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EN

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

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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 747/2014**of 10 July 2014****concerning restrictive measures in view of the situation in Sudan and repealing Regulations (EC) No 131/2004 and (EC) No 1184/2005**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision 2014/450/CFSP of 10 July 2014 concerning restrictive measures in view of the situation in Sudan and repealing Decision 2011/423/CFSP ⁽¹⁾,

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

Whereas:

- (1) On 10 January 2004, the Council adopted Common Position 2004/31/CFSP ⁽²⁾ maintaining the arms embargo on Sudan imposed by Council Decision 94/165/CFSP ⁽³⁾. On 26 January 2004, the Council adopted Regulation (EC) No 131/2004 ⁽⁴⁾ giving effect to Common Position 2004/31/CFSP.
- (2) On 30 July 2004, the UN Security Council adopted UN Security Council Resolution (UNSCR) 1556 (2004) imposing an arms embargo on Sudan. On 29 March 2005, the UN Security Council adopted UNSCR 1591 (2005) imposing certain restrictions on those who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, violate the arms embargo or are responsible for certain offensive military flights in and over the Darfur region.
- (3) On 30 May 2005, the Council adopted Common Position 2005/411/CFSP ⁽⁵⁾ which integrated the measures imposed by Common Position 2004/31/CFSP and the measures to be implemented pursuant to UNSCR 1591 (2005) into a single legal act.
- (4) On 18 July 2005, the Council adopted Regulation (EC) No 1184/2005 ⁽⁶⁾ giving effect to Common Position 2005/411/CFSP and imposing certain specific restrictive measures directed against certain persons impeding the peace process and breaking international law in the conflict in the Darfur region in Sudan.

⁽¹⁾ See page 106 of this Official Journal.

⁽²⁾ Council Common Position 2004/31/CFSP of 9 January 2004 concerning the imposition of an embargo on arms, munitions and military equipment on Sudan (OJ L 6, 10.1.2004, p. 55).

⁽³⁾ Council Decision 94/165/CFSP of 15 March 1994 on the Common Position defined on the basis of Article J.2 of the Treaty on European Union concerning the imposition of an embargo on arms, munitions and military equipment on Sudan (OJ L 75, 17.3.1994, p. 1).

⁽⁴⁾ Council Regulation (EC) No 131/2004 of 26 January 2004 imposing certain restrictive measures in respect of Sudan and South Sudan (OJ L 21, 28.1.2004, p. 1).

⁽⁵⁾ Council Common Position 2005/411/CFSP of 30 May 2005 concerning restrictive measures against Sudan and repealing Common Position 2004/31/CFSP (OJ L 139, 2.6.2005, p. 25).

⁽⁶⁾ Council Regulation (EC) No 1184/2005 of 18 July 2005 imposing certain specific restrictive measures directed against certain persons impeding the peace process and breaking international law in the conflict in the Darfur region in Sudan (OJ L 193, 23.7.2005, p. 9).

- (5) On 18 July 2011, the Council adopted Decision 2011/423/CFSP ⁽¹⁾ which extended the scope of application of the arms embargo to South Sudan.
- (6) On 10 July 2014, the Council adopted Decision 2014/450/CFSP separating the measures concerning Sudan and integrating them into a single legal act.
- (7) For the sake of clarity, measures concerning Sudan should be separated from measures concerning South Sudan. Regulation (EC) No 131/2004 and Regulation (EC) No 1184/2005 should therefore be repealed and replaced by this Regulation in so far as they concern Sudan. Regulation (EC) No 131/2004 should also be replaced by Council Regulation (EU) No 748/2014 ⁽²⁾ in so far as it concerns South Sudan.
- (8) The power to amend the list in Annex I to this Regulation should be exercised by the Council, in view of the specific threat to international peace and security in the region posed by the situation in Sudan and in order to ensure consistency with the process for amending and reviewing the Annex to Decision 2014/450/CFSP.
- (9) For the implementation of this Regulation, and in order to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources should be frozen in accordance with this Regulation, should be made public. Any processing of personal data should comply with Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽³⁾ and Directive 95/46/EC of the European Parliament and of the Council ⁽⁴⁾.
- (10) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'brokering services' means:
 - (i) the negotiation or arrangement of transactions for the purchase, sale or supply of goods and technology, or of financial and technical services, from a third country to any other third country; or
 - (ii) the selling or buying of goods and technology or of financial and technical services, that are located in third countries for their transfer to another third country;
- (b) 'claim' means any claim, whether asserted by legal proceedings or not, made before or after the date of entry into force of this Regulation, under or in connection with a contract or transaction, and includes in particular:
 - (i) a claim for performance of any obligation arising under or in connection with a contract or transaction;
 - (ii) a claim for extension or payment of a bond, financial guarantee or indemnity of whatever form;
 - (iii) a claim for compensation in respect of a contract or transaction;
 - (iv) a counterclaim;
 - (v) a claim for the recognition or enforcement, including by the procedure of *exequatur*, of a judgment, an arbitration award or an equivalent decision, wherever made or given;

⁽¹⁾ Council Decision 2011/423/CFSP of 18 July 2011 concerning restrictive measures against Sudan and South Sudan and repealing Common Position 2005/411/CFSP (OJ L 188, 19.7.2011, p. 20).

⁽²⁾ Council Regulation (EU) No 748/2014 of 10 July 2014 concerning restrictive measures in respect of the situation in South Sudan (see page 13 of this Official Journal).

⁽³⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

⁽⁴⁾ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

- (c) 'contract or transaction' means any transaction of whatever form and whatever the applicable law, whether comprising one or more contracts or similar obligations made between the same or different parties; for that purpose 'contract' includes a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, and credit, whether legally independent or not, as well as any related provision arising under, or in connection with, the transaction;
- (d) 'competent authorities' refers to the competent authorities of the Member States as identified on the websites listed in Annex II;
- (e) 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds, but may be used to obtain funds, goods or services;
- (f) 'freezing of economic resources' means preventing the use of economic resources to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them;
- (g) 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
- (h) 'funds' means financial assets and benefits of every kind, including, but not limited to:
 - (i) cash, cheques, claims on money, drafts, money orders and other payment instruments;
 - (ii) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
 - (iii) publicly- and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
 - (iv) interest, dividends or other income on or value accruing from or generated by assets;
 - (v) credit, right of set-off, guarantees, performance bonds or other financial commitments;
 - (vi) letters of credit, bills of lading, bills of sale; and
 - (vii) documents showing evidence of an interest in funds or financial resources;
- (i) 'Sanctions Committee' means the UN Security Council Committee established pursuant to paragraph 3 of UNSCR 1591 (2005);
- (j) 'technical assistance' means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services, including verbal forms of assistance;
- (k) 'territory of the Union' means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty, including their airspace.

Article 2

It shall be prohibited to:

- (a) provide technical assistance or brokering services related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts therefor, directly or indirectly to any natural or legal person, entity or body in, or for use in Sudan;
- (b) provide financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance, as well as insurance and reinsurance, for any sale, supply, transfer or export of arms and related materiel, or for the provision of related technical assistance, directly or indirectly to any natural or legal person, entity or body in, or for use in Sudan.

Article 3

By way of derogation from Article 2, the competent authorities of Member States may authorise the provision of financing and financial assistance, technical assistance and brokering services related to:

- (a) non-lethal military equipment intended solely for humanitarian, human rights monitoring or protective use, or for institution-building programmes of the UN, the African Union (AU), the European Union;

- (b) materiel intended for European Union, UN and AU crisis management operations;
- (c) de-mining equipment and materiel for use in de-mining operations.

Article 4

Article 2 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Sudan by UN personnel, personnel of the European Union or its Member States, representatives of the media, humanitarian and development workers and associated personnel for their personal use only.

Article 5

1. All funds and economic resources belonging to, owned or controlled, directly or indirectly, by the natural or legal persons, entities or bodies listed in Annex I shall be frozen.
2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annex I.
3. Annex I shall include natural or legal persons, entities or bodies who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, violate the arms embargo and/or are responsible for offensive military overflights in and over the Darfur region, as designated by the Sanctions Committee.

Article 6

1. By way of derogation from Article 5, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, provided that the following conditions are met:
 - (a) the competent authority concerned has determined that the funds or economic resources are:
 - (i) necessary for the basic needs of natural or legal persons, entities or bodies listed in Annex I, and dependant family members of such natural persons, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
 - (ii) intended exclusively for payment of reasonable professional fees or reimbursement of incurred expenses associated with the provision of legal services; or
 - (iii) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; and
 - (b) the Member State concerned has notified the Sanctions Committee of the determination referred to in point (a) and its intention to grant an authorisation, and the Sanctions Committee has not objected to that course of action within two working days of such notification.
2. By way of derogation from Article 5, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources or the making available of certain frozen funds or economic resources, after having determined that the funds or economic resources are necessary for extraordinary expenses, provided that the Member State concerned has notified the Sanctions Committee of that determination and the Sanctions Committee has approved that determination.

Article 7

By way of derogation from Article 5, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources, if the following conditions are met:

- (a) the funds or economic resources are the subject of a judicial, administrative or arbitral lien established prior to the date on which the person, entity or body referred to in Article 5 was included in Annex I, or of a judicial, administrative or arbitral judgment rendered prior to that date;

- (b) the funds or economic resources will be used exclusively to satisfy claims secured by such a lien or recognised as valid in such a judgment, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the lien or judgment is not for the benefit of a person, entity or body listed in Annex I;
- (d) recognising the lien or judgment is not contrary to public policy in the Member State concerned; and
- (e) the Sanctions Committee has been notified by the Member State of the lien or judgment.

Article 8

1. Article 5(2) shall not prevent the crediting of the frozen accounts by financial or credit institutions that receive funds transferred by third parties to the account of the person, entity or body listed in Annex I, provided that any such additions to such accounts will also be frozen. The financial or credit institutions shall inform the relevant competent authority about any such transactions without delay.

2. Article 5(2) shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts;
- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which the natural or legal person, entity or body referred to in Article 5 has been included in Annex I; or
- (c) payments due under a judicial, administrative or arbitral lien or judgment, as referred to in Article 7;

provided that any such interest, other earnings and payments are frozen in accordance with Article 5(1).

Article 9

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy, natural and legal persons, entities and bodies shall:

- (a) supply immediately any such information which would facilitate compliance with this Regulation, such as information on accounts and amounts frozen in accordance with Article 5, to the competent authority of the Member States where they are resident or located, and transmit any such information, directly or through these competent authorities, to the Commission; and
- (b) cooperate with the competent authorities listed in Annex II in any verification of this information.

2. Any additional information received directly by the Commission shall be made available to the Member States.

3. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

Article 10

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Articles 2 and 5.

Article 11

1. The freezing of funds and economic resources, or the refusal to make funds or economic resources available, carried out in good faith and on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person, entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen or withheld as a result of negligence.

2. Actions by natural or legal persons, entities or bodies shall not give rise to any liability of any kind on their part if they did not know, and had no reasonable cause to suspect, that their actions would infringe the measures set out in this Regulation.

Article 12

1. No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Regulation, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, particularly a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:

- (a) designated natural or legal persons, entities or bodies listed in Annex I;
- (b) any natural or legal person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in point (a).

2. In any proceedings for the enforcement of a claim, the onus of proving that satisfying the claim is not prohibited by paragraph 1 shall be on the natural or legal person, entity or body seeking the enforcement of that claim.

3. This Article is without prejudice to the right of the natural or legal persons, entities and bodies referred to in paragraph 1 to judicial review of the legality of the non-performance of contractual obligations in accordance with this Regulation.

Article 13

1. The Commission and Member States shall inform each other of the measures taken under this Regulation and share any other relevant information at their disposal in connection with this Regulation, in particular, information in respect of:

- (a) funds frozen under Article 5 and authorisations granted under Articles 6, 7 and 8;
- (b) violation and enforcement problems and judgments handed down by national courts.

2. The Member States shall immediately inform each other and the Commission of any other relevant information at their disposal which might affect the effective implementation of this Regulation.

Article 14

The Commission shall be empowered to amend Annex II on the basis of information supplied by Member States.

Article 15

1. Where the UN Security Council or the Sanctions Committee lists a natural or legal person, entity or body and has provided a statement of reasons for the designation, the Council shall include that natural or legal person, entity or body in Annex I. The Council shall communicate its decision and the statement of reasons to the natural or legal person, entity or body concerned, either directly, if the address is known, or through the publication of a notice, providing that natural or legal person, entity or body with an opportunity to present observations.

2. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the natural or legal person, entity or body accordingly.

3. Where the United Nations decides to de-list a person, entity or body, or to amend the identifying data of a listed natural or legal person, entity or body, the Council shall amend Annex I accordingly.

Article 16

Annex I shall include, where available, information provided by the UN Security Council or by the Sanctions Committee necessary to identify the natural or legal persons, entities or bodies concerned. With regard to natural 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 legal persons, entities or bodies, 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.

Article 17

1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.
2. Member States shall notify those rules to the Commission without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment.

Article 18

1. Member States shall designate the competent authorities referred to in this Regulation and identify them on the websites listed in Annex II. Member States shall notify the Commission of any changes in the addresses of their websites listed in Annex II.
2. Member States shall notify the Commission of their competent authorities, including the contact details of those competent authorities, without delay after the entry into force of this Regulation, and shall notify it of any subsequent amendment.
3. Where this Regulation sets out a requirement to notify, inform or otherwise communicate with the Commission, the address and other contact details to be used for such communication shall be those indicated in Annex II.

Article 19

This Regulation shall apply:

- (a) within the territory of the Union, including its airspace;
- (b) on board any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person inside or outside the territory of the Union who is a national of a Member State;
- (d) to any legal person, entity or body, inside or outside the territory of the Union which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.

Article 20

Regulations (EC) No 131/2004 and (EC) No 1184/2005 are hereby repealed. References to the repealed Regulations shall be construed as references to this Regulation and Regulation (EU) No 748/2014.

Article 21

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, 10 July 2014.

For the Council
The President
S. GOZI

ANNEX I

LIST OF NATURAL AND LEGAL PERSONS, ENTITIES AND BODIES REFERRED TO IN ARTICLE 5

A. Natural persons

1. Last name: ELHASSAN

First name(s): Gaffar Mohammed

Alias: Gaffar Mohmed Elhassan

Date of birth/Place of birth/nationality/residence:

Date of birth: 24 June 1952;

Resides in: El Waha, Omdurman, Sudan.

Passport/identifying information/status:

Retired from the Sudanese Army.

Ex-serviceman's identification card no: 4302.

Designation/justification:

Major-General and Commander of the Western Military Region for the Sudanese Armed Forces (SAF).

The Panel of Experts reports that Major-General Gaffar Mohammed Elhassan stated to them that he had direct operational command (primarily tactical command) of all elements of the SAF in Darfur while he was in command of the Western Military Region. Elhassan held this position as Western Military Area Commander from November 2004 (approximately) until early 2006. The Panel's information is that Elhassan was responsible for violations of paragraph 7 of UNSCR 1591 (2005) as by virtue of this position he requested (from Khartoum), and authorized as from 29 March 2005, the transfer of military equipment into Darfur without the prior approval of the 1591 Committee. Elhassan himself admitted to the Panel of Experts that aircraft, aircraft engines and other military equipment had been brought into Darfur from other parts of Sudan between 29 March 2005 and December 2005. For example, he informed the Panel that 2 Mi-24 attack helicopters were brought unauthorized into Darfur between 18 and 21 September 2005.

There are also reasonable grounds to believe that Elhassan was directly responsible, as Western Military Area Commander, for authorizing offensive military flights in the area around Abu Hamra, 23-24 July 2005 and in the Jebel Moon area of Western Darfur, on 19 November 2005. Mi-24 attack helicopters were involved in both operations and reportedly opened fire on both occasions. The Panel of Experts report that Elhassan indicated to the Panel that he himself approved requests for air support and other air operations in his capacity as Western Military Area Commander. (See Panel of Experts report, S/2006/65, paragraphs 266-269.) Through such actions Major-General Gaffar Mohammed Elhassan has breached relevant provisions of UNSCR 1591 (2005) and therefore meets the criteria to be designated by the Committee to be subjected to sanctions.

Date of UN designation: 25 April 2006.

2. Last name: ALNSIEM

First name(s): Musa Hilal Abdalla

Alias: Sheikh Musa Hilal; Abd Allah; Abdallah; AlNasim; Al Nasim; AlNaseem; Al Naseem; AlNasseem; Al Nasseem

Date of birth/Place of birth/nationality/residence:

Date of Birth: 01/01/1964 or 1959;

Place of birth: Kutum;

Resides in: Kabkabiya and the city of Kutum, Northern Darfur and has resided in Khartoum.

Passport/identifying information/status:

Diplomatic Passport No: D014433,

Issued on 21 February 2013; Expires 21 February 2015.

Certificate of Nationality No: A0680623.

Member of the National Assembly of Sudan. In 2008, appointed by the President of Sudan as special adviser to the Ministry of Federal Affairs.

Designation/justification:

Paramount Chief of the Jalul Tribe in North Darfur.

