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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 474/2013

of 7 May 2013

entering a name in the register of protected designations of origin and protected geographical indications (Salmerino del Trentino (PGI))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Regulation (EU) No 1151/2012 entered into force on 3 January 2013. It repealed and replaced Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽²⁾.

- (2) Pursuant to Article 6(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Salmerino del Trentino' was published in the *Official Journal of the European Union* ⁽³⁾.

- (3) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

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

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

Done at Brussels, 7 May 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 93, 31.3.2006, p. 12.

⁽³⁾ OJ C 239, 9.8.2012, p. 9.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.7. Fresh fish, molluscs and crustaceans and products derived therefrom

ITALY

Salmerino del Trentino (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 475/2013

of 15 May 2013

entering a name in the register of protected designations of origin and protected geographical indications (Agnello del Centro Italia (PGI))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Regulation (EU) No 1151/2012 entered into force on 3 January 2013. It repealed and replaced Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽²⁾.
- (2) Pursuant to Article 6(2) of Regulation (EC) No 510/2006, Italy's application to register the name

'Agnello del Centro Italia' was published in the *Official Journal of the European Union* ⁽³⁾.

- (3) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

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

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

Done at Brussels, 15 May 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 93, 31.3.2006, p. 12.

⁽³⁾ OJ C 197, 5.7.2012, p. 29.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.1. Fresh meat (and offal)

ITALY

Agnello del Centro Italia (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 476/2013

of 23 May 2013

fixing the quantitative limit for exports of out-of-quota sugar and isoglucose until the end of the 2013/14 marketing year

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 61, first paragraph, point (d), in conjunction with Article 4 thereof,

Whereas:

(1) According to Article 61, first paragraph, point (d) of Regulation (EC) No 1234/2007, the sugar or isoglucose produced in excess of the quota referred to in Article 56 of that Regulation may be exported only within the quantitative limit to be fixed.

(2) Detailed implementing rules for out-of-quota exports, in particular concerning the issue of export licences are laid down by Commission Regulation (EC) No 951/2006 ⁽²⁾. However, the quantitative limit should be fixed per marketing year in view of the possible opportunities on the export markets.

(3) For certain Union producers of sugar and isoglucose, exports from the Union represent an important part of their economic activities and they have established traditional markets outside the Union. Exports of sugar and isoglucose to those markets could be economically viable also without granting export refunds. To that end it is necessary to fix a quantitative limit for out-of-quota sugar and isoglucose exports so that the EU producers concerned may continue to supply their traditional markets.

(4) For the 2013/14 marketing year it is estimated that fixing the quantitative limit initially at 650 000 tonnes, in white sugar equivalent, for out-of-quota sugar exports and 70 000 tonnes, in dry matter, for out-of-quota isoglucose would correspond to the market demand.

(5) Exports of sugar from the Union to certain close destinations and to third countries granting Union products a preferential import treatment are currently in a particular favourable competitive position. In view of the absence

of appropriate instruments of mutual assistance to fight against irregularities and in order to minimize the risk of fraud and to prevent any abuse associated with the reimport or reintroduction into the Union of out-of-quota sugar certain close destinations should be excluded from the eligible destinations.

(6) In view of the estimated lower risks for eventual frauds regarding isoglucose due to the nature of the product it is not necessary to restrict the eligible destinations for the export of out-of-quota isoglucose.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

*Article 1***Fixing the quantitative limit for out-of-quota sugar exports**

1. For the 2013/14 marketing year the quantitative limit referred to in Article 61, first paragraph, point (d) of Regulation (EC) No 1234/2007 shall be 650 000 tonnes for exports without refund of out-of-quota white sugar falling within CN code 1701 99.

2. Exports within the quantitative limit fixed in paragraph 1 shall be allowed for all destinations excluding:

(a) third countries: Albania, Andorra, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, the Holy See (Vatican City State), Liechtenstein, Montenegro, San Marino and Serbia ⁽³⁾;

(b) territories of Member States not forming part of the customs territory of the Union: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;

(c) European territories for whose external relations a Member State is responsible, not forming part of the customs territory of the Union: Gibraltar.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ As well as Kosovo under UN Security Council Resolution 1244 of 10 June 1999.

