persons and entities acting on their behalf or at their direction, or entities owned or controlled by them, shall be prohibited.".

- (3) Article 4 is hereby amended as follows:
 - (a) in paragraph 1, the following point is added:
 - "(d) the persons not covered by Annex I, II or III who are involved in, including through the provision of financial services, the supply to or from the DPRK of arms and related material of all types, or of items, materials, equipment, goods and technology which could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes, to the DPRK, as listed in Annex IIIA.";
 - (b) paragraph 7 is replaced by the following:

"7. Member States may grant exemptions from the measures imposed in paragraph 1(b), (c) and (d) where travel is justified on the grounds of urgent humanitarian need, or on grounds of attending intergovernmental meetings, including those promoted by the Union, or hosted by a Member State holding the Chairmanship in office of the OSCE, where a political dialogue is conducted that directly promotes democracy, human rights and the rule of law in the DPRK.";

(c) paragraph 9 is replaced by the following:

"9. In cases where, pursuant to paragraphs 4, 5 and 7, a Member State authorises the entry into, or transit through, its territory of persons listed in Annex I, II, III or IIIA the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.";

(d) the following paragraph is added:

"10. Member States shall exercise vigilance and restraint regarding the entry into or transit through their territories of individuals working on behalf or at the direction of a designated individual or entity as listed in Annex I.".

- (4) In Article 5(1), the following point is added:
 - "(d) the persons and entities not covered by Annex I, II or III that are involved in, including through the provision of financial services, the supply to or from the DPRK of arms and related material of all types, or of items, materials, equipment, goods and technology which could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes, to the DPRK, as listed in Annex IIIA.".
- (5) The following article is inserted:

"Article 6a

1. The opening of new branches, subsidiaries, or representative offices of DPRK banks in the territories of Member States, and the establishment of new joint ventures, or the taking of an ownership interest by the DPRK banks, including the Central Bank of DPRK, its branches and subsidiaries and other financial entities referred to in Article 6, with banks in the jurisdiction of Member States, shall be prohibited.

2. Financial institutions within the territories of Member States or under their jurisdiction shall be prohibited from opening representative offices or subsidiaries in the DPRK.".

(6) Article 7(5) is replaced by the following:

"5. In cases where inspection referred to in paragraphs 1 and 2 is undertaken, Member States shall seize and dispose of items whose supply, sale, transfer or export is prohibited under this Decision in accordance with paragraph 14 of UNSCR 1874 (2009) and paragraph 8 of UNSCR 2087 (2013).".

- (7) The following article is inserted:
 - "Article 8a

No claims, including for compensation or indemnification or any other claim of this kind, such as a claim of set-off, fines or a claim under a guarantee, claims for extension or payment of a bond, financial guarantee, including claims arising from letters of credit and similar instruments, in connection with any contract or transaction the performance of which was affected, directly or indirectly, wholly or in part, by reason of measures decided on pursuant to UNSCR 1718 (2006), UNSCR 1874 (2008) and UNSCR 2087 (2013), including measures of the Union or any Member State in accordance with, as required by or in any connection with, the implementation of the relevant decisions of the Security Council or measures covered by the this Decision, shall be granted to the designated persons or entities listed in Annexes I, II, III and IIIA, or any other person or entity in the DPRK, including the Government of the DPRK, its public bodies, corporations and agencies, or any person or entity claiming through or for the benefit of any such person or entity.".

(8) Article 9(2) is replaced by the following:

"2. The Council, acting by unanimity on a proposal from Member States or the High Representative of the Union for Foreign Affairs and Security Policy, shall establish the lists in Annexes II, III and IIIA and adopt modifications thereto.".

(9) Article 10(2) is replaced by the following:

"2. Where the Council decides to subject a person or entity to the measures referred to in Articles 4(1)(b), (c) and (d) and 5(1)(b), (c) and (d), it shall amend Annex II, III or IIIA accordingly.".