Report from Human Rights Watch states they have a memo dated 13 February 2004 from a local government office in North Darfur ordering 'security units in the locality' to 'allow the activities of the mujahideen and the volunteers under the command of the Sheikh Musa Hilal to proceed in the areas of [North Darfur] and to secure their vital needs'. On 28 September 2005, 400 Arab militia attacked the villages of Aro Sharrow (including its IDP camp), Acho, and Gozmena in West Darfur. We also believe that Musa Hilal was present during the attack on Aro Sharrow IDP camp; his son had been killed during the SLA attack on Shareia, so he was now involved in a personal blood feud. There are reasonable grounds to believe that as the Paramount Chief he had direct responsibility for these actions and is responsible for violations of international humanitarian and human rights law and other atrocities.

Date of UN designation: 25 April 2006

3. Last name: SHARIF

First name(s): Adam Yacub

Alias: Adam Yacub Shant; Adam Yacoub

Date of birth/Place of birth/nationality/residence:

Date of birth: Circa 1976.

Passport/identifying information/status:

Reportedly deceased on 7 June 2012.

Designation/justification:

Sudanese Liberation Army (SLA) Commander.

SLA soldiers under the command of Adam Yacub Shant violated the ceasefire agreement by attacking a Government of Sudan military contingent that was escorting a convoy of trucks near Abu Hamra, Northern Darfur on July 23, 2005 killing three soldiers. After the attack, Government military weapons and ammunition were looted. The Panel of Experts has information establishing that the attack by SLA soldiers took place and was clearly organized; consequently it was well planned. It is therefore reasonable to assume, as the Panel concluded, that Shant, as the confirmed SLA Commander in the area, must have had knowledge of and approved or ordered the attack. He therefore bears direct responsibility for the attack and meets the criteria for being listed.

Date of UN designation: 25 April 2006.

4. Last name: MAYU

First name(s): Jibril Abdulkarim Ibrahim

Alias: General Gibril Abdul Kareem Barey; 'Tek'; Gabril Abdul Kareem Badri

Date of birth/Place of birth/nationality/residence:

Date of birth: 1 January 1967;

Place of Birth: Nile District, El-Fasher, El-Fasher, North Darfur;

Nationality: Sudanese by birth;

Resides in: Tine, on the Sudanese side of the border with Chad.

Passport/identifying information/status:

National Identification Number: 192-3238459-9

Certificate of nationality acquired through birth: No 302581

Designation/justification:

National Movement for Reform and Development (NMRD) Field Commander.

Mayu is responsible for the kidnapping of African Union Mission in Sudan (AMIS) personnel in Darfur during October 2005. Mayu openly attempts to thwart the AMIS mission through intimidation; for example he threatened to shoot down African Union (AU) helicopters in the Jebel Moon area in November 2005. Through such actions Mayu has clearly violated UNSCR 1591 (2005) in constituting a threat to stability in Darfur and meets the criteria to be designated by the Committee to be subjected to sanctions.

Date of UN designation: 25 April 2006.

B. Legal persons, entities and bodies

ANNEX II

**WEBSITES FOR INFORMATION ON THE COMPETENT AUTHORITIES AND ADDRESS FOR NOTIFICATION
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.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/GlobalizacionOportunidadesRiesgos/Documents/ORGANISMOS%20COMPETENTES%20SANCIONES%20INTERNACIONALES.pdf>

FRANCE

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

CROATIA

<http://www.mvep.hr/sankcije>

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

NETHERLANDS

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

AUSTRIA

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

POLAND

<http://www.msz.gov.pl>

PORTUGAL

<http://www.portugal.gov.pt/pt/os-ministerios/ministerio-dos-negocios-estrangeiros/quero-saber-mais/sobre-o-ministerio/medidas-restritivas/medidas-restritivas.aspx>

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.mzv.sk/sk/europske_zalezitosti/europske_politiky-sankcie_eu

FINLAND

<http://formin.finland.fi/kvyhteisty/pakotteet>

SWEDEN

<http://www.ud.se/sanktioner>

UNITED KINGDOM

<https://www.gov.uk/sanctions-embargoes-and-restrictions>

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

COUNCIL REGULATION (EU) No 748/2014
of 10 July 2014
concerning restrictive measures in respect of the situation in South Sudan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision 2014/449/CFSP of 10 July 2014 concerning restrictive measures in view of the situation in South Sudan ⁽¹⁾,

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

Whereas:

- (1) On 18 July 2011, the Council adopted Decision 2011/423/CFSP ⁽²⁾ which extended the arms embargo on Sudan to cover South Sudan.
- (2) On 24 November 2011, the Council adopted Regulation (EU) No 1215/2011 ⁽³⁾ which extended the scope of application of the arms embargo to South Sudan.
- (3) On 10 July 2014, the Council adopted Decision 2014/449/CFSP separating the measures concerning South Sudan and integrating them into a single legal act and providing for restrictions on admission and the freezing of funds and economic resources of persons obstructing the political process in South Sudan, including by acts of violence or violations of ceasefire agreements, as well as persons responsible for serious violations of human rights in South Sudan.
- (4) Those measures fall within the scope of the Treaty on the Functioning of the European Union and, therefore, in particular with a view to ensuring their uniform application in all Member States, regulatory action at the level of the Union is necessary in order to implement them.
- (5) For the sake of clarity, measures concerning South Sudan should be separated from measures concerning Sudan. Council Regulation (EC) No 131/2004 ⁽⁴⁾ should therefore be replaced by this Regulation in so far as it concerns South Sudan. Regulation (EC) No 131/2004 should also be replaced by Council Regulation (EU) No 747/2014 ⁽⁵⁾ in so far as it concerns Sudan.
- (6) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and notably the right to an effective remedy and to a fair trial and the right to the protection of personal data. This Regulation should be applied in accordance with those rights.
- (7) The power to amend the list in Annex I to this Regulation should be exercised by the Council, in view of the specific threat to international peace and security in the region posed by the situation in South Sudan and in order to ensure consistency with the process for amending and reviewing the Annex to Decision 2014/449/CFSP.

⁽¹⁾ See page 100 of this Official Journal.

⁽²⁾ Council Decision 2011/423/CFSP of 18 July 2011 concerning restrictive measures against Sudan and South Sudan and repealing Common Position 2005/411/CFSP (OJ L 188, 19.7.2011, p. 20).

⁽³⁾ Council Regulation (EU) No 1215/2011 of 24 November 2011 amending Regulation (EC) No 131/2004 imposing certain restrictive measures in respect of Sudan (OJ L 310, 25.11.2011, p. 1).

⁽⁴⁾ Council Regulation (EC) No 131/2004 of 26 January 2004 imposing certain restrictive measures in respect of Sudan and South Sudan (OJ L 21, 28.1.2004, p. 1).

⁽⁵⁾ Council Regulation (EU) No 747/2014 of 10 July 2014 concerning restrictive measures in view of the situation in Sudan and repealing Regulations (EC) No 131/2004 and (EC) No 1184/2005 (see page 1 of this Official Journal).

- (8) For the implementation of this Regulation, and in order to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources must be frozen in accordance with this Regulation, must be made public. Any processing of personal data should comply with Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽¹⁾ and Directive 95/46/EC of the European Parliament and of the Council ⁽²⁾.
- (9) In order to ensure that the measures provided for in this Regulation are effective, it should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'brokering services' means:
- (i) the negotiation or arrangement of transactions for the purchase, sale or supply of goods and technology, or of financial and technical services, from a third country to any other third country; or
 - (ii) the selling or buying of goods and technology, or of financial and technical services, that are located in third countries for their transfer to another third country;
- (b) 'claim' means any claim, whether asserted by legal proceedings or not, made before or after the date of entry into force of this Regulation, under or in connection with a contract or transaction, and includes in particular:
- (i) a claim for performance of any obligation arising under or in connection with a contract or transaction;
 - (ii) a claim for extension or payment of a bond, financial guarantee or indemnity of whatever form;
 - (iii) a claim for compensation in respect of a contract or transaction;
 - (iv) a counterclaim;
 - (v) a claim for the recognition or enforcement, including by the procedure of *exequatur*, of a judgment, an arbitration award or an equivalent decision, wherever made or given;
- (c) 'contract or transaction' means any transaction of whatever form and whatever the applicable law, whether comprising one or more contracts or similar obligations made between the same or different parties; for that purpose 'contract' includes a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, and credit, whether legally independent or not, as well as any related provision arising under, or in connection with, the transaction;
- (d) 'competent authorities' refers to the competent authorities of the Member States as identified on the websites listed in Annex II;
- (e) 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds, but may be used to obtain funds, goods or services;
- (f) 'freezing of economic resources' means preventing the use of economic resources to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them;
- (g) 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
- (h) 'funds' means financial assets and benefits of every kind, including, but not limited to:
- (i) cash, cheques, claims on money, drafts, money orders and other payment instruments;
 - (ii) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;

⁽¹⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

⁽²⁾ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

- (iii) publicly- and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
 - (iv) interest, dividends or other income on or value accruing from or generated by assets;
 - (v) credit, right of set-off, guarantees, performance bonds or other financial commitments;
 - (vi) letters of credit, bills of lading, bills of sale; and
 - (vii) documents showing evidence of an interest in funds or financial resources;
- (i) 'technical assistance' means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services, including verbal forms of assistance;
 - (j) 'territory of the Union' means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty, including their airspace.

Article 2

It shall be prohibited to:

- (a) provide technical assistance or brokering services related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts therefor, directly or indirectly to any natural or legal person, entity or body in, or for use in South Sudan;
- (b) provide financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance, as well as insurance and reinsurance, for any sale, supply, transfer or export of arms and related materiel, or for the provision of related technical assistance, directly or indirectly to any natural or legal person, entity or body in, or for use in South Sudan.

Article 3

By way of derogation from Article 2, the competent authorities of Member States may authorise the provision of financing and financial assistance, technical assistance and brokering services related to:

- (a) non-lethal military equipment intended solely for humanitarian, human rights monitoring or protective use, or for institution-building programmes of the UN, the African Union (AU), the European Union or the Intergovernmental Authority on Development (IGAD);
- (b) materiel intended for European Union, UN and AU crisis management operations;
- (c) de-mining equipment and materiel for use in de-mining operations;
- (d) support for the process of Security Sector Reform in South Sudan.

Article 4

Article 2 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to South Sudan by personnel of the European Union, or its Member States, by UN or IGAD personnel, or by representatives of the media, humanitarian and development workers and associated personnel for their personal use only.

Article 5

1. All funds and economic resources belonging to, owned, held or controlled by any natural or legal person, entity or bodies as listed in Annex I shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of natural or legal persons, entities or bodies listed in Annex I.
3. Annex I shall include natural or legal persons, entities and bodies obstructing the political process in South Sudan, including by acts of violence or violations of ceasefire agreements, as well as persons responsible for serious violations of human rights in South Sudan, and natural or legal persons, entities or bodies associated with them.
4. Annex I shall include the grounds for the listing of natural or legal persons, entities or bodies concerned.
5. Annex I shall include, where available, information necessary to identify the natural or legal persons, entities or bodies concerned. With regard to natural 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 legal persons, entities and bodies, such information may include names, place and date of registration, registration number and place of business.

Article 6

1. By way of derogation from Article 5, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, after having determined that the funds or economic resources concerned are:
 - (a) necessary to satisfy the basic needs of natural or legal persons, entities or bodies listed in Annex I, and dependent family members of such natural persons, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
 - (b) intended exclusively for payment of reasonable professional fees or reimbursement of incurred expenses associated with the provision of legal services;
 - (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; or
 - (d) necessary for extraordinary expenses, provided that the relevant competent authority has notified the competent authorities of the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least two weeks prior to the authorisation;
2. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

Article 7

1. By way of derogation from Article 5, the competent authorities in the Member States may authorise the release of certain frozen funds or economic resources, if the following conditions are met:
 - (a) the funds or economic resources are the subject of an arbitral decision rendered prior to the date on which the natural or legal person, entity or body referred to in Article 5 was listed in Annex I, or of a judicial or administrative decision rendered in an EU Member State, or a judicial decision enforceable in the Member State concerned, prior to or after that date;
 - (b) the funds or economic resources will be used exclusively to satisfy claims secured by such a decision or recognised as valid in such a decision, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
 - (c) the decision is not for the benefit of a natural or legal person, entity or body listed in Annex I; and
 - (d) recognition of the decision is not contrary to public policy in the Member State concerned.
2. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

Article 8

1. By way of derogation from Article 5, and provided that a payment by a natural or legal person, entity or body listed in Annex I is due under a contract or agreement that was concluded by, or an obligation that arose for, the natural or legal person, entity or body concerned before the date on which that natural or legal person, entity or body was included in Annex I, the competent authorities of the Member States may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources, provided that the competent authority concerned has determined that:

- (a) the funds or economic resources shall be used for a payment by a natural or legal person, entity or body listed in Annex I; and
- (b) the payment is not in breach of Article 5(2).

2. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

Article 9

1. Article 5(2) shall not prevent the crediting of the frozen accounts by financial or credit institutions that receive funds transferred by third parties to the account of a listed natural or legal person, entity or body, provided that any additions to such accounts will also be frozen. The financial or credit institution shall inform the relevant competent authority about any such transaction without delay.

2. Article 5(2) shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts;
- (b) payments due under contracts, agreements or obligations that were concluded or arose before the date on which the natural or legal person, entity or body referred to in Article 5 has been included in Annex I; or
- (c) payments due under judicial, administrative or arbitral decisions rendered in an EU Member State or enforceable in the Member State concerned;

provided that any such interest, other earnings and payments are frozen in accordance with Article 5(1).

Article 10

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy, natural and legal persons, entities and bodies shall:

- (a) supply immediately any such information which would facilitate compliance with this Regulation, such as information on accounts and amounts frozen in accordance with Article 5, to the competent authority of the Member State where they are resident or located, and transmit any such information, directly or through the Member State, to the Commission; and
- (b) cooperate with the competent authority in any verification of this information.

2. Any additional information received directly by the Commission shall be made available to the Member States.

3. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

Article 11

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Articles 2 and 5.

Article 12

1. The freezing of funds and economic resources, or the refusal to make funds or economic resources available, carried out in good faith and on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person, or entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen or withheld as a result of negligence.
2. Actions by natural or legal persons, entities or bodies shall not give rise to any liability of any kind on their part if they did not know, and had no reasonable cause to suspect, that their actions would infringe the measures set out in this Regulation.

Article 13

1. No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Regulation, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, particularly a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:
 - (a) designated natural or legal persons, entities or bodies listed in Annex I;
 - (b) any natural or legal person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in point (a).
2. In any proceedings for the enforcement of a claim, the onus of proving that satisfying the claim is not prohibited by paragraph 1 shall be on the natural or legal person, entity or body seeking the enforcement of that claim.
3. This Article is without prejudice to the right of the natural or legal persons, entities and bodies referred to in paragraph 1 to judicial review of the legality of the non-performance of contractual obligations in accordance with this Regulation.

Article 14

1. The Commission and Member States shall inform each other of the measures taken under this Regulation and share any other relevant information at their disposal in connection with this Regulation, in particular, information in respect of:
 - (a) funds frozen under Article 5 and authorisations granted under Articles 6, 7 and 8;
 - (b) violation and enforcement problems and judgments handed down by national courts.
2. The Member States shall immediately inform each other and the Commission of any other relevant information at their disposal which might affect the effective implementation of this Regulation.

Article 15

The Commission shall be empowered to amend Annex II on the basis of information supplied by Member States.

Article 16

1. Where the Council decides to subject a natural or legal person, entity or body to the measures referred to in Article 5, it shall amend Annex I accordingly.
2. The Council shall communicate its decision, including the grounds for listing, to the natural or legal person, entity or body referred to in paragraph 1, either directly, if the address is known, or through the publication of a notice, providing such natural or legal person, entity or body with an opportunity to present observations.

3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the natural or legal person, entity or body accordingly.
4. The list in Annex I shall be reviewed at regular intervals and at least every 12 months.

Article 17

1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.
2. Member States shall notify these rules to the Commission without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment.

Article 18

1. Member States shall designate the competent authorities referred to in this Regulation and identify them on the websites listed in Annex II. Member States shall notify the Commission of any changes in the addresses of their websites listed in Annex II.
2. Member States shall notify the Commission of their competent authorities, including the contact details of those competent authorities, without delay after the entry into force of this Regulation, and shall notify it of any subsequent amendment.
3. Where this Regulation sets out a requirement to notify, inform or otherwise communicate with the Commission, the address and other contact details to be used for such communication shall be those indicated in Annex II.

Article 19

This Regulation shall apply:

- (a) within the territory of the Union, including its airspace;
- (b) on board of any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person inside or outside the territory of the Union who is a national of a Member State;
- (d) to any legal person, entity or body, inside or outside the territory of the Union, which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.

Article 20

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, 10 July 2014.