*Article 2***Fixing the quantitative limit for out-of-quota isoglucose exports**

1. For the 2013/14 marketing year the quantitative limit referred to in Article 61, first paragraph, point (d) of Regulation (EC) No 1234/2007 shall be 70 000 tonnes, in dry matter, for exports without refund of out-of-quota isoglucose falling within CN codes 1702 40 10, 1702 60 10 and 1702 90 30.
2. Exports of the products referred to in paragraph 1 shall only be allowed where they comply with the conditions laid down in Article 4 of Regulation (EC) No 951/2006.

*Article 3***Entry into force**

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 October 2013.

It shall expire on 30 September 2014.

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

Done at Brussels, 23 May 2013.

For the Commission
The President

José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 477/2013**of 23 May 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:

(1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

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

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 23 May 2013.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	15,0
	MA	67,7
	TN	74,5
	TR	54,4
	ZZ	52,9
0707 00 05	AL	27,7
	MK	37,6
	TR	132,0
	ZZ	65,8
0709 93 10	MA	110,7
	TR	129,5
	ZZ	120,1
0805 10 20	EG	56,2
	IL	67,7
	MA	73,2
	ZZ	65,7
0805 50 10	AR	112,3
	EG	68,1
	TR	71,0
	ZA	107,7
	ZZ	89,8
0808 10 80	AR	136,9
	BR	111,2
	CL	124,6
	CN	76,2
	MK	42,6
	NZ	144,7
	US	209,1
	ZA	117,2
ZZ	120,3	

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

COMMISSION IMPLEMENTING REGULATION (EU) No 478/2013

of 23 May 2013

amending Regulation (EC) No 1484/95 as regards representative prices in the poultrymeat and egg sectors and for egg albumin

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⁾, and in particular Article 143 in conjunction with Article 4 thereof,Having regard to Council Regulation (EC) No 614/2009 of 7 July 2009 on the common system of trade for ovalbumin and lactalbumin ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for

egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin.

- (3) Regulation (EC) No 1484/95 should be amended accordingly.
- (4) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by the text set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 23 May 2013.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 181, 14.7.2009, p. 8.

⁽³⁾ OJ L 145, 29.6.1995, p. 47.

ANNEX

'ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security pursuant to Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as "70 % chickens", frozen	148,8	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as "65 % chickens", frozen	155,1	0	AR
		164,0	0	BR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	270,8	9	AR
		238,6	18	BR
		309,7	0	CL
		245,5	16	TH
0207 27 10	Turkeys, boneless cuts, frozen	313,3	0	BR
		254,3	13	CL
0408 11 80	Egg yolks	490,3	0	AR
0408 91 80	Eggs, not in shell, dried	498,7	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	300,2	0	BR

⁽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

of 14 May 2013

on the launch of automated data exchange with regard to dactyloscopic data in Romania

(2013/229/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽¹⁾, in particular Article 25 thereof,

Having regard to Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA ⁽²⁾, in particular Article 20 and Chapter 4 of the Annex thereto,

Whereas:

- (1) According to the Protocol on Transitional Provisions annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community, the legal effects of the acts of the institutions, bodies, offices and agencies of the Union adopted prior to the entry into force of the Treaty of Lisbon are preserved until those acts are repealed, annulled or amended in implementation of the Treaties.
- (2) Accordingly, Article 25 of Decision 2008/615/JHA is applicable and the Council must unanimously decide whether the Member States have implemented the provisions of Chapter 6 of that Decision.
- (3) Article 20 of Decision 2008/616/JHA provides that decisions referred to in Article 25(2) of Decision 2008/615/JHA are to be taken on the basis of an evaluation report based on a questionnaire. With respect to automated data exchange in accordance with Chapter 2 of Decision 2008/615/JHA, the evaluation report is to be based on an evaluation visit and a pilot run.
- (4) According to Chapter 4, point 1.1, of the Annex to Decision 2008/616/JHA, the questionnaire drawn up by the relevant Council Working Group concerns each of the automated data exchanges and has to be answered by

a Member State as soon as it believes it fulfils the prerequisites for sharing data in the relevant data category.