(10) Article 11 is replaced by the following:

"Article 11

1. Annexes I, II, III and IIIA shall include the grounds for listing of listed persons and entities, as provided by the Security Council or by the Sanctions Committee with regard to Annex I.

2. Annexes I, II, III and IIIA shall also include, where available, information necessary to identify the persons or entities concerned, as provided by the Security Council or by the Sanctions Committee for Annex I. With regard to persons, such information may include names including aliases, date and place of birth, nationality, passport and ID card numbers, gender, address, if known, and function or profession. With regard to entities, such information may include names, place and date of registration, registration number and place of business. Annex I shall also include the date of designation by the Security Council or by the Sanctions Committee.".

(11) Article 12(3) is replaced by the following:

"3. The measures referred to in Articles 4(1)(b), (c) and (d) and 5(1)(b), (c) and (d) shall be reviewed at regular intervals and at least every 12 months. They shall cease to apply in respect of the persons and entities concerned if the Council determines, in accordance with the procedure referred to in Article 9(2), that the conditions for their application are no longer met.".

Article 2

The persons and entities listed in Annex I to this Decision shall be added to the lists set out in Annex I to Decision 2010/800/CFSP.

Article 3

The entities listed in Annex II to this Decision shall be deleted from the lists set out in Annexes II and III to Decision 2010/800/CFSP.

Article 4

Annex III to this Decision is added as Annex IIIA to Decision 2010/800/CFSP.

Article 5

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

Done at Brussels, 18 February 2013.

For the Council The President C. ASHTON

ANNEX I

Persons and entities referred to in Article 2

A. List of persons referred to in Articles 4(1)(a) and 5(1)(a)

| | Name | Alias | Date of birth | Date of designation | Other information | |
|----|------------------|---------------------------------|----------------------------------------------------|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. | Paek Chang-Ho | Pak Chang-Ho; Paek Ch'ang-Ho | D.O.B. 18 June 1964; P.O.B. Kaesong, DPRK | 22.1.2013 | Senior official and head of the satellite control center of Korean Committee for Space Technology. Passport: 381420754; Passport Date of Issue: 7 December 2011; Passport Date of Expiration: 7 December 2016. | |
| 2. | Chang Myong-Chin | Jang Myong-Jin | D.O.B. 1966; Alt. D.O.B. 1965 | 22.1.2013 | General Manager of the Sohae Satellite Launching Station and head of launch center at which the 13 April and 12 December 2012 launches took place. | |
| 3. | Ra Ky'ong-Su | | | 22.1.2013 | Ra Ky'ong-Su is a Tanchon Commercial Bank (TCB) official. In this capacity he has facilitated transactions for TCB. Tanchon was designated by the Committee in April 2009 as the main DPRK financial entity responsible for sales of conven- tional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons. | |
| 4. | Kim Kwang-il | | | 22.1.2013 | Kim Kwang-il is a Tanchon Commercial Bank (TCB) official. In this capacity, he has facilitated transactions for TCB and the Korea Mining Development Trading Corporation (KOMID). Tanchon was designated by the Committee in April 2009 as the main DPRK financial entity responsible for sales of conven- tional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons. KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. | |