For the Council
The President
S. GOZI

ANNEX I

List of natural and legal persons, entities and bodies referred to in Article 5

A. Natural persons

	Name	Identifying information	Reasons	Date of listing
1.	Santino DENG (a.k.a.: Santino Deng Wol)	Commander of the third Infantry Division of the Sudan People's Liberation Army (SPLA)	Santino Deng is commander of the third Infantry Division of the SPLA that took part in the recapture of Bentiu in May 2014. Santino Deng is thus responsible for violations of the 23 January Cessation of Hostilities Agreement.	11.7.2014
2.	Peter GADET (aka: Peter Gatdet Yaka; Peter Cadet; Peter Gadet Yak; Peter Gadet Yaak; Peter Gatdet Yaak; Peter Gatdet; Peter Gatdeet Yaka)	Leader of the anti-government Nuer militia Place of Birth: Mayom County Unity State	Peter Gadet is leader of the anti-government Nuer militia that conducted an attack on Bentiu on 15 - 17 April 2014, in violation of the January 23rd Cessation of Hostilities Agreement. The attack resulted in the killing of more than 200 civilians. Peter Gadet is thus responsible for fuelling the cycle of violence, thus obstructing the political process in South Sudan, and for serious human rights violations.	11.7.2014

B. Legal persons, entities and bodies

ANNEX II

Websites for information on the competent authorities and address for notification 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.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/GlobalizacionOportunidadesRiesgos/Documents/ORGANISMOS%20COMPETENTES%20SANCIONES%20INTERNACIONALES.pdf>

FRANCE

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

CROATIA

<http://www.mvep.hr/sankcije>

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

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.portugal.gov.pt/pt/os-ministerios/ministerio-dos-negocios-estrangeiros/quero-saber-mais/sobre-o-ministerio/medidas-restritivas/medidas-restritivas.aspx>

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.mzv.sk/sk/europske_zalezitosti/europske_politiky-sankcie_eu

FINLAND

<http://formin.finland.fi/kvyhteisty/pakotteet>

SWEDEN

<http://www.ud.se/sanktioner>

UNITED KINGDOM

<https://www.gov.uk/sanctions-embargoes-and-restrictions>

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

COMMISSION IMPLEMENTING REGULATION (EU) No 749/2014**of 30 June 2014****on structure, format, submission processes and review of information reported by Member States pursuant to Regulation (EU) No 525/2013 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC ⁽¹⁾, and in particular Articles 7(7), 7(8), 8(2), 12(3), 17(4) and 19(5) thereof,

Whereas:

- (1) The information reported to the Commission pursuant to Regulation (EU) No 525/2013 is necessary to enable the assessment of the actual progress towards meeting the Union's and the Member States' commitments relating to the limitation or reduction of all greenhouse gas emissions under the United Nations Framework Convention on Climate Change (UNFCCC) approved by Council Decision 94/69/EC ⁽²⁾, its Kyoto Protocol approved by Council Decision 2002/358/EC ⁽³⁾ and the set of Union legal acts, adopted in 2009, collectively referred to as the 'Climate and Energy Package'. It also enables the preparation of annual reports by the Union in accordance with the obligations under the UNFCCC and the Kyoto Protocol.
- (2) Decision 19/CMP.1 of the Conference of the Parties to the UNFCCC serving as the meeting of the Parties to the Kyoto Protocol lays down the guidelines for national greenhouse gas inventory systems the Parties to the Convention should apply. In Decision 24/CP.19 of the Conference of the Parties to the UNFCCC on the revision of the UNFCCC reporting guidelines on annual inventories for Parties included in Annex I to the UNFCCC, the Conference of the Parties to the UNFCCC agreed on the use by the Parties to the UNFCCC of the 2006 Intergovernmental Panel on Climate Change (IPCC) Guidelines for National Greenhouse gas inventories, the use of new IPCC global warming potential values and revised common reporting format tables as included in an Annex to that Decision.
- (3) Following the replacement of Decision No 280/2004/EC ⁽⁴⁾ by Regulation (EU) No 525/2013, Commission Decision No 2005/166/EC ⁽⁵⁾ laying down rules implementing Decision 280/2004/EC needs to be updated in order to take into account the changes in the internationally agreed guidelines and to ensure uniform conditions for the implementation of those provisions that are new in the Regulation (EU) No 525/2013 as compared to Decision 280/2004/EC. Such uniform implementing provisions should cover the reporting of greenhouse gas inventories, approximated greenhouse gas inventories, information on systems for policies and measures and projections, the use of auctioning revenue and project credits and for the purposes of Decision No 529/2013/EU of the European Parliament and of the Council ⁽⁶⁾. Given the number of changes that are necessary to Decision No 2005/166/EC it is appropriate to repeal and replace it.

⁽¹⁾ OJ L 165, 18.6.2013, p. 13.

⁽²⁾ Council Decision 94/69/EC of 15 December 1993 concerning the conclusion of the United Nations Framework Convention on Climate Change (OJ L 33, 7.2.1994, p. 11).

⁽³⁾ Council Decision 2002/358/EC of 25 April 2002 concerning the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder (OJ L 130, 15.5.2002, p. 1).

⁽⁴⁾ Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol (OJ L 49, 19.2.2004, p. 1).

⁽⁵⁾ Commission Decision No 2005/166/EC of 10 February 2005 laying down rules implementing Decision No 280/2004/EC of the European Parliament and of the Council concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol (OJ L 55, 1.3.2005, p. 57).

⁽⁶⁾ Decision No 529/2013/EU of the European Parliament and of the Council of 21 May 2013 on accounting rules on greenhouse gas emissions and removals resulting from activities relating to land use, land-use change and forestry and on information concerning actions relating to those activities (OJ L 165, 18.6.2013, p. 80).

- (4) To ensure that compliance with Decision No 406/2009/EC of the European Parliament and of the Council ⁽¹⁾ is assessed in a credible, consistent, transparent and timely manner, Regulation (EU) No 525/2013 sets up at Union level a review process of the greenhouse gas inventories submitted by the Member States. It is necessary to determine the timing and steps for the conduct of the comprehensive and annual reviews of Member States' greenhouse gas inventories to ensure the timely and effective implementation of the review process.
- (5) Commission Delegated Regulation (EU) No C(2014) 1539 ⁽²⁾ establishes substantive requirements for the Union inventory system to fulfil the obligations set out in Decision 19/CMP.1 of the Conference of the Parties to the UNFCCC serving as the meeting of the Parties to the Kyoto Protocol. To ensure the timely and effective implementation of the obligations, it is necessary to lay down timescales for cooperation and coordination between the Commission and the Member States in preparing the Union greenhouse gas inventory report.
- (6) To ensure legal certainty concerning the reporting obligations of the Union and of the Member States upon expiration of the additional period for fulfilling commitments of the Kyoto Protocol, the effects of Articles 18, 19 and 24 of Decision No 2005/166/EC should be maintained.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS REGULATION:

CHAPTER I

SUBJECT MATTER AND DEFINITIONS

Article 1

Subject matter

This Regulation establishes rules implementing Regulation (EU) No 525/2013 as regards the following:

- (a) Member States' reporting of greenhouse gas inventories, approximated greenhouse gas inventories and of information on policies and measures and projections, on the use of auctioning revenue and of project credits pursuant to Articles 7, 8, 12, 13, 14, and 17 of Regulation (EU) No 525/2013;
- (b) Member States' reporting for the purposes of Decision No 529/2013/EU;
- (c) the timing and steps for the conduct of the comprehensive and annual reviews of Member States' greenhouse gas inventories pursuant to Article 19 of Regulation (EU) No 525/2013;
- (d) timescales for the cooperation and coordination between the Commission and the Member States in preparing the Union greenhouse gas inventory report.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (1) 'common reporting format table' means a table for information on anthropogenic greenhouse gas emissions by sources and removals by sinks included in Annex II to Decision 24/CP.19 of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) (Decision 24/CP.19) and in the Annex to Decision 6/CMP.9 of the Conference of the Parties to the UNFCCC serving as the meeting of the Parties to the Kyoto Protocol;

⁽¹⁾ Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

⁽²⁾ Commission Delegated Regulation (EU) No C(2014) 1539 establishing substantive requirements for a Union inventory system and taking into account changes in the global warming potentials and internationally agreed inventory guidelines pursuant to Regulation (EU) No 525/2013 of the European Parliament and of the Council.

- (2) 'reference approach' means the reference approach by the Intergovernmental Panel on Climate Change (IPCC), as contained in the 2006 IPCC Guidelines for National Greenhouse Gas Inventories as applicable pursuant to Article 6 of Delegated Regulation (EU) No C(2014) 1539.
- (3) 'approach 1' means the basic method included in the 2006 IPCC Guidelines or the 2003 IPCC Good Practice Guidelines;
- (4) 'key category' means a category which has a significant influence on a Member State's or the Union's total inventory of greenhouse gases in terms of the absolute level of emissions and removals, the trend in emissions and removals, or uncertainty in emissions and removals;
- (5) 'sectoral approach' means the IPCC sectoral approach, as contained in the 2006 IPCC Guidelines.

CHAPTER II

REPORTING BY MEMBER STATES

Article 3

General rules for reporting greenhouse gas inventories

1. Member States shall report the information referred to in Article 7(1) to (5) of Regulation (EU) No 525/2013 to the Commission with a copy to the European Environment Agency by completing, in accordance with Article 6 of Delegated Regulation (EU) No C(2014) 1539 and with the rules provided for in this Regulation:
 - (a) the common reporting format tables by providing a complete set of spread sheets or Extensible Markup Language (XML) files, depending on the availability of the appropriate software, and covering that Member State's geographical scope under Regulation (EU) No 525/2013;
 - (b) the standard electronic format for reporting Kyoto Protocol units and the related reporting instructions as adopted by the Conference of the Parties to the UNFCCC serving as the meeting of the Parties to the Kyoto Protocol;
 - (c) the Annexes I to VIII and X to XV to this Regulation.
2. The complete national inventory report referred to in Article 7(3) of Regulation (EU) No 525/2013 shall be drafted based on the structure set out in the Appendix to the UNFCCC reporting guidelines on annual greenhouse gas inventories as included in Annex I to Decision 24/CP.19 and following the rules provided for in this Regulation.

Article 4

Reporting in the National Inventory Report or in an annex to the National Inventory Report

1. Member States shall include the information and the tabular formats required by Articles 6, 7, 9 to 16 in the National Inventory Report or in a separate annex to the National Inventory Report, as specified in Annex I.
2. Where Member States may choose whether the information and the tabular formats to be reported are included in the National Inventory Report or in a separate annex to the National Inventory Report, Member States shall clearly indicate where the information is provided by completing Annex I.

Article 5

Processes for reporting

Member States shall use the ReportNet tools of the European Environment Agency, provided pursuant to Regulation (EC) No 401/2009 of the European Parliament and of the Council⁽¹⁾, for the submission of the information under Articles 4, 5, 7, 8, 12 to 17 of Regulation (EU) No 525/2013.

⁽¹⁾ Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network (OJ L 126, 21.5.2009, p. 13).

*Article 6***Reporting on national inventory systems**

1. Member States shall report the information on their national inventory systems referred to in Article 5(1) of Regulation (EU) No 525/2013 in textual format, specifying:
 - (a) the name and contact information for the national entity with overall responsibility for the national inventory of the Member State;
 - (b) the roles and responsibilities of various agencies and entities in relation to the inventory planning, preparation and management process, as well as the institutional, legal and procedural arrangements made to prepare the inventory;
 - (c) a description of the process for collecting activity data, for selecting emission factors and methods, and for developing emission estimates;
 - (d) a description of the approaches used and the results of key category identification;
 - (e) a description of the processes which determine when recalculations of previously submitted inventory data are performed;
 - (f) a description of the quality assurance and quality control plan, its implementation and the quality objectives established, and information on internal and external evaluation and review processes and their results in accordance with the guidelines for national systems set out in the Annex to Decision 19/CMP.1 of the Conference of the Parties to the UNFCCC serving as the meeting of the Parties to the Kyoto Protocol;
 - (g) a description of the procedures for the official consideration and approval of the inventory.
2. Member States shall report a description of the arrangements made to ensure access of the competent inventory authorities to the information referred to in Article 5(2) of Regulation (EU) No 525/2013 including information on the organizations providing the information, the regular scheduling of the access to information, the level of disaggregation and completeness to which access is provided.

*Article 7***Reporting on consistency of the reported data on air pollutants**

1. Member States shall report textual information on the results of the checks referred to in Article 7(1)(m)(i) of Regulation (EU) No 525/2013 and on the consistency of the data pursuant to Article 7(1)(b) of Regulation (EU) No 525/2013 including:
 - (a) a brief assessment whether the emissions estimates of carbon monoxide (CO), sulphur dioxide (SO₂), nitrogen oxides (NO_x) and volatile organic compounds, in inventories submitted by the Member State under Directive 2001/81/EC of the European Parliament and of the Council⁽¹⁾ and under the UNECE Convention on Long-range Transboundary Air Pollution are consistent with the corresponding emission estimates in greenhouse gas inventories under Regulation (EU) No 525/2013.
 - (b) the submission dates of the reports under Directive 2001/81/EC and under the UNECE Convention on Long-range Transboundary Air Pollution that were compared with the inventory submission under Regulation (EU) No 525/2013.
2. Where the checks referred to in paragraph 1 of this Article result in differences of more than +/-5 % between the total emissions excluding Land Use, Land-Use Change and Forestry (LULUCF) for a particular air pollutant reported under Regulation (EU) No 525/2013 and respectively under Directive 2001/81/EC or the UNECE Convention on Long-range Transboundary Air Pollution for the year X-2, the Member State concerned shall report in accordance with the tabular format set out in Annex II to this Regulation in addition to the textual information pursuant to paragraph 1 of this Article for that air pollutant.

⁽¹⁾ Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22).

3. Member States may report only textual information if the difference of more than +/- 5 % referred to in paragraph 2 derives from correction of data errors, differences in geographical coverage or in scope of application in between the respective legal instruments.

Article 8

Reporting on recalculations

Member States shall report the reason for recalculations of the base year or period and of year X-3 referred to in Article 7(1)(e) of Regulation (EU) No 525/2013 in the tabular format set out in Annex III to this Regulation.

Article 9

Reporting on implementation of recommendations and adjustments

1. Under Article 7(1)(j) of Regulation (EU) No 525/2013, Member States shall report on the status of implementation of each adjustment and of each recommendation listed in the most recently published individual UNFCCC review report, including reasons for not implementing such a recommendation, in accordance with the tabular format specified in Annex IV to this Regulation.

2. Member States shall report on the status of implementation of each recommendation listed in the most recent review report pursuant to Article 35(2) in accordance with the tabular format specified in Annex IV.

Article 10

Reporting on consistency of reported emissions with data from the emissions trading scheme

1. Member States shall report the information referred to in Article 7(1)(k) of Regulation (EU) No 525/2013 in accordance with the tabular format set out in Annex V to this Regulation.

2. Member States shall report textual information on the results of the checks performed pursuant to Article 7(1)(l) of Regulation (EU) No 525/2013.

Article 11

Reporting on consistency of the data reported on fluorinated greenhouse gases

Member States shall report textual information on the results of the checks referred to in Article 7(1)(m)(ii) of Regulation (EU) No 525/2013 including:

- (a) a description of the checks performed by the Member State concerning the level of detail, the data sets and the submissions compared;
- (b) a description of the main results of the checks and explanations for the main inconsistencies;
- (c) information whether the data collected by operators under Article 3(6) of Regulation (EC) No 842/2006 ⁽¹⁾ has been made use of and how;
- (d) where the checks have not been performed, an explanation of the reasons why the checks were not considered to be relevant.

⁽¹⁾ Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases (OJ L 161, 14.6.2006, p. 1).

*Article 12***Reporting on consistency with energy data**

1. Under Article 7(1)(m)(iii) of Regulation (EU) No 525/2013, Member States shall report textual information on the comparison between the reference approach calculated on the basis of the data included in the greenhouse gas inventory and the reference approach calculated on the basis of the data reported pursuant to Article 4 of Regulation (EC) No 1099/2008 of the European Parliament and of the Council ⁽¹⁾ and Annex B to that Regulation.
2. Member States shall provide quantitative information and explanations for differences of more than $\pm 2\%$ in the total national apparent fossil fuel consumption at aggregate level for all fossil fuel categories for the year X-2 in accordance with the tabular format set out in Annex VI.

*Article 13***Reporting on changes in descriptions of national inventory systems or registries**

Member States shall clearly state in the relevant chapters of the national inventory report if there have been no changes in the description of their national inventory systems or of their national registries referred to in Article 7(1)(n) and (o) of Regulation (EU) No 525/2013 since the previous submission of the national inventory report.

*Article 14***Reporting on uncertainty and completeness**

1. For the purposes of reporting on uncertainty under Article 7(1)(p) of Regulation (EU) No 525/2013, Member States shall report approach 1 uncertainty estimates for
 - (a) emission levels and trends and
 - (b) activity data and emission factors or other estimation parameters used at the appropriate category level using the tabular format set out in Annex VII to this Regulation.
2. The general assessment of completeness referred to in Article 7(1)(p) of Regulation (EU) No 525/2013 shall include:
 - (a) an overview of the categories that have been reported as not estimated (NE), as defined in the UNFCCC reporting guidelines on annual greenhouse gas inventories included in Annex I to Decision 24/CP.19, and detailed explanations for the use of this notation key especially where the 2006 IPCC Guidelines for National Greenhouse Gas Inventories provide methods for estimation of greenhouse gases;
 - (b) a description of the geographical coverage of the greenhouse gas inventory.
3. Where a Member State submits inventories with different geographical coverage under the UNFCCC and the Kyoto Protocol and under Regulation (EU) No 525/2013, that Member State shall provide a short description of the principles and methods applied to distinguish emissions and removals reported for the Union's territory from emissions and removals reported for non-Union territories when compiling the inventory for the Union's territory of the respective Member State.

*Article 15***Reporting on other elements for the preparation of the Union greenhouse gas inventory report**

1. To enable the preparation of the Union greenhouse gas inventory report as referred to in Article 7(1)(p) of Regulation (EU) No 525/2013, Member States shall report the information on the methods and emission factors used for those categories identified as Union key category in the relevant XML files and common reporting format tables.