- (5) Romania has completed the questionnaire on data protection and the questionnaire on dactyloscopic data exchange.
- (6) A successful pilot run has been carried out by Romania with Austria.
- (7) An evaluation visit has taken place in Romania and a report on the evaluation visit has been produced by the Austrian evaluation team and forwarded to the relevant Council Working Group.
- (8) An overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning dactyloscopic data exchange has been presented to the Council,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of automated searching of dactyloscopic data, Romania has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA and is entitled to receive and supply personal data pursuant to Article 9 of that Decision as from the day of the entry into force of this Decision.

Article 2

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

Done at Brussels, 14 May 2013.

For the Council
The President
M. NOONAN

⁽¹⁾ OJ L 210, 6.8.2008, p. 1.

⁽²⁾ OJ L 210, 6.8.2008, p. 12.

COUNCIL DECISION**of 14 May 2013****on the launch of automated data exchange with regard to Vehicle Registration Data (VRD) in Bulgaria**

(2013/230/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽¹⁾, in particular Article 25 thereof,

Having regard to Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA ⁽²⁾, in particular Article 20 and Chapter 4 of the Annex thereto,

Whereas:

- (1) According to the Protocol on Transitional Provisions annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community, the legal effects of the acts of the institutions, bodies, offices and agencies of the Union adopted prior to the entry into force of the Treaty of Lisbon are preserved until those acts are repealed, annulled or amended in implementation of the Treaties.
- (2) Accordingly, Article 25 of Decision 2008/615/JHA is applicable and the Council must unanimously decide whether the Member States have implemented the provisions of Chapter 6 of that Decision.
- (3) Article 20 of Decision 2008/616/JHA provides that decisions referred to in Article 25(2) of Decision 2008/615/JHA are to be taken on the basis of an evaluation report based on a questionnaire. With respect to automated data exchange in accordance with Chapter 2 of Decision 2008/615/JHA, the evaluation report is to be based on an evaluation visit and a pilot run.
- (4) According to Chapter 4, point 1.1, of the Annex to Decision 2008/616/JHA, the questionnaire drawn up by the relevant Council Working Group concerns each of the automated data exchanges and has to be answered by

a Member State as soon as it believes it fulfils the prerequisites for sharing data in the relevant data category.

- (5) Bulgaria has completed the questionnaire on data protection and the questionnaire on Vehicle Registration Data (VRD).
- (6) A successful pilot run has been carried out by Bulgaria with the Netherlands.
- (7) An evaluation visit has taken place in Bulgaria and a report on the evaluation visit has been produced by the Belgian/Dutch evaluation team and forwarded to the relevant Council Working Group.
- (8) An overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning VRD has been presented to the Council,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of automated searching of vehicle registration data (VRD), Bulgaria has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA and is entitled to receive and supply personal data pursuant to Article 12 of that Decision as from the day of the entry into force of this Decision.

Article 2

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

Done at Brussels, 14 May 2013.

For the Council
The President
M. NOONAN

⁽¹⁾ OJ L 210, 6.8.2008, p. 1.

⁽²⁾ OJ L 210, 6.8.2008, p. 12.

COUNCIL DECISION
of 14 May 2013
appointing an Irish member of the European Economic and Social Committee
(2013/231/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 302 thereof,

Having regard to the proposal of the Irish Government,

Having regard to the opinion of the European Commission,

Whereas:

- (1) On 13 September 2010 the Council adopted Decision 2010/570/EU, Euratom appointing the members of the European Economic and Social Committee for the period from 21 September 2010 to 20 September 2015 ⁽¹⁾.
- (2) A member's seat on the European Economic and Social Committee has become vacant following the end of the term of office of Mr Jim McCUSKER,

HAS ADOPTED THIS DECISION:

Article 1

Mr John COREY is hereby appointed as a member of the European Economic and Social Committee for the remainder of the current term of office, which runs until 20 September 2015.