B. List of entities referred to in Article 5(1)(a)

| | Name | Alias | Location | Date of designation | Other information |
|----|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Korean Committee for Space Technology | DPRK Committee for Space Technology; Department of Space Technology of the DPRK; Committee for Space Technology; KCST | Pyongyang, DPRK | 22.1.2013 | The Korean Committee for Space Technology (KCST) orchestrated the DPRK's launches on 13 April 2012 and 12 December 2012 via the satellite control center and Sohae launch area. |
| 2. | Bank of East Land | Dongbang Bank; Tongbang U'Nhaeng; Tongbang Bank | P.O. Box 32, BEL Building, Jonseung-Dung, Moranbong District, Pyongyang, DPRK | 22.1.2013 | DPRK financial institution Bank of East Land facilitates weapons- related transactions for, and other support to, arms manu- facturer and exporter Green Pine Associated Corporation (Green Pine). Bank of East Land has actively worked with Green Pine to transfer funds in a manner that circumvents sanctions. In 2007 and 2008, Bank of East Land facilitated transactions involving Green Pine and Iranian financial institutions, including Bank Melli and Bank Sepah. The Security Council designated Bank Sepah in resolution 1747 (2007) for providing support to Iran's ballistic missile program. Green Pine was designated by the Committee in April 2012. |
| 3. | Korea Kumryong Trading Corporation | | | 22.1.2013 | Used as an alias by the Korea Mining Development Trading Corporation (KOMID) to carry out procurement activities. KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. |
| 4. | Tosong Technology Trading Corporation | | Pyongyang, DPRK | 22.1.2013 | The Korea Mining Development Corporation (KOMID) is the parent company of Tosong Tech- nology Trading Corporation. KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. |

| | Name | Alias | Location | Date of designation | Other information |
|----|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. | Korea Ryonha Machinery Joint Venture Corporation | Chosun Yunha Machinery Joint Operation Company; Korea Ryenha Machinery J/V Corporation; Ryonha Machinery Joint Venture Corporation | Central District, Pyongyang, DPRK; Mangungdae-gu, Pyongyang, DPRK; Mangyongdae District, Pyongyang, DPRK | 22.1.2013 | Korea Ryonbong General Corporation is the parent company of Korea Ryonha Machinery Joint Venture Corpor- ation. Korea Ryonbong General Corporation was designated by the Committee in April 2009 and is a defence conglomerate specializing in acquisition for DPRK defence industries and support to that country's military-related sales. |
| 6. | Leader (Hong Kong) International | Leader International Trading Limited | Room 1610 Nan Fung Tower, 173 Des Voeux Road, Hong Kong | 22.1.2013 | Facilitates shipments on behalf of the Korea Mining Development Trading Corporation (KOMID). KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. |
| 7. | Green Pine Associated Corporation | Cho'ngsong United Trading Company; Chongsong Yonhap; Ch'o'ngsong Yo'nhap; Chosun Chawo'n Kaebal T'uja Hoesa; Jindallae; Ku'mhaeryong Company LTD; Natural Resources Development and Investment Corporation; Saeingp'il Company | c/o Reconnaissance General Bureau Headquarters, Hyongjesan- Guyok, Pyongyang, DPRK; Nungrado, Pyongyang, DPRK | 2.5.2012 | Green Pine Associated Corporation ("Green Pine") has taken over many of the activities of the Korea Mining Devel- opment Trading Corporation (KOMID). KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conven- tional weapons. Green Pine is also responsible for approximately half of the arms and related materiel exported by the DPRK. Green Pine has been identified for sanctions for exporting arms or related material from North Korea. Green Pine specializes in the production of maritime military craft and armaments, such as submarines, military boats and missile systems, and has exported torpedoes and technical assistance to Iranian defence-related firms. |
| 8. | Amroggang Development Banking Corporation | Amroggang Development Bank; Amnokkang Development Bank | Tongan-dong, Pyongyang, DPRK | 2.5.2012 | Amroggang, which was estab- lished in 2006, is a Tanchon Commercial Bank-related company managed by Tanchon officials. Tanchon plays a role in financing KOMID's sales of ballistic missiles and has also been involved in ballistic missile transactions from KOMID to Iran's Shahid Hemmat Industrial Group (SHIG). Tanchon Commercial Bank was designated by the Committee in April 2009 and is the main DPRK financial |