⁽¹⁾ Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics (OJ L 304, 14.11.2008, p. 1).

2. For the purposes of paragraph 1, the Commission shall provide the list of most recent Union's key categories by 31 October of the year prior to the inventory submission.

3. Member States shall explain and interpret past emission trends and inter-annual variations at aggregate level in each sector including reference to the main drivers identified to have significant impacts on the trends. The focus shall lie on the explanation of changes in the most recent inventory year compared with 1990 and on explanations of significant inter-annual variations for the most recent years of reporting, in particular from year X-3 to year X-2.

Article 16

Reporting on major changes to methodological descriptions

By 15 March of each year, Member States shall report the major changes to the methodological descriptions in the national inventory report since its submission due on 15 April of the previous year, in the tabular format set out in Annex VIII.

Article 17

Reporting approximated greenhouse gas inventories

1. Member States shall report approximated greenhouse gas inventories as referred to in Article 8(1) of Regulation (EU) No 525/2013, in accordance with the common reporting format table — Summary table 2 as following:

- (a) at a level of disaggregation of source categories reflecting the activity data and methods available for the preparation of estimates for the year X-1;
- (b) excluding the total approximated CO₂ equivalent emissions and removals from LULUCF;
- (c) adding two columns for reporting the split between emissions included in the scope of the Union's emissions trading scheme established by Directive 2003/87/EC of the European Parliament and of the Council ⁽¹⁾ and emissions covered by Decision No 406/2009/EC by source category, where available.

2. Member States shall provide explanations including on main drivers for the trends in emissions reported in Summary table 2 compared to the inventory already reported. Such explanation shall reflect only the information available for the preparation of estimates for the year X-1.

Article 18

Timescales for cooperation and coordination in preparing the Union greenhouse gas inventory report

Member States and the Commission shall cooperate and coordinate in the preparation of the Union greenhouse gas inventory and of the Union inventory report and comply with the time-limits set out in Annex IX.

Article 19

Reporting on the determination of the assigned amount

Member States shall submit a report with the information necessary to facilitate the calculation of the joint assigned amount and the assigned amount of the Union pursuant to Article 3, paragraphs 7bis, 8 and 8bis of the Kyoto Protocol for the second commitment period in accordance with Annex I to Decision 2/CMP.8 related to that report, to the Commission three months prior to the time limit for submission of that report to the UNFCCC.

⁽¹⁾ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

*Article 20***Reporting on national systems for policies and measures and projections**

Member States shall report on national systems for policies and measures and projections referred to in Article 13(1)(a) of Regulation (EU) No 525/2013, including:

- (a) information concerning the relevant institutional, legal and procedural arrangements, including the designation of the appropriate national entity or entities entrusted with overall responsibility for the policy evaluation of the Member State concerned and for the projections of anthropogenic greenhouse gas emissions;
- (b) a description of relevant institutional, legal and procedural arrangements established within a Member State for evaluating policy and for making projections of anthropogenic greenhouse gas emissions by sources and removals by sinks;
- (c) a description of the relevant procedural arrangements and timescales to ensure the timeliness, transparency, accuracy, consistency, comparability and completeness of the information reported on policies and measures and the information reported on projections;
- (d) a description of the overall process for the collection and use of data, together with an assessment of whether consistent processes for collection and use of data are underpinning the evaluation of policies and measures and the making of projections as well as the different projected sectors in the making of projections;
- (e) a description of the process for selecting assumptions, methodologies and models for policy evaluation, and for making projections of anthropogenic greenhouse gas emissions;
- (f) a description of the quality assurance and quality control activities and of the sensitivity analysis for projections carried out.

*Article 21***Reporting on updates to Member States' low-carbon development strategies**

Member States shall report on updates of their low-carbon development strategies referred to in Article 13(1)(b) of Regulation (EU) No 525/2013, including information concerning:

- (a) the objective and a short description of the update carried out;
- (b) the legal status of the low-carbon development strategy and of its update;
- (c) the changes and expected impacts of the update on the implementation of the low-carbon development strategy;
- (d) the timeline and a description of the progress for the implementation of the low-carbon development strategy and of its update, and where available, an assessment of the projected costs and benefits associated with the update;
- (e) the manner in which the information is made available to the public pursuant to Article 4(3) of Regulation (EU) No 525/2013.

*Article 22***Reporting on policies and measures**

1. Member States shall report the information on policies and measures referred to in Article 13(1)(c), (d) and (e) of Regulation (EU) No 525/2013 in accordance with the tabular formats set out in Annex XI to this Regulation and using the reporting template provided and the submission process introduced by the Commission.

2. Member States shall report qualitative information regarding the links between the different policies and measures reported pursuant paragraph 1 and the way such policies and measures contribute to the different projection scenarios including an assessment of their contribution to the achievement of a low-carbon development strategy, in a textual format in addition to the tabular format referred to in paragraph 1.

*Article 23***Reporting on projections**

1. Member States shall report the information on projections of anthropogenic greenhouse gases emissions by sources and removals by sinks referred to in Article 14 of Regulation (EU) No 525/2013 in accordance with the tabular formats set out in Annex XII to this Regulation, using the reporting template provided and the submission process introduced by the Commission.
2. Member States shall provide additional information, in a textual format, regarding:
 - (a) the results of the sensitivity analysis for the total reported greenhouse gas emissions, together with a brief explanation on which parameters were varied and how.
 - (b) the results of the sensitivity analysis split on total emissions covered by Decision No 406/2009/EC, total emissions included in the scope of the Union's emissions trading scheme established by Directive 2003/87/EC and total LULUCF emissions when such information is available;
 - (c) the year of inventory data (base year) and year of inventory report used as a starting point for the projections;
 - (d) the methodologies used for the projections, including a brief description of models used and their sectoral, geographical and temporal coverage, references for further information on the models and information on key exogenous assumptions and parameters used.
3. Nine months before the time-limit for submission of a report on projections pursuant to Article 14(1) of Regulation (EC) No 525/2013 and in consultation with the Member States, the Commission shall recommend harmonised values for key supra-nationally determined parameters including carbon prices under emission trading scheme, international oil and coal import prices, with a view of ensuring consistency of the aggregated Union projections.

*Article 24***Reporting on the use of auctioning revenues**

Member States shall report the information on the use of auctioning revenues referred to in Article 17(1)(b) and (c) and Article 17(2) of Regulation (EU) No 525/2013 in accordance with the tabular formats set out in Annex XIII to this Regulation.

*Article 25***Reporting on the project credits used for compliance with Decision No 406/2009/EC**

Member States shall report the information on the project credits used for compliance with Decision No 406/2009/EC referred to in Article 17(1)(a) and (d) of Regulation (EU) No 525/2013 in accordance the tabular format set out in Annex XIV to this Regulation.

*Article 26***Reporting on summary information on concluded transfers**

1. Member States shall report the summary information on concluded transfers pursuant to Article 3(4) and (5) of Decision No 406/2009/EC in accordance with the tabular format set out in Annex XV to this Regulation.
2. The Commission services shall compile and make available electronically a report summarizing the information provided by Member States on annual basis. Such report shall provide only aggregated data and shall not disclose information from individual Member States on prices per unit of annual emission allocation.

CHAPTER III

UNION EXPERT REVIEW OF GREENHOUSE GAS EMISSIONS

*Article 27***Organisation of the Reviews**

1. In conducting the reviews referred to in Article 19(1) and (2) of Regulation (EU) No 525/2013 the Commission and the European Environment Agency shall be supported by a technical experts review team.
2. The European Environment Agency shall act as Secretariat for the reviews.
3. The Commission and the European Environment Agency shall select a sufficient number of review experts and covering the appropriate inventory sectors in order to ensure an adequate review of the greenhouse gas inventories concerned within the time period available.
4. The review experts selected pursuant to paragraph 3 shall have experience in the area of greenhouse gas inventories compilation and, preferably be active in greenhouse gas review processes.
5. A member of the technical experts review team who has contributed to the compilation of an individual Member State's greenhouse gas inventory, or who is a national of the Member State whose inventory is concerned, shall not take part in the review of that inventory.
6. The Commission and the European Environment Agency shall strive to ensure that the review of greenhouse gas inventories is performed consistently across all Member States concerned and in an objective manner, in order to ensure a high quality of the resulting technical assessments.
7. The reviews shall be carried out as desk-based or centralized reviews.
8. The Secretariat may decide to organize:
 - (a) a desk-based and centralized review in the same year;
 - (b) an in-country visit in addition to the desk-based or centralized reviews upon recommendation of the technical experts review team and in consultation with the Member State concerned.

*Article 28***Tasks of the Secretariat**

The tasks of the Secretariat referred to in Article 27(2) shall include:

- (a) preparing the work plan for the review;
- (b) compiling and providing the information necessary for the work of the technical experts review team;
- (c) coordinating the review activities as set out in this Regulation, including the communication between the technical experts review team and the designated contact person or persons of the Member State under review, as well as making other practical arrangements;
- (d) confirming cases where Member State's greenhouse gas inventories present significant issues in the meaning of Article 31, in consultation with the Commission;
- (e) compiling and editing the final and interim review reports and communicating them to the Member State concerned and to the Commission.

*Article 29***First step of the annual review**

The checks to verify the transparency, accuracy, consistency, comparability and completeness of the information submitted referred to in Article 19(3)(a) of Regulation (EU) No 525/2013 may include:

- (a) an assessment whether all emission source categories and gases required under Regulation (EU) No 525/2013 are reported;
- (b) an assessment whether emissions data time series are consistent;
- (c) an assessment whether implied emission factors across Member States are comparable taking the IPCC default emission factors for different national circumstances into account;
- (d) an assessment of the use of 'Not Estimated' notation keys where IPCC tier 1 methodologies exist and where the use of the notation key is not justified in accordance with paragraph 37 of the UNFCCC reporting guidelines on annual greenhouse gas inventories as included in Annex I to Decision 24/CP.19;
- (e) an analysis of recalculations performed for the inventory submission, in particular if the recalculations are based on methodological changes;
- (f) a comparison of the verified emissions reported under the Union's Emissions Trading System with the greenhouse gas emissions reported pursuant to Article 7 of Regulation (EU) No 525/2013 with a view of identifying areas where the emission data and trends as submitted by the Member State under review deviate considerably from those of other Member States;
- (g) a comparison of the results of Eurostat's reference approach with the Member States' reference approach;
- (h) a comparison of the results of Eurostat's sectoral approach with the Member States' sectoral approach;
- (i) an assessment whether recommendations from earlier Union or UNFCCC reviews, not implemented by the Member State could lead to a technical correction;
- (j) an assessment whether there are potential overestimations or underestimations relating to a key category in a Member State's inventory.

*Article 30***Trigger for the second step of the annual review**

In the framework of the annual review, where the checks pursuant to Article 29 identify significant issues in the meaning of Article 31, at a Member State's request, in case of late submission of the inventory that prevents the carrying out of the first step review checks pursuant to the timeline as set out in Annex XVI or in case of a lack of response to the first step review results, the checks set out in Article 32 shall be carried out.

*Article 31***Threshold of significance**

1. Recommendations from earlier Union or UNFCCC reviews which have not been implemented shall constitute a significant issue under Article 19(4)(a) of Regulation No (EU) 525/2013 if the recommendation or question concern overestimates or underestimates of greenhouse gas inventory data which could lead to a technical correction and if that Member State has not provided satisfactory explanation for the lack of implementation of that recommendation.
2. An underestimate or overestimate of inventory data that amounts to below 0.05 per cent of a Member State's total national greenhouse gas emissions without LULUCF for the year of the inventory under review or that does not exceed 500 kt CO₂ equivalent, whichever is smaller, shall not be considered a significant issue under Article 19(4)(b) of Regulation (EU) No 525/2013.

*Article 32***Second step of the annual review**

1. The checks to identify cases where inventory data is prepared in a manner which is inconsistent with the UNFCCC guidance documentation or Union rules referred to in Article 19(3)(b) of Regulation (EU) No 525/2013 may include:
 - (a) detailed examination of the inventory estimates including methodologies used by the Member State in the preparation of inventories;
 - (b) detailed analysis of the Member State's implementation of recommendations related to improving inventory estimates as listed in its most recent UNFCCC annual review report made available to that Member State before the submission under review or in the final review report pursuant to Article 35(2) of this Regulation; where recommendations have not been implemented a detailed analysis of the justification provided by the Member State for not implementing them;
 - (c) detailed assessment of the time series consistency of the greenhouse gas emissions estimates;
 - (d) detailed assessment whether the recalculations made by a Member State in the given inventory submission as compared to the previous one are transparently reported and made in accordance with the 2006 IPCC Guidelines for National Greenhouse Gas Inventories;
 - (e) follow-up on the results of the checks referred to in Article 29 of this Regulation and on any additional information submitted by the Member State under review in response to questions from the technical experts review team and other relevant checks.
2. A Member State that wishes to undergo the checks referred to in paragraph 1 upon request, shall notify the Commission by 31 October of the year preceding the year when the relevant review takes place.

*Article 33***Comprehensive Review**

1. The comprehensive review referred to in Article 19(1) of Regulation (EU) No 525/2013 shall include the checks pursuant to Articles 29 and 32 of this Regulation for the whole inventory.
2. The comprehensive review may include checks to identify whether problems identified for one Member State in the UNFCCC or Union reviews may also constitute a problem for other Member States.

*Article 34***Technical corrections**

1. A technical correction shall be deemed necessary in the meaning of Article 19(3)(c) of Regulation (EU) No 525/2013 if an underestimate or overestimate exceeds the threshold of significance pursuant to Article 31 of this Regulation. Only the technical corrections deemed necessary shall be included in the final review report referred to in Article 35(2) of this Regulation accompanied by evidence based justification.
2. Should a technical correction exceed the threshold of significance for at least one year of the inventory under review but not for all the years of the time series, the technical correction shall be calculated for all the other years under review in order to ensure time series consistency.

*Article 35***Review Reports**

1. By 20 April of every year with an annual review, the Secretariat shall inform the Member State concerned of any significant issues pursuant to Articles 30 and 31 by means of an interim review report. Such report shall address issues that have been raised no later than by 31 March.

2. The Secretariat shall inform the Member State concerned of the end of the review by means of a final review report as follows:

- (a) by 20 April in the case where no interim report was sent pursuant to paragraph 1;
- (b) by 30 June at the end of the second step of the annual review;
- (c) by 30 August at the end of the comprehensive review.

Article 36

Cooperation with Member States

1. Member States shall:

- (a) participate in all the steps of the review pursuant to the schedule as set in Annex XVI;
- (b) nominate a National contact point for the Union's review;
- (c) participate in and facilitate in close cooperation with the Secretariat the organisation of an in-country visit, if needed;
- (d) provide answers and additional information and comment on the review reports as relevant.

2. Upon request by the Member States, comments regarding the review findings shall be included in the final review report.

3. The Commission shall inform the Member States of the composition of the technical experts review team.

Article 37

Schedule for the reviews

The comprehensive and the annual reviews shall be carried out pursuant to the schedules set out in Annex XVI.

CHAPTER IV

REPORTING FOR THE PURPOSES OF DECISION No 529/2013/EU

Article 38

Avoidance of double reporting

To the extent that a Member State includes information in its national inventory report and in accordance with Article 3 of this Regulation that is required also pursuant to Decision No 529/2013/EU, that Member State shall be deemed to have complied with its respective reporting obligations under that Decision.

Article 39

Reporting requirements on systems for cropland management and grazing land management

1. To the extent that a Member State has not included information in its national inventory report as set out in Article 38 of this Regulation, it shall report textual information on the systems in place and being developed to estimate emissions and removals from cropland management or grazing land management as referred to in point (a) of the second subparagraph of Article 3(2) of Decision No 529/2013/EU including the following elements:

- (a) a description of the institutional, legal and procedural arrangements made in accordance with the requirements for national systems under the Kyoto Protocol as set out in the Annex to Decision 19/CMP.1 and in accordance with the requirements for national arrangements under the UNFCCC reporting guidelines for national greenhouse gas inventories as set out in Annex I to Decision 24/CP.19.

- (b) a description of the manner in which the systems implemented are consistent with the methodological requirements of the IPCC report '2013 Revised Supplementary Methods and Good Practice Guidance Arising from the Kyoto Protocol', the '2006 IPCC Guidelines for National Greenhouse Gas Inventories' and, as applicable, with the '2013 Supplement to 2006 IPCC Guidelines for National Greenhouse Gas Inventories: Wetlands'.
2. Member States shall submit the information set out in paragraph 1 as a separate report to the Commission pursuant to the following schedule:
- (a) the first report in the year 2016 for the reporting year 2014 including all developments starting with 1 January 2013,
- (b) the second report in the year 2017 for the reporting year 2015 and,
- (c) the third report in the year 2018 for the reporting year 2016.
3. Member States shall focus the information included in the reports subsequent to the first report on any changes and developments that have occurred for their systems compared with the information included in their previous report.