Article 2

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

Done at Brussels, 14 May 2013.

For the Council
The President
M. NOONAN

⁽¹⁾ OJ L 251, 25.9.2010, p. 8.

COUNCIL DECISION
of 14 May 2013
appointing a Slovakian member of the European Economic and Social Committee
(2013/232/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 302 thereof,

Having regard to the proposal of the Slovakian Government,

Having regard to the opinion of the European Commission,

Whereas:

- (1) On 13 September 2010 the Council adopted Decision 2010/570/EU, Euratom appointing the members of the European Economic and Social Committee for the period from 21 September 2010 to 20 September 2015 ⁽¹⁾.
- (2) A member's seat on the European Economic and Social Committee has become vacant following the end of the term of office of Mr Ján GAŠPERAN,

HAS ADOPTED THIS DECISION:

Article 1

Mr Emil MACHYNA, *predseda Odborového zväzu KOVO*, is hereby appointed as a member of the European Economic and Social Committee for the remainder of the current term of office, which runs until 20 September 2015.

Article 2

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

Done at Brussels, 14 May 2013.

For the Council
The President
M. NOONAN

⁽¹⁾ OJ L 251, 25.9.2010, p. 8.

COUNCIL DECISION 2013/233/CFSP**of 22 May 2013****on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28, Article 42(4) and Article 43(2) thereof,

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

Whereas:

- (1) On 23 July 2012, the Council, recognising the serious security challenges in Libya, reiterated the readiness of the Union to provide assistance, including through Common Security and Defence Policy (CSDP), in the areas of security and border management, in close partnership with Libyan authorities.
- (2) On 9 January 2013, the Minister for Foreign Affairs and International Cooperation of Libya addressed a letter to the High Representative of the Union for Foreign Affairs and Security Policy (HR), welcoming the Union's CSDP proposal to support the Libyan authorities in developing the capacity to enhance the security of Libya's borders in the short term, and to assist in developing a broader strategic Integrated Border Management (IBM) concept in the longer term.
- (3) On 31 January 2013, the Council approved the Crisis Management Concept for a possible CSDP civilian mission in Libya.
- (4) The Watch-Keeping Capability should be activated for the Mission established by this Decision.
- (5) The Mission will be conducted in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty on European Union (TEU),

HAS ADOPTED THIS DECISION:

*Article 1***Mission**

The Union hereby establishes a European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya).

*Article 2***Objectives**

The objectives of EUBAM Libya are to support the Libyan authorities to develop capacity for enhancing the security of Libya's

land, sea and air borders in the short term and to develop a broader IBM strategy in the longer term.

*Article 3***Tasks**

1. In order to achieve the objectives set out in Article 2, the tasks of EUBAM Libya shall be:
 - (a) through training and mentoring, to support Libyan authorities in strengthening the border services in accordance with international standards and best practices;
 - (b) to advise the Libyan authorities on the development of a Libyan national IBM strategy;
 - (c) to support the Libyan authorities in strengthening their institutional operational capabilities.
2. EUBAM Libya shall not carry out any executive function.

*Article 4***Chain of command and structure**

1. EUBAM Libya shall have a unified chain of command as a crisis management operation.
2. EUBAM Libya shall have its Headquarters in Tripoli.
3. EUBAM Libya shall be structured in accordance with its planning documents.
4. EUBAM Libya shall have a project capability to identify, plan and implement projects. Additionally, EUBAM Libya may, as appropriate and if invited to do so, coordinate, facilitate and provide advice on projects implemented by Member States and third States under their responsibility, in areas related to EUBAM Libya and in support of its objectives.

*Article 5***Civilian Operation Commander**

1. The Civilian Planning and Conduct Capability (CPCC) Director shall be the Civilian Operation Commander for EUBAM Libya.
2. The Civilian Operation Commander, under the political control and strategic direction of the Political and Security Committee (PSC) and overall authority of the HR, shall exercise command and control of EUBAM Libya at the strategic level.