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| | Name | Alias | Location | Date of designation | Other information |
|----|-----------------------------------|--------------------------------------------------------------------------------------------|--------------------|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | entity for sales of conventional arms, ballistic missiles and goods related to the assembly and manufacture of such weapons. KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conven- tional weapons. The Security Council designated SHIG in resolution 1737 (2006) as an entity involved in Iran's ballistic missile programme. |
| 9. | Korea Heungjin Trading Company | Hunjin Trading Co.; Korea Henjin Trading Co.; Korea Hengjin Trading Company | Pyongyang, DPRK | 2.5.2012 | The Korea Heungjin Trading Company is used by KOMID for trading purposes. It is suspected it has been involved in supplying missile-related goods to Iran's Shahid Hemmat Industrial Group (SHIG). Heungjin has been associated with KOMID, and, more specifi- cally, KOMID's procurement office. Heungjin has been used to procure an advanced digital controller with applications in missile design. KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. The Security Council designated SHIG in resolution 1737 (2006) as an entity involved in Iran's ballistic missile programme. |

ANNEX II

Entities referred to in Article 3

- 1. Green Pine Associated Corporation
- 2. Korea Heungjin Trading Company
- 3. Tosong Technology Trading Corporation
- 4. Korea Ryonha Machinery Joint Venture Corporation
- 5. Amroggang Development Banking Corporation
- 6. Bank of East Land

ANNEX III

"ANNEX IIIA

A. List of persons referred to in Article 4(1)(d) and Article 5(1)(d)

......

B. List of entities referred to in Article 5(1)(d)

........"

COUNCIL DECISION 2013/89/CFSP

of 18 February 2013

amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- On 15 February 2011, the Council adopted Decision 2011/101/CFSP (¹).
- (2) On the basis of a review of Decision 2011/101/CFSP, the restrictive measures should be renewed until 20 February 2014.
- (3) However, there are no longer grounds for keeping certain persons and entities on the list of persons and entities to which the restrictive measures provided for in Decision 2011/101/CFSP apply.
- (4) In order to facilitate dialogue between the Union and the Government of Zimbabwe, the suspension of the travel ban imposed on the two members of the re-engagement team of the Zimbabwe Government listed under Decision 2011/101/CFSP should be maintained. Furthermore, the suspension of the travel ban should be extended to cover six additional members of the Government of Zimbabwe.
- (5) Decision 2011/101/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2011/101/CFSP is hereby amended as follows:

Article 10 is replaced by the following:

"Article 10

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

2. This Decision shall apply until 20 February 2014.

3. The measures referred to in Article 4(1), insofar as they apply to the persons listed in Annex II, shall be suspended until 20 February 2014.

4. This Decision shall be kept under constant review and shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.".

Article 2

Annexes I and II to Decision 2011/101/CFSP are amended as set out in the Annex to this Decision.

Article 3

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

Done at Brussels, 18 February 2013.

For the Council The President C. ASHTON

 $^{(^1)~}OJ~L~42,~16.2.2011,~p.~6.$

ANNEX

Annexes I and II to Decision 2011/101/CFSP are amended as follows:

(1) The following persons and entities are deleted from Annex I

(a) Persons

Chapfika, David

Chigudu, Tinaye Elisha Nzirasha

Chipanga, Tongesai Shadreck

Kwenda, R.

Mahofa, Shuvai Ben

Mashava, G.

Moyo, Gilbert

Mpabanga, S.

Msipa, Cephas George

Muchono, C.

Mudenge, Isack Stanislaus Gorerazvo

Mudonhi, Columbus

Mugariri, Bothwell

Mumba, Isaac

Mutsvunguma, S.

Nkomo, John Landa

Nyambuya, Michael Reuben

Parirenyatwa, David Pagwese

Rangwani, Dani

Ruwodo, Richard

Zhuwao, Patrick

(b) Entities

Divine Homes (PVT) Ltd

(2) The entries for following persons listed in ANNEX I to Decision 2011/101/CFSP are added to ANNEX II: Murerwa, Herbet Muchemwa Mzembi, Walter

Nguni, Sylvester Robert

Nhema, Francis Chenayimoyo Dunstan

Nyoni, Sithembiso Gile Glad

Shamu, Webster Kotiwani

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