Article 40

Reporting requirements on annual estimates of emissions and removals from cropland management and grazing land management

1. Member States that did not elect cropland management or grazing land management under the Kyoto Protocol shall report initial, preliminary and non-binding annual estimates of emissions and removals from cropland management or grazing land management as referred in point (b) of the second subparagraph of Article 3(2) of Decision No 529/2013/EU by including information for the relevant base year or period specified in Annex VI to Decision No 529/2013/EU.
2. The first annual report shall be submitted in the year 2015 for the reporting year 2013.
3. Member States to which paragraph 1 of this Article applies shall submit final annual estimates of emissions and removals from cropland management or grazing land management pursuant to point (c) of the second subparagraph of Article 3(2) of Decision No 529/2013/EU for all reporting years for the period from 1 January 2013 to 31 December 2020, by including final information for the relevant base year or period specified in Annex VI to Decision No 529/2013/EU.
4. When providing the information specified in paragraphs 1 and 2 of this Article Member States shall comply with the following requirements:
- (a) complete all relevant common reporting format tables as included in the Annex to Decision 6/CMP.9 for the respective activity under the Kyoto Protocol for the second commitment period, including the cross-cutting tables on activity coverage, the land transition matrix and the information table on accounting, and
- (b) include explanatory information on methodologies and data used as required in the national inventory report in accordance with Decision 2/CMP.8 under the Kyoto Protocol and its Annex II.

Article 41

Specific reporting requirements

1. By derogation from Article 38 of this Regulation, where a Member State reports for its accounting obligation under the Kyoto Protocol information in accordance with the provisions on forest plantations set out in paragraphs 37 to 39 of the Annex to Decision 2/CMP.7, it shall submit for the purpose of its obligations under Decision No 529/2013/EU separate common reporting format tables for the activities of forest management and deforestation completed without the application of the provisions in paragraphs 37 to 39 of the Annex to Decision 2/CMP.7.
2. By derogation from Article 38 of this Regulation, where a Member State which did not elect cropland management or grazing land management under the Kyoto Protocol reports information on wetland drainage and rewetting for its accounting under that protocol and where that Member State applies Article 3(3) of Decision No 529/2013/EU, it shall submit separate common reporting format tables for those activities completed in accordance with that Decision.

*Article 42***Submission of information**

1. The information corresponding to the reporting requirements set out in Articles 39, 40 and 41 of this Regulation shall be submitted to the Commission as a separate annex to the national inventory report referred to in Article 7(3) of Regulation (EU) No 525/2013.
2. To the extent that Article 38 of this Regulation does not apply, for their reporting obligations pursuant to the first subparagraph of Article 3(2) and Article 3(3) of Decision No 529/2013/EU Member States shall report in accordance with Article 3 of this Regulation and include the corresponding information in the annex to the national inventory report referred to in Article 7(3) of Regulation (EU) No 525/2013.

*Article 43***Reporting at the end of an accounting period**

For the purposes of Article 7(2) of Regulation (EU) No 525/2013 Member States shall submit information in accordance with Article 3 of this Regulation and in accordance with the provisions set out in this Chapter.

CHAPTER V

TRANSITIONAL AND FINAL PROVISIONS*Article 44***Repeal and transitional provision**

Decision No 2005/166/EC is repealed. The effects of Articles 18, 19 and 24 shall be maintained.

*Article 45***Entry into force**

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, 30 June 2014.

For the Commission
The President
José Manuel BARROSO

Overview table of reporting requirements and their submission

[Article of] This Regulation	Information to be provided in the National Inventory Report (NIR) (tick)	Information to be provided in a separate annex to NIR (tick)	Reference to chapter in the NIR or in separate annex (specify)
Article 6 Reporting on national inventory systems	Obligatory	Not applicable	
Article 7 Reporting on consistency of the reported data on air pollutants	Possible	Possible	If in the NIR: Chapter of the NIR on 'quality assurance, quality control and verification plan'
Article 9(1) Reporting on implementation of recommendations and adjustments	Obligatory	Not applicable	Chapter of the NIR on recalculations and improvements
Article 9(2) Reporting on implementation of recommendations and adjustments	Not applicable	Obligatory	
Article 10(1) Reporting on consistency of reported emissions with data from the emissions trading scheme	Not applicable	Obligatory	
Article 10(2) Reporting on consistency of reported emissions with data from the emissions trading scheme	Possible	Possible	If in the NIR: In the relevant sections of the NIR
Article 11 Reporting on consistency of the data reported on fluorinated greenhouse gases	Not applicable	Obligatory	
Article 12 Reporting on consistency with energy data	Possible	Possible	If in the NIR: In the relevant sections of the NIR
Article 13 Reporting on changes in descriptions of national inventory systems or registries	Obligatory	Not applicable	In the relevant chapters of the NIR
Article 14 Reporting on uncertainty and completeness	Obligatory	Not applicable	In the CRF Table 9 and in the respective chapters of the NIR
Article 15(1) Reporting on other elements for the preparation of the Union greenhouse gas inventory report	Obligatory	Not applicable	In the relevant chapters of the NIR

[Article of] This Regulation	Information to be provided in the National Inventory Report (NIR) (tick)	Information to be provided in a separate annex to NIR (tick)	Reference to chapter in the NIR or in separate annex (specify)
Article 15(3) Reporting on other elements for the preparation of the Union greenhouse gas inventory report	Obligatory	Not applicable	In the respective chapters of the NIR
Article 16 Reporting on major changes to methodological descriptions	Possible	Possible	If in the NIR: In the chapter on recalculations and improvements in the NIR

Format for reporting information on consistency of the reported data on air pollutants pursuant to Article 7

Pollutant:								
EMISSION CATEGORIES	Emissions for pollutant X reported in greenhouse gas (GHG) inventory (in kt)	Emissions for pollutant X reported under Directive 2001/81/EC (NEC), submission version X (in kt)	Absolute difference in kt ⁽¹⁾	Relative difference in % ⁽²⁾	Emissions for pollutant X reported in the UNECE Convention on Long-range Transboundary Air Pollution (CLRTAP) inventory, submission version X (in kt)	Absolute difference in kt ⁽¹⁾	Relative difference in % ⁽²⁾	Explanations for differences
Total (Net Emissions)								
1. Energy								
A. Fuel combustion (sectoral approach)								
1. Energy industries								
2. Manufacturing industries and construction								
3. Transport								
4. Other sectors								
5. Other								
B. Fugitive emissions from fuels								
1. Solid fuels								
2. Oil and natural gas and other emissions from energy production								

2. Industrial processes and product use								
A. Mineral industry								
B. Chemical industry								
C. Metal industry								
D. Non-energy products from fuels and solvent use								
G. Other product manufacture and use								
H. Other								
3. Agriculture								
B. Manure management								
D. Agricultural soils								
F. Field burning of agricultural residues								
J. Other								
5. Waste								
A. Solid waste isposal								
B. Biological treatment of solid waste								
C. Incineration and open burning of waste								
D. Wastewater treatment and discharge								
E. Other								
6. Other								

(¹) Emissions reported in GHG inventory minus emissions reported in NEC/CLRTAP inventory

(²) Difference in kt divided by emissions reported in GHG inventory

(³) Data to be reported up to one decimal point for kt and % values

Format for reporting on recalculations pursuant to Article 8

Recalculated Year	Per Gas: CO ₂ , N ₂ O, CH ₄							
	GREENHOUSE GAS SOURCE AND SINK CATEGORIES	Previous submission (CO ₂ -eq, kt)	Latest submission (CO ₂ -eq, kt)	Difference (CO ₂ -eq, kt)	Difference ⁽¹⁾ %	Impact of recalculation on total emissions excluding LULUCF ⁽²⁾ %	Impact of recalculation on total emissions including LULUCF ⁽²⁾ %	Explanation for recalculations
Total National Emissions and Removals								
1. Energy								
A. Fuel combustion activities								
1. Energy industries								
2. Manufacturing industries and construction								
3. Transport								
4. Other sectors								
5. Other								
B. Fugitive Emissions from Fuels								
1. Solid fuels								
2. Oil and natural gas								
C. CO ₂ transport and storage								
2. Industrial processes and product use								
A. Mineral industry								
B. Chemical industry								
C. Metal industry								

D. Non-energy products from fuels and solvent use							
G. Other product manufacture and use							
H. Other							
3. Agriculture							
A. Enteric fermentation							
B. Manure management							
C. Rice cultivation							
D. Agricultural soils							
E. Prescribed burning of savannahs							
F. Field burning of agricultural residues							
G. Liming							
H. Urea application							
I. Other carbon-containing fertilizer							
J. Other							
4. Land use, land-use change and forestry (net) ⁽⁴⁾							
A. Forestland							
B. Cropland							
C. Grassland							
D. Wetlands							
E. Settlements							
F. Other land							

G. Harvested wood products							
H. Other							
5. Waste							
A. Solid waste disposal							
B. Biological treatment of solid waste							
C. Incineration and open burning of waste							
D. Wastewater treatment and discharge							
E. Other							
6. Other (As specified in summary I.A)							
Memo items:							
International bunkers							
Aviation							
Navigation							
Multilateral operations							
CO₂ emissions from biomass							
CO₂ captured							
Long-term storage of C in waste disposal sites							
Indirect N₂O							
Indirect CO₂							
F-gases: Total actual Emissions							

Year	Per Gas: PFCs, HFCs, SF ₆ , unspecified mix of HFCs and PFCs, NF ₃							
	GREENHOUSE GAS SOURCE AND SINK CATEGORIES	Previous submission (CO ₂ -eq, kt)	Latest submission (CO ₂ -eq, kt)	Difference (CO ₂ -eq, kt)	Difference ⁽¹⁾ %	Impact of recalculation on total emissions excluding LULUCF ⁽²⁾ %	Impact of recalculation on total emissions including LULUCF ⁽³⁾ %	Explanation for recalculations
	2.B.9. Fluorochemical production							
	2.B.10. Other							
	2.C.3. Aluminium production							
	2.C.4. Magnesium production							
	2.C.7. Other							
	2.E.1. Integrated circuit or semiconductor							
	2.E.2. TFT flat panel display							
	2.E.3. Photovoltaics							
	2.E.4. Heat transfer fluid							
	2.E.5. Other (as specified in table 2(II))							
	2.F.1. Refrigeration and air conditioning							
	2.F.2. Foam blowing agents							
	2.F.3. Fire protection							
	2.F.4. Aerosols							
	2.F.5. Solvents							
	2.F.6. Other applications							
	2.G.1. Electrical equipment							

2.G.2. SF6 and PFCs from other product use						
2.G.4. Other						
2.H. Other (Please specify:)						

- (¹) To be estimated the percentage change due to recalculation with respect to the previous submission (percentage change = $100 \times [(LS - PS)/PS]$, where LS = latest submission and PS = previous submission. All cases of recalculation of the estimate of the source/sink category must be addressed and explained in the NIR.
- (²) Total emissions refer to total aggregate GHG emissions expressed in terms of CO₂ equivalent, excluding GHGs from the LULUCF sector. The impact of the recalculation on the total emissions is calculated as follows: impact of recalculation (%) = $100 \times [(source (LS) - source (PS))/total emissions (LS)]$, where LS = latest submission, PS = previous submission.
- (³) Total emissions refer to total aggregate GHG emissions expressed in terms of CO₂ equivalent, including GHGs from the LULUCF sector. The impact of the recalculation on the total emissions is calculated as follows: impact of recalculation (%) = $100 \times [(source (LS) - source (PS))/total emissions (LS)]$, where LS = latest submission, PS = previous submission.
- (⁴) Net CO₂ emissions/removals to be reported.

ANNEX IV

Format for reporting information on implementation of recommendations and adjustments pursuant to Article 9

CRF category/issue	Review recommendation	Review report/paragraph	MS response/status of implementation	Chapter/section in the NIR

Format for reporting information on consistency of reported emissions with emissions trading scheme (ETS) data pursuant to Article 10

Allocation of verified emissions reported by installations and operators under Directive 2003/87/EC to source categories of the national greenhouse gas inventory				
Member State				
Reporting year:				
Basis for data: verified ETS emissions and greenhouse gas emissions as reported in inventory submission for the year X-2				
	Total emissions (CO ₂ -eq)			
	Greenhouse gas inventory emissions [kt CO ₂ eq] ⁽³⁾	Verified emissions under Directive 2003/87/EC [kt CO ₂ eq] ⁽³⁾	Ratio in % (Verified emissions/inventory emissions) ⁽³⁾	Comment ⁽²⁾
Greenhouse gas emissions (total emissions without LULUCF for GHG inventory and without emissions from 1A3a Civil aviation, total emissions from installations under Article 3h of Directive 2003/87/EC)				
CO ₂ emissions (total CO ₂ emissions without LULUCF for GHG inventory and without emissions from 1A3a Civil aviation, total emissions from installations under Article 3h of Directive 2003/87/EC)				
Category ⁽¹⁾	CO ₂ emissions			
	Greenhouse gas inventory emissions [kt] ⁽³⁾	Verified emissions under Directive 2003/87/EC [kt] ⁽³⁾	Ratio in % (Verified emissions/inventory emissions) ⁽³⁾	Comment ⁽²⁾
1.A Fuel combustion activities, total				
1.A Fuel combustion activities, stationary combustion				
1.A.1 Energy industries				
1.A.1.a Public electricity and heat production				

1.A.1.b Petroleum refining				
1.A.1.c Manufacture of solid fuels and other energy industries				
Iron and steel (for GHG inventory combined CRF categories 1.A.2.a+ 2.C.1 + 1.A.1.c and other relevant CRF categories that include emissions from iron and steel (e.g. 1A1a, 1B1) (*))				
1.A.2. Manufacturing industries and construction				
1.A.2.a Iron and steel				
1.A.2.b Non-ferrous metals				
1.A.2.c Chemicals				
1.A.2.d Pulp, paper and print				
1.A.2.e Food processing, beverages and tobacco				
1.A.2.f Non-metallic minerals				
1.A.2.g Other				
1.A.3. Transport				
1.A.3.e Other transportation (pipeline transport)				
1.A.4 Other sectors				
1.A.4.a Commercial/Institutional				
1.A.4.c Agriculture/Forestry/Fisheries				
1.B Fugitive emissions from Fuels				
1.C CO₂ Transport and storage				
1.C.1 Transport of CO ₂				

1.C.2	Injection and storage			
1.C.3	Other			
2.A	Mineral products			
2.A.1	Cement production			
2.A.2	Lime production			
2.A.3	Glass production			
2.A.4	Other process uses of carbonates			
2.B	Chemical industry			
2.B.1	Ammonia production			
2.B.3	Adipic acid production (CO ₂)			
2.B.4	Caprolactam, glyoxal and glyoxylic acid production			
2.B.5	Carbide production			
2.B.6	Titanium dioxide production			
2.B.7	Soda ash production			
2.B.8	Petrochemical and carbon black production			
2.C	Metal production			
2.C.1	Iron and steel production			
2.C.2	Ferroalloys production			
2.C.3	Aluminium production			
2.C.4	Magnesium production			
2.C.5	Lead production			

2.C.6 Zinc production				
2.C.7 Other metal production				

Category ⁽¹⁾	N2O emissions			
	Greenhouse gas inventory emissions [kt CO ₂ eq] ⁽³⁾	Verified emissions under Directive 2003/87/EC [kt CO ₂ eq] ⁽³⁾	Ratio in % (Verified emissions/inventory emissions) ⁽³⁾	Comment ⁽²⁾
2.B.2 Nitric acid production				
2.B.3 Adipic acid production				
2.B.4 Caprolactam, glyoxal and glyoxylic acid production				
Category ⁽¹⁾	PFC emissions			
	Greenhouse gas inventory emissions [kt CO ₂ eq] ⁽³⁾	Verified emissions under Directive 2003/87/EC [kt CO ₂ eq] ⁽³⁾	Ratio in % (Verified emissions/inventory emissions) ⁽³⁾	Comment ⁽²⁾
2.C.3 Aluminium production				

⁽¹⁾ The allocation of verified emissions to disaggregated inventory categories at four digit level must be reported where such allocation of verified emissions is possible and emissions occur. The following notation keys should be used:

NO = not occurring

IE = included elsewhere

C = confidential

negligible = small amount of verified emissions may occur in respective CRF category, but amount is < 5 % of the category

⁽²⁾ The column comment should be used to give a brief summary of the checks performed and if a Member State wants to provide additional explanations with regard to the allocation reported.