3. The Civilian Operation Commander shall ensure, with regard to the conduct of operations, the proper and effective implementation of the Council's decisions as well as the PSC's decisions, including by issuing instructions at the strategic level as required to the Head of Mission and providing the Head of Mission with advice and technical support.
4. The Civilian Operation Commander shall report to the Council through the HR.
5. All seconded staff shall remain under the full command of the national authorities of the seconding State(s) in accordance with national rules, of the Union institution concerned or of the European External Action Service (EEAS). Those authorities shall transfer Operational Control (OPCON) of their personnel, teams and units to the Civilian Operation Commander.
6. The Civilian Operation Commander shall have overall responsibility for ensuring that the Union's duty of care is properly discharged.
7. The Civilian Operation Commander, the European Union Special Representative (EUSR) for the Southern Mediterranean region, the Head of Union Delegation in Libya and the Head of Mission of EUBAM Libya shall consult each other as required.

Article 6

Head of Mission

1. The Head of Mission shall assume responsibility for, and exercise command and control of, EUBAM Libya at theatre level and shall be directly responsible to the Civilian Operation Commander.
2. The Head of Mission shall exercise command and control over personnel, teams and units from contributing States as assigned by the Civilian Operation Commander together with administrative and logistic responsibility including over assets, resources and information placed at the disposal of EUBAM Libya.
3. The Head of Mission shall issue instructions to all EUBAM Libya staff, including the Brussels Support Element and regional liaison officers, where applicable, for the effective conduct of EUBAM Libya in theatre, assuming its coordination and day-to-day management, and following the instructions at the strategic level of the Civilian Operation Commander.
4. The Head of Mission shall be responsible for the implementation of the budget of EUBAM Libya. For this purpose, the Head of Mission shall sign a contract with the Commission.
5. The Head of Mission shall be responsible for disciplinary control over the staff. For seconded staff, disciplinary powers shall be exercised by the national authority in accordance with national rules, by the Union institution concerned or by the EEAS.
6. The Head of Mission shall represent EUBAM Libya in the operations area and shall ensure appropriate visibility of EUBAM Libya.

7. The Head of Mission shall coordinate, as appropriate, with other Union actors on the ground. The Head of Mission shall, without prejudice to the chain of command, receive local political guidance from the EUSR for the Southern Mediterranean region in consultation with the Head of Union Delegation in Libya.

8. In the context of the project capability, the Head of Mission shall be authorised to seek recourse to financial contributions from the Member States or third States to implement projects identified as supplementing in a consistent manner the other actions of EUBAM Libya, if the project is:

- (a) provided for in the Budgetary Impact Statement relating to this Decision; or
- (b) included in the course of EUBAM Libya in the Budgetary Impact Statement at the request of the Head of Mission.

In such a case the Head of Mission shall conclude an arrangement with the States concerned, covering in particular the specific procedures for dealing with any complaint from third parties concerning damage caused as a result of acts or omissions by the Head of Mission in the use of the funds provided by the contributing States.

Under no circumstances shall the Union or the HR be held liable by contributing States as a result of acts or omissions by the Head of Mission in the use of funds provided by contributing States.

Article 7

Staff

1. EUBAM Libya shall consist primarily of staff seconded by Member States, Union institutions or the EEAS.
2. Each Member State, Union institution or the EEAS shall bear the costs related to any of the staff seconded by it, including travel expenses to and from the place of deployment, salaries, medical coverage and allowances other than applicable daily allowances.
3. Each Member State, Union institution and the EEAS shall be responsible for answering any claims linked to the secondment, either from or concerning the member of staff seconded by it, and for bringing any action against that person.
4. EUBAM Libya may also recruit international or local staff on a contractual basis if the functions required cannot be provided by personnel seconded by Member States, Union institutions or the EEAS. Exceptionally, in duly justified cases, where no qualified applicants from Member States are available, nationals from participating third States may be recruited on a contractual basis, as appropriate.
5. The conditions of employment and the rights and obligations of international and local staff shall be laid down in contracts between the Head of Mission and such staff members.