⁽³⁾ Data to be reported up to one decimal point for kt and % values

⁽⁴⁾ To be filled on the basis of combined CRF categories pertaining to 'Iron and Steel', to be determined individually by each Member State; the stated formula is for illustration purposes only

Notation: x = reporting year

Format for reporting information on consistency with energy data pursuant to Article 12

FUEL TYPES		Apparent consumption reported in GHG inventory (TJ) ⁽³⁾	Apparent consumption using data reported pursuant to Regulation (EC) No 1099/2008 (TJ) ⁽³⁾	Absolute difference ⁽¹⁾ (TJ) ⁽³⁾	Relative difference ⁽²⁾ % ⁽³⁾	Explanations for differences	
Liquid fossil	Primary fuels	Crude oil					
		Orimulsion					
		Natural gas liquids					
	Secondary fuels	Gasoline					
		Jet kerosene					
		Other kerosene					
		Shale oil					
		Gas/diesel oil					
		Residual fuel oil					
		Liquefied petroleum gases (LPG)					
		Ethane					
		Naptha					
		Bitumen					
		Lubricants					
		Petroleum coke					
Refinery feedstocks							
Other oil							

FUEL TYPES		Apparent consumption reported in GHG inventory (TJ) ⁽³⁾	Apparent consumption using data reported pursuant to Regulation (EC) No 1099/2008 (TJ) ⁽³⁾	Absolute difference ⁽¹⁾ (TJ) ⁽³⁾	Relative difference ⁽²⁾ % ⁽³⁾	Explanations for differences
Other liquid fossil						
Liquid fossil totals						
Solid fossil	Primary fuels	Anthracite				
		Coking coal				
		Other bituminous coal				
		Sub-bituminous coal				
		Lignite				
		Oil shale and tar sand				
	Secondary fuels	BKB and patent fuel				
		Coke oven/gas coke				
		Coal tar				
Other solid fossil						
Solid fossil totals						
Gaseous fossil	Natural gas (dry)					
Other gaseous fossil						
Gaseous fossil totals						
Waste (non-biomass fraction)						

FUEL TYPES		Apparent consumption reported in GHG inventory (TJ) ⁽³⁾	Apparent consumption using data reported pursuant to Regulation (EC) No 1099/2008 (TJ) ⁽³⁾	Absolute difference ⁽¹⁾ (TJ) ⁽³⁾	Relative difference ⁽²⁾ % ⁽³⁾	Explanations for differences
Other fossil fuels						
Peat						
Total						

⁽¹⁾ Apparent consumption reported in GHG inventory minus apparent consumption using data reported pursuant to Regulation (EC) No 1099/2008

⁽²⁾ Absolute difference divided by apparent consumption reported in GHG inventory

⁽³⁾ Data to be reported up to one decimal point for kt and % values

ANNEX VII

Format for reporting information on uncertainty pursuant to Article 14

A	B	C	D	E	F	G	H	I	J	K	L	M
IPCC category	Gas	Base year emissions or removals	Year x emissions or removals	Activity data uncertainty	Emission factor/ estimation parameter uncertainty	Combined uncertainty	Contribution to Variance by Category in Year x	Type A sensitivity	Type B sensitivity	Uncertainty in trend in national emissions introduced by emission factor/ estimation parameter uncertainty	Uncertainty in trend in national emissions introduced by activity data uncertainty	Uncertainty introduced into the trend in total national emissions
		Input data	Input data	Input data Note A	Input data Note A	$\sqrt{E^2 + F^2}$	$\frac{(G \cdot D)^2}{(\sum D)^2}$	Note B	$\left \frac{D}{\sum C} \right $	I * F Note C	J * E * $\sqrt{2}$ Note D	K ² + L ²
		Gg CO ₂ equivalent	Gg CO ₂ equivalent	%	%	%		%	%	%	%	%
E.g., 1.A.1. Energy industries fuel 1	CO ₂											
E.g., 1.A.1. Energy industries fuel 2	CO ₂											
Etc...	...											
Total		$\sum C$	$\sum D$				$\sum H$					$\sum M$
					Percentage uncertainty in total inventory:		$\sqrt{\sum H}$				Trend uncertainty:	$\sqrt{\sum M}$

Source: 2006 IPCC guidelines, Volume 1, Table 3.2 Approach 1 uncertainty calculation

Format for reporting information on major changes to methodological descriptions pursuant to Article 16

	DESCRIPTION OF METHODS	RECALCULATIONS	REFERENCE
GREENHOUSE GAS SOURCE AND SINK CATEGORIES	Please tick where the latest NIR includes major changes in methodological descriptions compared to the NIR of the previous year	Please tick where this is also reflected in recalculations compared to the previous years' CRF	If ticked please provide a reference to the relevant section or pages in the NIR and if applicable some more detailed information such as the sub-category or gas concerned for which the description was changed.
Total (Net Emissions)			
1. Energy			
A. Fuel Combustion (sectoral approach)			
1. Energy industries			
2. Manufacturing industries and construction			
3. Transport			
4. Other sectors			
5. Other			
B. Fugitive emissions from fuels			
1. Solid fuels			
2. Oil and natural gas and other emissions from energy production			
C. CO ₂ transport and storage			
2. Industrial processes and product use			
A. Mineral industry			

B. Chemical industry			
C. Metal industry			
D. Non-energy products from fuels and solvent use			
E. Electronics industry			
F. Product uses as substitutes for ODS			
G. Other product manufacture and use			
H. Other			
3. Agriculture			
A. Enteric fermentation			
B. Manure management			
C. Rice cultivation			
D. Agricultural soils			
E. Prescribed burning of savannahs			
F. Field burning of agricultural residues			
G. Liming			
H. Urea application			
I. Other carbon containing fertilisers			
J. Other			
4. Land use, land-use change and forestry			
A. Forest land			

B. Cropland			
C. Grassland			
D. Wetlands			
E. Settlements			
F. Other land			
G. Harvested wood products			
H. Other			
5. Waste			
A. Solid waste disposal			
B. Biological treatment of solid waste			
C. Incineration and open burning of waste			
D. Wastewater treatment and discharge			
E. Other			
6. Other (as specified in Summary 1.A)			
KP LULUCF			
Article 3.3 activities			
Afforestation/reforestation			
Deforestation			
Article 3.4.activities			
Forest management			
Cropland management (if elected)			

Grazing land management (if elected)			
Revegetation (if elected)			
Wetland drainage and rewetting (if elected)			
DESCRIPTION			
NIR Chapter	Please tick where the latest NIR includes major changes in descriptions compared to the previous year NIR		REFERENCE
Chapter 1.2 Description of national inventory arrangements			If ticked please provide some more detailed information for example reference to pages in the NIR

Procedures and time scales for the compilation of the Union greenhouse gas inventory and inventory report

Element	Who	When	What
1. Submission of annual inventories (complete CRF and elements of the national inventory report) by Member States	Member States	Annually by 15 January	Elements listed in Article 7(1) of Regulation (EC) No 525/2013/EU and Article 3 of this Regulation
2. 'Initial checks' of Member State submissions	Commission (incl. DG ESTAT (Eurostat), DG JRC), assisted by European Environment Agency (EEA)	For the Member State submission from 15 January at the latest until 28 February	Initial checks and consistency checks (by EEA). Comparison of energy data provided by Member States in the CRF with Eurostat energy data (sectoral and reference approach) by Eurostat and EEA. Check of Member States' agriculture and land use, land- use change and forestry (LULUCF) inventories by JRC (in consultation with Member States). The findings of the initial checks will be documented.
3. Compilation of draft Union inventory and inventory report (elements of the Union inventory report)	Commission (incl. Eurostat, JRC), assisted by EEA	Until 28 February	Draft Union inventory and inventory report (compilation of Member State information), based on Member State inventories and additional information where needed (as submitted on 15 January).
4. Circulation of 'initial check' findings including notification of potential gap-filling	Commission assisted by EEA	28 February	Circulation of 'initial check' findings including notification of potential gap-filling and making available the findings
5. Circulation of draft Union inventory and inventory report	Commission assisted by EEA	28 February	Circulation of the draft Union inventory on 28 February to Member States. Member States check data.
6. Submission of updated or additional inventory data and complete national inventory reports by Member States	Member States	By 15 March	Updated or additional inventory data submitted by Member States (to remove inconsistencies or to fill gaps) and complete national inventory reports.
7. Member State commenting on the draft Union inventory	Member States	By 15 March	If necessary, provide corrected data and comments to the draft Union inventory
8. Member State responses to the 'initial checks'	Member States	By 15 March	Member States respond to 'initial checks' if applicable.
9. Circulation of follow-up initial check findings	Commission assisted by EEA	31 March	Circulation of follow-up initial check findings and making available the findings

Element	Who	When	What
10. Estimates for data missing from a national inventory	Commission assisted by EEA	31 March	The Commission prepares estimates for missing data by 31 March of the reporting year and communicates these to the Member States.
12. Comments from Member States regarding the Commission estimates for missing data	Member States	7 April	Member States provide comments on the Commission estimates for missing data, for consideration by the Commission.
13. Member States responses to follow-up 'initial checks'	Member States	7 April	Member States provide responses to follow up of 'initial checks'.
13bis. Member States submissions to the UNFCCC	Member States	15 April	Submissions to the UNFCCC (with a copy to EEA)
14. Final annual Union inventory (incl. Union inventory report)	Commission assisted by EEA	15 April	Submission to UNFCCC of the final annual Union inventory.
15. Any resubmissions by Member States	Member States	By 8 May	<p>Member States provide to the Commission the resubmissions which they submit to the UNFCCC secretariat. The Member States must clearly specify which parts have been revised in order to facilitate the use for the Union resubmission. Resubmissions should be avoided to the extent possible.</p> <p>As the Union resubmission also has to comply with the time-limits specified in the guidelines under Article 8 of the Kyoto Protocol, the Member States have to send their resubmission, if any, to the Commission earlier than the period foreseen in the guidelines under Article 8 of the Kyoto Protocol, provided that the resubmission corrects data or information that is used for the compilation of the Union inventory.</p>
16. Union inventory resubmission in response to Member States' resubmissions	Commission assisted by EEA	27 May	If necessary, resubmission to UNFCCC of the final annual Union inventory.
17. Submission of any other resubmission after the initial check phase	Member States	When additional resubmissions occur	Member States provide to the Commission any other resubmission (CRF or national inventory report) which they provide to the UNFCCC secretariat after the initial check phase.

ANNEX X

Format for reporting greenhouse gas emissions covered by Decision 406/2009/EC

A		X-2
B	Greenhouse gas emissions	kt CO₂eq
C	Total greenhouse gas emissions without LULUCF ⁽¹⁾	
D	Total verified emissions from stationary installations under Directive 2003/87/EC ⁽²⁾	
E	CO ₂ emissions from 1.A.3.A civil aviation	
F	Total ESD emissions (= C-D-E)	

⁽¹⁾ Total greenhouse gas emissions for the geographical scope of the Union and consistent with total greenhouse gas emissions without LULUCF as reported in CRF summary table 2 for the same year.

⁽²⁾ In accordance with the scope defined in Article 3h of Directive 2003/87/EC of activities listed in Annex I to that Directive other than aviation activities.

Notation: x = reporting year

For **forestry/LULUCF** — afforestation and reforestation; conservation of carbon in existing forests, enhancing production in existing forests, increasing the harvested wood products pool, enhanced forest management, prevention of deforestation, strengthening protection against natural disturbances, substitution of GHG intensive feedstocks and materials with harvested wood products; prevention of drainage or rewetting of wetlands, restoration of degraded lands, other LULUCF.

For **cross-cutting** –framework policy, multi-sectoral policy, other cross-cutting.

For **Other** Member States must provide a brief description of the objective.

- (^d) Member States must include the figure(s) if the objective(s) is(are) quantified.
- (^e) Member States must indicate in the description if a policy or measure is envisaged with a view to limiting GHG emissions beyond Member State commitments under Decision No 4 06/2009/EC in accordance with Article 6(1)(d) of Decision No 406/2009/EC.
- (^f) Member States must select from the following policy types: economic; fiscal; voluntary/negotiated agreements; regulatory; information; education; research; planning; other.
- (^g) Union policy implemented through the national policy or where national policies are aimed directly at meeting objectives of Union policies. Member State should select a policy from a list provided in the electronic version of the tabular format
- (^h) Secondary Union policy: Member State must indicate any Union policy not listed in the previous column or an additional Union policy if the national policy or measure relates to several Union policies.
- (ⁱ) Member States must select from the following categories: planned; adopted; implemented; expired.
Expired policies and measures must be reported in the template only if they have an effect, or they are expected to continue to have an effect, on greenhouse gas emissions
- (^j) Member States must enter the name/s of entities responsible for implementing the policy or measure under the relevant headings of: National government; Regional entities; Local government; Companies/businesses/industrial associations; Research institutions; Others not listed (more than one entity can be selected)..
- (^k) Member States must provide any indicator used and values for such indicators that they use to monitor and evaluate progress of policies and measures. Those values can be either *ex-post* or *ex-ante* values and Member States must specify the year for which the value applies.

Table 2: Available results of *ex-ante* and *ex-post* assessments of the effects of individual or groups of policies and measures on mitigation of climate change (^a)

Policy or measure or groups of policies and measures	Policy impacting EU ETS or ESD emissions (both can be selected)			Ex-ante assessment												Ex-post assessment			
				GHG emissions reductions in t (kt CO ₂ -equivalent per year)			GHG emissions reductions in t+5 (kt CO ₂ -equivalent per year)			GHG emissions reductions in t+10 (kt CO ₂ -equivalent per year)			GHG emissions reductions in t+15 (kt CO ₂ -equivalent per year)			Year for which reduction applies	Average emission reduction (kt CO ₂ - equivalent per year)	Explanation of the basis for the mitigation estimates	Factors affected by PAM
	EU ETS	ESD	LULUCF	Total	EU ETS	ESD	Total	EU ETS	ESD	Total	EU ETS	ESD	Total	EU ETS	ESD				

(^a) — Member States are to include all the policies and measures or their groups of policies and measures for which such assessment is available.

Notation: t signifies the first future year ending with 0 or 5 immediately following the reporting year

Table 3: Available projected and realised costs and benefits of individual or groups of policies and measures on mitigation of climate change

Policy or measure or groups of policies and measures	Projected costs and benefits						Realised costs and benefits				
	Costs in EUR per tonne CO ₂ eq reduced/sequestered	Absolute costs per year in EUR (specify year cost has been calculated for)	Description of cost estimates (Basis for cost estimate, what type of costs are included in the estimate, methodology)	Price year	Year for which calculated	Documentation/Source of cost estimation	Costs in EUR per tonne CO ₂ eq reduced/sequestered	Price year	Year for which calculated	Description of cost estimates (Basis for cost estimate, what type of costs are included)	Documentation/Source of cost estimation

Note: Member States are to include all the policies and measures or their groups where such assessment is available.

A benefit must be indicated in the template as a negative cost.

If available, costs and benefits for the same PAM or group of PAMs should be entered in two separate rows, with the net-cost in a separate third row for the PAM or group of PAMs. If the costs reported is net-costs covering both positive costs and benefits (= negative costs) this should be indicated.

Questionnaire: Information on the extent to which the Member State's action constitutes a significant element of the efforts undertaken at national level as well as the extent to which the projected use of joint implementation, of the clean development mechanism and of international emissions trading is supplemental to domestic action

Questionnaire on the use of the Kyoto Protocol mechanisms in meeting the 2013-2020 targets

1. Does your Member State intend to use joint implementation (JI), the clean development mechanism (CDM) and international emissions trading (IET) under the Kyoto Protocol (the Kyoto mechanisms) to meet its quantified limitation or reduction commitment pursuant to the Kyoto Protocol? If so, what progress has been made with the implementing provisions (operational programmes, institutional decisions) and any related domestic legislation?
2. What quantitative contributions to the fulfilment of the quantified emission limitation or reduction commitment pursuant to Article X of Decision Y (Ratification decision) and the Kyoto Protocol does your Member State expect from the Kyoto mechanisms during the second quantified emission limitation and reduction commitment period, from 2013 to 2020? (Please use the table)
3. Specify the budget in euro for the total use of the Kyoto mechanisms and, where possible, per mechanism and initiative, programme or fund, including the time over which the budget will be spent.
4. With which countries has your Member State closed bilateral or multilateral agreements, or agreed memorandums of understanding or contracts for the implementation of project based activities?

5. For each planned, ongoing and completed clean development mechanism and joint implementation project activity in which your Member State participates, provide the following information:

(a) Project title and category (JI/CDM)

(b) Host country

(c) Financing: give a brief description of any financial involvement of the government and the private sector, using categories such as 'private', 'public', 'public-private partnership'.

(d) Project type: use a short description, for example:

Energy and power: Fuel-switching, renewable energy generation, improving energy efficiency, reduction of fugitive emissions from fuels, other (please specify)

Industrial processes: Material substitution, process or equipment change, waste treatment, recovery or recycling, other (please specify)

Land use, land-use change and forestry: Afforestation, reforestation, forest management, cropland management, grazing land management, revegetation

Transport: Fuel-switching, improving fuel efficiency, other (please specify)

Agriculture: Manure management, other (please specify)

Waste: Solid-waste management, landfill methane recovery, waste-water management, other (please specify)

Other: Please provide a short description of the other project type

(e) Status: use the following categories:

— Proposed,

— approved (approval of governments involved and feasibility studies completed),

— under construction (start-up or construction phase),

— in operation,

— completed,

— suspended.

(f) Lifetime: provide the following information:

— date of official approval (e.g. of the Executive Board for clean development mechanism projects, of the host country for joint implementation projects),

— date of project initiation (operation starts),

— expected date of project termination (lifetime),

— crediting period (for what years will ERUs or CERs be generated),

— date(s) of issue of emission reduction units (ERUs) (by host country) or certified emission reductions (CERs) (by CDM executive board).

- (g) First or second track approval procedure (For joint implementation projects only).
- (h) Projected total and annual emissions reductions that accrue until the end of the second commitment period.
- (i) Amount of ERUs or CERS generated by the project that will be acquired by the Member State.
- (j) Credits accrued until the end of reporting year: provide information on the number of credits (total and annual) obtained from joint implementation projects, clean development projects and credits resulting from land use, land use change and forestry activities.

Type of unit	Total quantity projected to be used in second Commitment period	Average annual projected quantity	Quantity used (Units acquired and retired)
			x-1
Assigned amount units (AAUs)			
Certified emission reductions(CERs)			
Emission reduction units (ERUs)			
Long-term certified emission reductions (lCERs)			
Temporary certified emission reductions (tCERs)			
Removal units (RMU)			

Note: X is the reporting year.

Reporting on projections pursuant Article 23

Table 1: Greenhouse gas projections by gases and categories

Category ⁽¹⁾ ⁽³⁾	For each Greenhouse gas (group of gases) pursuant to Annex I to Regulation (EC) No 525/2013/EU (kt)						Total GHG emissions (kt CO ₂ -eq)						ETS emissions (kt CO ₂ -eq)						ESD emissions (kt CO ₂ -eq)						
	projec- tion base year	t-5	t	t+5	t+10	t+15	projec- tion base year	t-5	t	t+5	t+10	t+15	projec- tion base year	t-5	t	t+5	t+10	t+15	projec- tion base year	t-5	t	t+5	t+10	t+15	
Total excluding LULUCF																									
Total including LULUCF																									
1. Energy																									
A. Fuel combustion																									
1. Energy industries																									
a. Public electricity and heat production																									
b. Petroleum refining																									
c. Manufacture of solid fuels and other energy industries																									
2. Manufacturing industries and construction																									
3. Transport																									
a. Domestic aviation																									
b. Road transportation																									

c. Railways																					
d. Domestic navigation																					
e. Other transportation																					
4. Other sectors																					
a. Commercial/Institutional																					
b. Residential																					
c. Agriculture/Forestry/ Fishing																					
5. Other																					
B. Fugitive emissions from fuels																					
1. Solid fuels																					
2. Oil and natural gas and other emissions from energy production																					
C. CO ₂ transport and storage																					
2. Industrial processes																					
A. Mineral Industry																					
of which cement production																					
B. Chemical industry																					
C. Metal industry																					
of which Iron and steel production																					
D. Non-energy products from fuels and solvent use																					

C. Grassland																				
D. Wetlands																				
E. Settlements																				
F. Other Land																				
G. Harvested wood products																				
H. Other																				
5. Waste																				
A. Solid Waste Disposal																				
B. Biological treatment of solid waste																				
C. Incineration and open burning of waste																				
D. Wastewater treatment and discharge																				
E. Other (please specify)																				
Memo items																				
International bunkers																				
Aviation																				
Navigation																				
CO ₂ emissions from biomass																				
CO ₂ captured																				

Long-term storage of C in waste disposal sites																				
Indirect N ₂ O																				
International aviation in the EU ETS																				

Notation: t signifies the first future year ending with 0 or 5 immediately following the reporting year

(¹) IPCC categories pursuant to 2006 IPCC Guidelines for National Greenhouse Gas inventories and revised UNFCCC CRF tables for inventory reporting

(²) ODS — ozone-depleting substances.

(³) Use of notation keys: as regards the terms of use defined in the 2006 IPCC Guidelines for National Greenhouse Gas Inventories (chapter 8: reporting guidance and tables), the notation keys of IE (included elsewhere), NO (not occurring), C (confidential) and NA (not applicable) may be used, as appropriate when projections do not yield data on a specific reporting level (see 2006 IPCC Guidelines).

The use of the notation key NE (Not Estimated) is restricted to the situation where a disproportionate amount of effort would be required to collect data for a category or a gas from a specific category that would be insignificant in terms of the overall level and trend in national emissions. In these circumstances a Member State should list all categories and gases from categories excluded on these grounds, together with a justification for exclusion in terms of the likely level of emissions or removals and identify the category as 'not estimated' using the notation key 'NE' in the reporting tables.

Table 2: Indicators to monitor and evaluate projected progress of policies and measures

Indicator (¹)/numerator/denominator	Unit	Guidance/definition (¹)	Guidance/source	With existing measures					With additional measures				
				Base year	t	t+5	t+10	t+15	Base year	t	t+5	t+10	t+15

Notation: t signifies the first future year ending with 0 or 5 immediately following the reporting year

(¹) Please add a row per indicator used in the projections

EU ETS carbon price									EUR/ EUA												EUR t-10
International (wholesale) fuel import prices	Electricity Coal								EUR/GJ				Yes								EUR t-10
	Crude Oil								EUR/GJ												EUR t-10
	Natural gas								EUR/GJ												EUR t-10
Energy parameters																					
National retail fuel prices (with taxes included)	Coal, industry								EUR/GJ												EUR t-10
	Coal, house- holds								EUR/GJ												EUR t-10
	Heating oil, industry								EUR/GJ												EUR t-10
	Heating oil, households								EUR/GJ												EUR t-10
	Transport, gasoline								EUR/GJ					Yes							EUR t-10
	Transport, diesel								EUR/GJ					Yes							EUR t-10
	Natural gas, industry								EUR/GJ												EURt-10
	Natural gas, households								EUR/GJ												EUR t-10

Gross final energy consumption									TWh														
Final energy consumption	Industry								GJ														
	Transport								GJ														
	Residential								GJ														
	Agriculture/ Forestry								GJ														
	Services								GJ														
	Other								GJ														
	Total								GJ														
Number of heating degree days (HDD)								Count															
Number of cooling degree days (CDD)								Count															
Transport parameters																							
Number of passenger-kilometres (all modes)								million pkm															
Freight transport tonnes-kilometres (all modes)								million tkm															
Final energy demand for road transport								GJ															

Area of cultivated organic soils								Ha (hectares)												
Waste parameters																				
Municipal solid waste (MSW) generation								tonne MSW												
Municipal solid waste (MSW) going to landfills								tonne MSW												
Share of CH ₄ recovery in total CH ₄ generation from landfills								%												
Other parameters																				
<i>Add rows for other relevant parameters ⁽¹⁾</i>																				

⁽¹⁾ Please add a row per parameter used in the projections. Note that this includes the term 'variables' because some of the parameters listed can be variables for certain projection tools used, depending on the models used.

⁽²⁾ To be filled with Yes/No

⁽³⁾ Please specify additional different values for parameters used in different sector models

⁽⁴⁾ Use of notation keys: the notation keys of IE (included elsewhere), NO (not occurring), C (confidential), NA (not applicable), and NE (Not estimated/Not used) may be used, as appropriate. The use of the notation key NE (Not estimated) is for cases where the suggested parameter is neither used as a driver nor reported along with the Member States Projections. Notation: t signifies the first future year ending with 0 or 5 immediately following the reporting year.

Table 4: Model Factsheet

Model name	
Full model name	
Model version and status	
Latest date of revision	
URL to model description	
Model type	

Model description	
Summary	
Intended field of application	
Description of main input data categories and data sources	
Validation and evaluation	
Output quantities	
GHG covered	
Sectoral coverage	
Geographical coverage	
Temporal coverage,(e.g. time steps, time span)	
Interface with other models	
Input from other models	
Model structure(if diagram please add to the template)	

Member States may reproduce this table to allow them to report details of individual sub-models which have been used to create GHG projections

—

Reporting on the use of auctioning revenues pursuant to Article 24

Table 1 Revenues generated from auctioning of allowances in year X-1

1		Amount for the year X-1	
		2 1 000 Euros	1 000 in domestic currency, if applicable ⁽¹⁾
3	A	B	C
4	Total amount of revenues generated from auctioning of allowances	Sum of B5+B6	Sum of C5+C6
5	Of which amount of revenues generated from auctioning of allowances pursuant to Article 10 of Directive 2003/87/EC		
6	Of which amount of revenues generated from auctioning of allowances pursuant to Article 3d(1) or (2) of Directive 2003/87/EC		
7	Total amount of revenues from auctioning of allowances or equivalent financial value used for the purposes specified in paragraph 3 of Article 10, and Article 3d(4) of Directive 2003/87/EC		
8	Of which amount of revenues from auctioning of allowances used for the purposes specified in Article 10(3) of Directive 2003/87/EC (if data are available for separate reporting)		
9	Of which amount of revenues from auctioning of allowances used for the purposes specified in Article 3d(4) of Directive 2003/87/EC (if data are available for separate reporting)		
10	Total amount of auctioning revenues generated or the equivalent in financial value committed in years before X-1 generated and not disbursed in the years before the year X-1 and carried-over for disbursement in the year X-1		

Notes:

(¹) An average annual exchange rate for the year X-1 or the real exchange rate applied to the amount disbursed is to be used for the currency conversion.

x: reporting year

Table 2 Use of revenues from auctioning of allowances for domestic and Union purposes pursuant to Article 3d and 10 of Directive 2003/87/EC

1	Purpose for which revenues were used	Short description	Amount for the year X-1		Status ⁽²⁾	Revenues pursuant to [tick relevant column] ⁽⁵⁾		Type of use ⁽³⁾	Financial instrument ⁽⁴⁾	Implementing Agency
			1 000 Euros	1 000 Domestic Currency ⁽¹⁾		Article 3d of Directive 2003/87/EC	Article 10 of Directive 2003/87/EC			
2	(e.g. programme, act, action or project title)	(including reference to online source of more detailed description, if available)			Committed/disbursed			the categories of uses outlined in Directive 2003/87/EC	To be selected: fiscal, financial support policy, domestic regulatory policy that leverage financial support, other	(e.g. responsible ministry)
3	A	B	C	D	E	F	G	H	I	J
4						<input type="checkbox"/>	<input type="checkbox"/>			
5						<input type="checkbox"/>	<input type="checkbox"/>			
6	Total amount of revenues or equivalent financial value used		Sum of column C	Sum of column D						

Notation: x = reporting year

Notes:

- ⁽¹⁾ An average annual exchange rate for the year X-1 or the real exchange rate applied to the amount disbursed is to be used for the currency conversion.
- ⁽²⁾ Member States are to provide the definitions used for 'commitment' and 'disbursement' as part of their report. If part of the reported amount is committed and another part disbursed related to a specific programme/project, two separate rows should be used. If Member States are not able to distinguish between committed and disbursed amounts, the appropriate category should be selected for the reported amounts. Consistent definitions should be used across the tables.
- ⁽³⁾ Categories mentioned in Article 3d(4) and Article 10(3) of Directive 2003/87/EC as follows:
- funding of research and development and demonstration projects for reducing emissions and for adaptation;
 - funding of initiatives within the framework of the European Strategic Energy Technology Plan and the European Technology Platforms;
 - development of renewable energies to meet the commitment of the Union to using 20 % renewable energies by 2020;
 - development of other technologies contributing to the transition to a safe and sustainable low-carbon economy;
 - development of technologies that help meet the commitment of the Union to increase energy efficiency by 20 % by 2020;
 - forestry sequestration in the Union;
 - environmentally safe capture and geological storage of CO₂;
 - encouragement of a shift to low-emission and public forms of transport;

- finance research and development in energy efficiency and clean technologies;
- measures intended to increase energy efficiency and insulation or to provide financial support in order to address social aspects in lower and middle income house-holds;
- Coverage of administrative expenses of the management of the ETS scheme;
- other reduction of greenhouse gas emissions;
- adaptation to the impacts of climate change,
- other domestic uses.

Member States are to avoid double counting of amounts in this table. If a specific use fits to several types of uses several types can be selected however the amount indicated is not to be multiplied but additional rows for types of uses are to be linked with one entry field for that amount.

- (⁴) Several categories can be selected if several financial instruments are relevant for the reported programme or project.
 (⁵) information in this column is to be provided unless reporting is based on the equivalent in financial value of those revenues

Table 3: Use of revenues from auctioning of allowances for international purposes

1		Amount committed in the year X-1 (²)		Amount disbursed in the year X-1 (²)	
		1 000 Euros	1 000 Domestic currency, if applicable (¹)	1 000 Euros	1 000 Domestic currency, if applicable (¹)
2	USE OF REVENUES FROM AUCTIONING OF ALLOWANCES OR THE EQUIVALENT IN FINANCIAL VALUE FOR INTERNATIONAL PURPOSES (³)				
3	A	B	C	D	E
4	Total amount used as specified under Articles 10(3) and Article 3d(4) of Directive 2003/87/EC for supporting third countries other than developing countries				
5	Total amount used as specified under Articles 10(3) and Article 3d(4) of Directive 2003/87/EC for supporting developing countries				

Notation: x = reporting year

Notes:

- (¹) An average annual exchange rate for the year X-1 or the real exchange rate applied to the amount disbursed is to be used for the currency conversion.
 (²) Member States are to provide the definitions used for 'commitment' and 'disbursement' as part of their report. If part of the reported amount is committed and another part disbursed related to a specific programme/project, two separate rows should be used. If Member States are not able to distinguish between committed and disbursed amounts, the appropriate category should be selected for the reported amounts. Consistent definitions should be used across the tables.
 (³) Member States are to avoid double counting of amounts in this table. If a specific use fits into several rows, the most appropriate one is to be chosen and the respective amount must be only entered once. Accompanying textual information could further explain such allocation decisions, if necessary.

Table 4: Use of revenues from auctioning of allowances to support developing countries through multilateral channels pursuant to Article 3d and 10 of Directive 2003/87/EC ⁽⁵⁾ ⁽⁸⁾

1		Amount for the year X-1		Status ⁽¹⁾	Type of support ⁽⁷⁾	Financial instrument ⁽⁶⁾	Sector ⁽²⁾
		1 000 Euros	1 000 Domestic Currency ⁽⁴⁾				
2				to be selected: committed/ disbursed	to be selected: mitigation, adaptation, cross-cutting, other, information not available	to be selected: grant, concessional loan, non-concessional loan, equity, other, information not available	to be selected: energy, transport, industry, agriculture forestry, water and sanitation, cross-cutting, other, information not available
3	Total amount for supporting developing countries through multilateral channels						
4	of which used, if applicable, via multilateral funds						
5	Global Energy Efficiency and Renewable Energy Fund (GEEREF) (Article 10(3)(a) of Directive 2003/87/EC)						
6	Adaptation Fund under the UNFCCC (Article 10, paragraph 3(a) of Directive 2003/87/EC)						
7	Special Climate Change FUND (SCCF) under the UNFCCC						
8	Green Climate Fund under the UNFCCC						
9	Least Developed Countries Fund						
10	UNFCCC Trust Fund for Supplementary Activities						
11	For multilateral support to REDD+ activities						
12	Other multilateral climate-related funds (please specify)						

13	of which used, if applicable, via multilateral financial institutions						
14	Global Environmental Facility						
15	World Bank ⁽³⁾						
16	International Finance Corporation ⁽³⁾						
17	African Development Bank ⁽³⁾						
18	European Bank for Reconstruction and Development ⁽³⁾						
19	Inter-American Development Bank ⁽³⁾						
20	Other multilateral financial institutions or support programmes, please specify ⁽³⁾						

Notation: x = reporting year

Notes:

- (¹) Information on the status is to be provided where available at disaggregate level. Member States should provide the definitions used for 'commitment' and disbursement' as part of their report. If Member States are not able to distinguish between committed and disbursed amounts, the appropriate category should be selected for the reported amounts.
- (²) Several applicable sectors can be selected. Member States may report sectoral distribution if such information is available. 'Information not available' can only be selected if there is absolutely no information available for the respective row.
- (³) Only financial support provided which is climate-specific as e.g. indicated by CDC DAC indicators should be entered in this table.
- (⁴) An average annual exchange rate for the year X-1 or the real exchange rate applied to the amount disbursed is to be used for the currency conversion.
- (⁵) Member States are to avoid double counting of amounts in this table. If a specific use fits into several rows, the most appropriate one is to be chosen and the respective amount shall be only entered once. Accompanying textual information could further explain such allocation decisions, if necessary
- (⁶) The appropriate financial instrument is to be chosen. Several categories can be selected if several financial instruments are relevant for the respective row. Mostly grants are provided to multilateral institutions and other categories may not frequently be applicable. However more categories are used to achieve consistency with reporting requirements for biennial reports under the UNFCCC. 'Information not available' can only be selected if there is absolutely no information available for the respective row.
- (⁷) To be reported if such information is available for multilateral fund or banks. 'Information not available' can only be selected if there is absolutely no information available for the respective row.
- (⁸) The notation key 'information not available' may be used if there is absolutely no information available for the respective cells.

Table 5: Use of revenues from auctioning of allowances pursuant to Article 3d and 10 of Directive 2003/87/EC for bilateral or regional support to developing countries ⁽⁵⁾ ⁽⁷⁾

1	Programme/ project title	Recipient country/region	Amount for the year X-1		Status ⁽¹⁾	Type of support ⁽³⁾	Sector ⁽²⁾	Financial instrument ⁽⁶⁾	Implementing Agency
2			1 000 Euros	1 000 Domestic currency ⁽⁴⁾	to be selected: Committed/ disbursed	to be selected: Mitiga- tion, Adaptation, REDD+, Cross- cutting, Other	to be selected: energy, transport, industry, agriculture, forestry, water and sanitation, cross- cutting, other, infor- mation not available	to be selected: grant, conces- sional loan, non-conces- sional loan, equity, direct project investments, invest- ment funds, fiscal support policies, financial support policies, other, information not available	
3									

Notation: x = reporting year

Notes:

- ⁽¹⁾ Information on the status shall be provided at least in Table 3, and should be provided in this table, where available at disaggregate level. If Member States are not able to distinguish between committed and disbursed amounts, the appropriate category should be selected for the reported amounts.
- ⁽²⁾ Several applicable sectors can be selected. Member States may report sectoral distribution if such information is available. 'Information not available' can only be selected if there is absolutely no information available for the respective row.
- ⁽³⁾ Only financial support provided which is climate-specific as e.g. indicated by OECD DAC indicators should be entered in this table.
- ⁽⁴⁾ An average annual exchange rate for the year X-1 or the real exchange rate applied to the amount disbursed is to be used for the currency conversion.
- ⁽⁵⁾ Member States are to avoid double counting of amounts in this table. If a specific use would fit into several rows, the most appropriate one are to be chosen and the respective amount must be only entered once. Accompanying textual information could further explain such allocation decisions, if necessary.
- ⁽⁶⁾ The appropriate financial instrument is to be chosen. Several categories can be selected if several financial instruments are relevant for the respective row. 'Information not available' can only be selected if there is absolutely no information available for the respective row.
- ⁽⁷⁾ The notation key 'information not available' may be used if there is absolutely no information available for the respective cells.