*Article 8***Status of EUBAM Libya and of its staff**

The status of EUBAM Libya and its staff, including, where appropriate, the privileges, immunities and further guarantees necessary for the completion and smooth functioning of EUBAM Libya, shall be the subject of an agreement concluded pursuant to Article 37 TEU and in accordance with the procedure laid down in Article 218 of the Treaty on the Functioning of the European Union.

*Article 9***Political control and strategic direction**

1. The PSC shall exercise, under the responsibility of the Council and of the HR, political control and strategic direction of EUBAM Libya. The Council hereby authorises the PSC to take the relevant decisions for that purpose in accordance with the third paragraph of Article 38 TEU. This authorisation shall include the powers to appoint a Head of Mission, upon a proposal from the HR, and to amend the Concept of Operations Plus (CONOPS Plus) and the Operation Plan (OPLAN). The powers of decision with respect to the objectives and termination of the EUBAM Libya shall remain vested in the Council.

2. The PSC shall report to the Council at regular intervals.

3. The PSC shall receive, on a regular basis and as required, reports by the Civilian Operation Commander and the Head of Mission on issues within their respective areas of responsibility.

*Article 10***Participation of third States**

1. Without prejudice to the decision-making autonomy of the Union and its single institutional framework, third States may be invited to contribute to EUBAM Libya, provided that they bear the cost of the staff seconded by them, including salaries, all risk insurance cover, daily subsistence allowances and travel expenses to and from Libya, and that they contribute to the running costs of EUBAM Libya, as appropriate.

2. Third States contributing to EUBAM Libya shall have the same rights and obligations in terms of the day-to-day management of EUBAM Libya as Member States taking part in EUBAM Libya.

3. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the proposed contributions and to establish a Committee of Contributors.

4. Detailed arrangements regarding the participation of third States shall be covered by agreements concluded in accordance with Article 37 TEU and additional technical arrangements as necessary. Where the Union and a third State conclude or have concluded an agreement establishing a framework for the participation of that third State in crisis management operations of the Union, the provisions of that agreement shall apply in the context of EUBAM Libya.

*Article 11***Security**

1. The Civilian Operation Commander shall, in accordance with Article 5, direct the Head of Mission in planning security measures, and shall ensure their proper and effective implementation by EUBAM Libya.

2. The Head of Mission shall be responsible for the security of EUBAM Libya and for ensuring compliance with minimum security requirements applicable to EUBAM Libya, in line with the policy of the Union on the security of personnel deployed outside the Union in an operational capacity under Title V TEU, and its supporting instruments.

3. The Head of Mission shall be assisted by a Senior Mission Security Officer, who shall report to the Head of Mission and also maintain a close working relationship with the EEAS.

4. The EUBAM Libya staff shall undergo mandatory security training before taking up their duties, in accordance with the OPLAN. They shall also receive regular in-theatre refresher training organised by the Mission Security Officer.

5. The Head of Mission shall ensure the protection of EU classified information in accordance with Council Decision 2011/292/EU of 31 March 2011 on the security rules for protecting EU classified information⁽¹⁾.

*Article 12***Watch-Keeping Capability**

The Watch-Keeping Capability shall be activated for EUBAM Libya.

*Article 13***Financial arrangements**

1. The financial reference amount intended to cover the expenditure related to EUBAM Libya for the first 12 months following the entry into force of this Decision shall be EUR 30 300 000. The financial reference amount for the subsequent periods shall be decided by the Council.

2. All expenditure shall be managed in accordance with the rules and procedures applicable to the general budget of the Union.

3. Nationals of participating third States and of host and neighbouring countries shall be allowed to tender for contracts. Subject to the Commission's approval, the Head of Mission may conclude technical arrangements with Member States, participating third States and other international actors regarding the provision of equipment, services and premises to EUBAM Libya.

4. The financial arrangements shall respect the operational requirements of EUBAM Libya including the compatibility of equipment and the interoperability of its teams.

5. The Head of Mission shall report fully to, and be supervised by, the Commission regarding the activities undertaken in the framework of the Head of Mission's contract.

⁽¹⁾ OJ L 141, 27.5.2011, p. 17.

6. The expenditure related to EUBAM Libya shall be eligible as of the date of entry into force of this Decision.

Article 14

Consistency of the Union's response and coordination

1. The HR shall ensure the consistency of the implementation of this Decision with the Union's external action as a whole, including the Union's development programmes.
2. Without prejudice to the chain of command, the Head of Mission shall act in close coordination with the Union Delegation in Tripoli to ensure the consistency of Union action in Libya.
3. The Head of Mission shall coordinate closely with Member States' Heads of Mission present in Libya.
4. The Head of Mission shall coordinate with relevant third parties in Libya.

Article 15

Release of information

1. The HR shall be authorised to release to the third States associated with this Decision, as appropriate and in accordance with the needs of EUBAM Libya, EU classified information up to 'CONFIDENTIEL UE/EU CONFIDENTIAL' level generated for the purposes of EUBAM Libya, in accordance with Decision 2011/292/EU.
2. In the event of a specific and immediate operational need, the HR shall also be authorised to release to the host State any EU classified information up to 'RESTREINT UE/EU

RESTRICTED' level generated for the purposes of EUBAM Libya, in accordance with Decision 2011/292/EU. Arrangements between the HR and the competent authorities of the host State shall be drawn up for this purpose.

3. The HR shall be authorised to release to the third States associated with this Decision any EU non-classified documents connected with the deliberations of the Council relating to EUBAM Libya and covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council's Rules of Procedure ⁽¹⁾.

4. The HR may delegate the powers referred to in paragraphs 1 to 3, as well as the ability to conclude the arrangements referred to in paragraph 2 to persons placed under the HR's authority, to the Civilian Operation Commander and/or to the Head of Mission.

Article 16

Entry into force and duration

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

It shall apply for a period of 24 months.

Done at Brussels, 22 May 2013.

For the Council
The President
E. GILMORE

⁽¹⁾ Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35).

GUIDELINES

GUIDELINE OF THE EUROPEAN CENTRAL BANK

of 15 May 2013

amending Guideline ECB/2006/4 on the Eurosystem's provision of reserve management services in euro to central banks and countries located outside the euro area and to international organisations

(ECB/2013/14)

(2013/234/EU)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Articles 12.1 and 14.3 and Article 23 thereof,

Whereas:

- (1) Guideline ECB/2006/4 of 7 April 2006 on the Eurosystem's provision of reserve management services in euro to central banks and countries located outside the euro area and to international organisations⁽¹⁾ should address the issue of counterparties subject to restrictive measures in the area of anti-money laundering and terrorist financing.
- (2) Therefore, Guideline ECB/2006/4 should be amended accordingly,

HAS ADOPTED THIS GUIDELINE:

Article 1

Amendment

In Article 7 of Guideline ECB/2006/4, the following point (f) is added:

(f) state that the customer shall confirm to the Eurosystem member that it complies with all Union and national laws for the prevention of money laundering and terrorist financing, insofar as and to the extent applicable to it, including instructions given by competent authorities, and that it is not involved with any form of money laundering or terrorist financing.'

Article 2

Taking effect and implementation

1. This Guideline shall take effect on the day of its notification to the national central banks of the Member States whose currency is the euro (hereinafter the 'NCBs').
2. The NCBs shall comply with this Guideline from six weeks after notification is given to them.

Done at Frankfurt am Main, 15 May 2013.

For the Governing Council of the ECB
The President of the ECB
Mario DRAGHI

⁽¹⁾ OJ L 107, 20.4.2006, p. 54.

NOTICE TO READERS

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of the *Official Journal of the European Union***

In accordance with Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the *Official Journal of the European Union* (OJ L 69, 13.3.2013, p. 1), as of 1 July 2013, only the electronic edition of the Official Journal shall be considered authentic and shall have legal effect.

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