Reporting on the project credits used for compliance with Decision No 406/2009/EC pursuant to Article 25 of this Regulation

1	Reporting Member State	Units transferred to the Effort Sharing Decision Compliance Account in year X-1						
2	Type of information	Country of origin	ERUs	CERs	ICERs	tCERS	Other units ⁽¹⁾	Justification/explanation of qualitative criteria applied to credits ⁽²⁾
	A		B	C	D	E	F	G
3	Total use of project credits in tonnes (= total amount of units transferred to the ESD Compliance Account)							
4	Geographical distribution: countries of origin of the emission reductions one row per country should be generated; the corresponding units should be entered in the columns.							
5	Of which are credits from project types pursuant to Article 5(1)(a) of Decision No 406/2009/EC							
6	Of which are credits from project types pursuant to Article 5(1)(b) of Decision No 406/2009/EC							
7	Of which are credits from project types pursuant to Article 5(1)(c) and 5(5) of Decision No 406/2009/EC							
8	Of which are credits from project types pursuant to Article 5(1)(d) of Decision No 406/2009/EC							
9	Of which are credits from project types pursuant to Article 5(2) and (3) of Decision No 406/2009/EC							
11	Of which are credits from project types that cannot be used by operators in the EU ETS ⁽³⁾							

Notes:

⁽¹⁾ Units used pursuant to Article 5(2) and (3) of Decision No 406/2009/EC.⁽²⁾ Member States shall include the qualitative criteria applied to credits used in accordance with Article 5 of Decision No 406/2009/EC.⁽³⁾ Where credits from project types that cannot be used by operators in the EU ETS are reported, a detailed justification of the use of such credits must be provided in column G.

Notation: x signifies the reporting year

Reporting on summary information on concluded transfers pursuant to Article 26

Information on concluded transfers for the year X-1

Number of transfers	
Transfer 1 ⁽¹⁾	
Quantity of Annual Emission Allocation units (AEAs)	
Transferring Member State	
Acquiring Member State	
Price per AEA	
Date of the transfer agreement	
Year of the expected transaction in the registry	
Other information (such as greening schemes)	

Note:

⁽¹⁾ Replicate for the number of transfers that occurred in the year X-1

X signifies the reporting year

ANNEX XVI

Table 1: Schedule for the comprehensive review to determine Member State's Annual emissions allocations pursuant to the fourth subparagraph of Article 3(2) of Decision No 406/2009/EC

Activity	Task description	Time
First step review	The Secretariat implements the checks to verify the transparency, accuracy, consistency, completeness and comparability of Member States inventories pursuant to Article 29 of this Regulation.	15 January — 15 March
Preparation of review material for the technical experts review team (TERT)	The Secretariat prepares and compiles material for TERT.	15 March — 30 April
Desk-based review	TERT performs checks pursuant to Article 32 of this Regulation, prepares initial questions based on 15 April submissions including consideration of any re-submitted data to the UNFCCC. Secretariat to communicate questions to Member States	1 May — 21 May
Time-limit for the responses of the Member State to the initial questions	Member States respond to questions — two week period for responses	21 May — 4 June
Centralised meetings of expert reviewers	TERT meets to discuss responses from Member States, identify cross-cutting issues, ensure consistency of findings across Member States, agree upon recommendations etc. Additional questions are identified and communicated by the Secretariat to Member States during this period.	5 June — 29 June
Time-limit for the responses of the Member State responses to the additional questions	Member States respond to questions.	By 6 July
Preparation of draft review reports, including possible further questions to Member States	The TERT compiles draft review reports, including unresolved questions to Member States, draft recommendations concerning possible inventory improvements for consideration by Member States, and, where applicable, details of and justification for potential technical corrections. The Secretariat communicates the reports to Member States	29-June — 13 July
Time-limit for the comments of the Member State on draft review report	Member States comment on draft reports, respond to unresolved questions and, where relevant, agree or disagree with the TERT's recommendations.	13 July — 3 August
Time-limit for finalisation of review reports	Informal communication with Member States to follow up any outstanding issues. The TERT finalises the reports, which are reviewed and edited by the Secretariat.	By 17 August
Final Review Reports	Secretariat communicates the final review reports to the Commission	By 17 August

Table 2: Schedule for the comprehensive reviews pursuant to Article 19(1) of Regulation (EC) No 525/2013/EC

Activity	Task description	Timing
First step review and communication of its results to Member States	The Secretariat implements the checks to verify the transparency, accuracy, consistency, completeness and comparability of Member States inventories pursuant to Article 29 of this Regulation based on 15 January submissions and sends the first step review results to Member States.	15 January — 28 February
Response to the first step review results	Member States provide their response to the Secretariat on the first step review results.	By 15 March
Follow-up on the first step review result and communication of the follow-up results to Member States	The Secretariat evaluates Member States' responses to the first step review results and sends the evaluation results and other outstanding issues to Member States.	15 March — 31 March
Response to the follow-up results	Member States provide their comments to the Secretariat on the follow-up results and other outstanding issues.	By 7 April
Preparation of review material for the TERT	The Secretariat prepares material for the comprehensive review based on 15 April submissions of the Member States.	15 April — 25 April
Desk based review	The TERT performs checks pursuant to Article 32 of this Regulation, compiles initial questions to Member States based on 15 th April submissions.	25 April — 13 May
Communication of initial questions	The Secretariat sends initial questions to Member States.	By 13 May
Response	Member States respond to initial questions to the Secretariat.	13 May — 27 May
Centralised expert meetings	The TERT meets to discuss responses from Member States, identify cross-cutting issues, ensure consistency of findings across Member States, agree upon recommendations, prepare draft technical corrections, etc. Additional questions are identified and communicated to Member States during this period.	28 May — 7 June
Response	Member States provide answers to questions and potential cases of technical corrections during the centralised review to the Secretariat.	28 May — 7 June
Communication of technical corrections	The Secretariat sends draft technical corrections to Member States.	By 8 June
Response	Member States respond to draft technical corrections to the Secretariat.	By 22 June

Activity	Task description	Timing
Compilation of draft review reports	The TERT compiles draft review reports, including any unresolved questions and draft recommendations and, where applicable, details and justification for draft technical corrections.	8– 29 June
Potential in-country visit	In exceptional cases, where significant quality issues continue to exist in the inventories reported by Member States or the TERT is unable to resolve questions, an ad-hoc country visit may be undertaken.	29 June — 9 August
Draft review reports	The Secretariat sends draft review reports to Member States	By 29 June
Comments	Member States provide comments on the draft review reports to the Secretariat including any comments they wish to include in the final review report.	By 9 August
Finalisation of review reports	The TERT finalises the review reports. Informal communication with Member States to follow up any outstanding issues if needed. The Secretariat checks the review reports.	9 August — 23 August
Submission of Final Review Reports	Secretariat communicates the final review reports to the Commission and to Member States.	By 30 August

Table 3: Schedule for the annual review pursuant to Article 19(2) of Regulation No (EU) 525/20013

Activity	Task description	Time
First step of the annual review		
First step review and communication of its results to Member States	The Secretariat implements the checks to verify the transparency, accuracy, consistency, completeness and comparability of Member States inventories pursuant to Article 29 of this Regulation based on 15 January submissions and sends the first step review results and potential significant issues to Member States.	15 January — 28 February
Response to the first step review results	Member States provide their response to the Secretariat on the first step review results and potential cases of significant issues.	By 15 March
Follow-up on the first step review results and communication of the follow-up results to Member States	The Secretariat evaluates Member States' responses to the first step review results and identifies significant issues which could potentially trigger the second step of the annual review and sends the evaluation results and a list of potential significant issues to Member States.	15 March — 31 March
Response to the follow-up results	Member States provide their comments to the Secretariat on potential cases of significant issues.	By 7 April

Activity	Task description	Time
Review of Member States responses	The TERT assesses Member States' responses and identifies the Member States that are potentially subject to the Second step of the annual review. Member States with no potential significant issues are notified that they are not subject to the second step of the annual review pursuant to Article 35.	7 April — 20 April
Unresolved significant issues	The Secretariat sends an interim review report with all unresolved significant issues from the first step checks to Member States subject to the second step of the annual review. Member States which are not subject to the second step of the annual review will receive a final review report.	By 20 April
Second step of the annual review		
Preparation of review material	The Secretariat prepares review material for the second step of the annual review based on the 15 March submissions of Member States.	15 March — 15 April
Second step review	The TERT performs checks pursuant to Article 32 of this Regulation, identifies and calculates potential technical corrections. Member States should be available for questions during the second week of the review.	15 April — 28 April
Communication of technical corrections	The Secretariat sends potential technical corrections to Member States.	By 28 April
Response	Member States provide comments on potential technical corrections to the Secretariat.	By 8 May
Draft review reports	The TERT compiles draft review reports, including draft recommendations and a justification for potential technical corrections.	8 May — 31 May
Communication of the draft review reports	The Secretariat sends draft review reports to Member States	By 31 May
Response	Member States provide comments on the draft review reports to the Secretariat including any comments they wish to include in the final review report.	By 15 June
Compilation of review reports	The TERT updates the draft review reports and clarifies with Member States any outstanding issues if needed. The Secretariat checks and if needed edits the review reports	15 June — 25 June
Submission of final review reports	The Secretariat communicates the final review reports to the Commission and to Member States.	By 30 June

COMMISSION IMPLEMENTING REGULATION (EU) No 750/2014**of 10 July 2014****on protection measures in relation to porcine epidemic diarrhoea as regards the animal health requirements for the introduction into the Union of porcine animals****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, and in particular Article 18(1) and (7) thereof,

Whereas:

- (1) Directive 91/496/EEC provides, inter alia, that if a disease or any other phenomenon liable to present a serious threat to animal or human health occurs or spreads in the territory of a third country, or if any other serious animal health reason so warrants, the Commission, acting on its own initiative or at the request of a Member State, is permitted to adopt measures without delay, including special conditions in respect of animals coming from all or part of the third country concerned.
- (2) Commission Regulation (EU) No 206/2010 ⁽²⁾ lays down, inter alia, the veterinary certification requirements for the introduction into the Union of certain consignments of live animals. It provides that consignments of ungulates are to be introduced into the Union only if they comply with certain requirements and they are accompanied by the appropriate veterinary certificate, drawn up in accordance with the relevant model set out in Part 2 of Annex I to that Regulation.
- (3) The animal health requirements set out in the model veterinary certificates provide for guarantees regarding animal diseases which may endanger the Union animal health status. The fulfilment of such requirements is therefore essential in order to protect the Union from outbreaks of exotic diseases.
- (4) A notification by the United States to the World Organization for Animal Health (OIE) ⁽³⁾ shows that Novel Swine Enteric Coronavirus Disease caused by emerging porcine alphacoronaviruses including porcine epidemic diarrhoea virus and a new Porcine deltacoronavirus has emerged in North America. Canada informed the Commission about positive results of tests for the presence of the both the alpha and the deltacoronavirus carried out in Canadian pig holdings.
- (5) Porcine epidemic diarrhoea caused by the emerging alphacoronavirus and the new porcine deltacoronavirus may constitute a risk for the animal health status of the Union. It affects pigs and the clinical disease is more evident in piglets in which it has caused high percentages of mortalities.
- (6) Therefore it is necessary to review the animal health requirements for the entry of consignments of porcine animals into the Union from the areas in which the disease caused by these viruses is present in order to provide the necessary guarantees at the holding of origin and avoid the introduction of porcine epidemic diarrhoea caused by those viruses in the Union.
- (7) Due to the need to protect animal health in the Union and the serious threat posed by the introduction into the Union of live pigs for breeding and/or production the Commission should adopt provisional safeguard measures for consignments of those animals from affected third countries listed in Annex I to this Regulation. Accordingly, consignments of those animals should be accompanied by a health certificate in accordance with the model set out in Annex II to this Regulation which provides for specific guarantees in regard of porcine epidemic diarrhoea caused by the emerging alphacoronavirus and the new porcine deltacoronavirus

⁽¹⁾ OJ L 268, 24.9.1991, p. 56.

⁽²⁾ Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (OJ L 73, 20.3.2010, p. 1).

⁽³⁾ http://www.oie.int/wahis_2/public/wahid.php/Reviewreport/Review?page_refer=MapFullEventReport&reportid=15133

- (8) Due to the serious risk to animal health posed by those consignments, those provisional safeguard measures should enter into force on the day following that of the publication of this Regulation and apply for a period of 6 months.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from point (b) of Article 3 and Parts 1 and 2 of Annex I to Regulation (EU) No 206/2010, consignments of live pigs for breeding and production, covered by the model veterinary certificate 'POR-X' set out in that Annex, from third countries listed in Annex I to this Regulation, shall be accompanied by a veterinary certificate in accordance with the model set out in the Annex II to this Regulation.

Article 2

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

It shall apply until 12 January 2015.

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

Done at Brussels, 10 July 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX I

CA — Canada

US — United States

ANNEX II

Model POR-X -PED

COUNTRY

Veterinary certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel.		I.2. Certificate reference No		I.2.a.			
			I.3. Central competent authority					
			I.4. Local competent authority					
	I.5. Consignee Name Address Postal code Tel.		I.6.					
	I.7. Country of origin	ISO code	I.8. Region of origin	Code	I.9. Country of destination	ISO code	I.10. Region of destination	Code
	I.11. Place of origin Name Address		Approval number		I.12.			
	I.13. Place of loading Address		Approval number		I.14. Date of departure			
	I.15. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification Documentary references		I.16. Entry BIP in EU		I.17.			
	I.18. Description of commodity				I.19. Commodity code (HS code) 01.03			
					I.20. Quantity			
	I.21.				I.22. Number of packages			
	I.23. Identification of container/seal number				I.24.			
	I.25. Commodities certified for: Breeding <input type="checkbox"/>							
I.26.			I.27. For import or admission into EU <input type="checkbox"/>					
I.28. Identification of the commodities Species (scientific name) Identification system Identification number Age Sex								

COUNTRY

Model POR-X

Part II: Certification	II.	II.a. Certificate reference number	II.b.
		<p>II.1. Public Health Attestation</p> <p>I, the undersigned official veterinarian, hereby certify, that the animals described in this certificate:</p> <p>II.1.1. come from holdings which have been free from any official prohibition on health grounds, for the last 42 days in the case of brucellosis, for the last 30 days in the case of anthrax and for the past 6 months in the case of rabies and, the animals have not been in contact with animals from holdings which did not satisfy these conditions;</p> <p>II.1.2. have not received:</p> <ul style="list-style-type: none"> — any stilbene or thyrostatic substances, — oestrogenic, androgenic, gestagenic or β-agonist substances for purposes other than therapeutic or zootechnic treatment (as defined in Council Directive 96/22/EC (OJ L 125, 23.5.1996, p. 3)). <p>II.2. Animal Health attestation</p> <p>I, the undersigned official veterinarian, hereby certify, that the animals described above meet the following requirements:</p> <p>II.2.1. they come from the territory with code: ⁽¹⁾ which, at the date of issuing this certificate:</p> <p>⁽²⁾ either [(a) has been free for 24 months from foot-and-mouth disease, for 12 months from rinderpest, African swine fever, classical swine fever, swine vesicular disease and vesicular exanthema, and]</p> <p>⁽²⁾ or [(a) (i) has been free [for 24 months from foot-and-mouth disease] ⁽²⁾, for 12 months from rinderpest, African swine fever, vesicular exanthema, [classical swine fever] ⁽²⁾ and [swine vesicular disease] ⁽²⁾, and</p> <p>(ii) has been considered free from [foot-and-mouth disease] ⁽²⁾, [classical swine fever] ⁽²⁾ and [swine vesicular disease] ⁽²⁾, since (dd/mm/yyyy), without having had cases/outbreaks from that date, and authorised to export these animals by Commission Regulation (EU) No /....., of (dd/mm/yyyy), and]</p> <p>⁽²⁾ either [(b) for 6 months from vesicular stomatitis, and]</p> <p>⁽²⁾ ⁽⁹⁾ or [(b) the animals have been kept for the 21 days, or since birth if younger than 21 days of age, prior to entering the pre-export quarantine in a holding in which no case of vesicular stomatitis was officially reported during that period and during the pre-export quarantine of not less than 30 days prior to shipment in a quarantine station protected from vector insects where they were subjected with negative results at a serum dilution of 1 in 32 to a virus neutralisation test for vesicular stomatitis carried out as referred to in Part 6 of Annex I to Commission Regulation (EU) No 206/2010 (OJ L 73, 20.3.2010, p. 1) on samples taken at least 21 days after commencement of the quarantine; and]</p> <p>(c) they have been kept for the 40 days before dispatch in a holding in which no case of porcine epidemic diarrhoea was confirmed or suspected and they were subjected to an agent identification test (PCR) to detect Porcine Epidemic Diarrhoea virus and Porcine Deltacoronavirus on faecal samples taken within 7 days prior to dispatch, with negative results and they have not been vaccinated against those viruses, and</p> <p>(d) where during the last 12 months, no vaccination against the diseases listed in point (a) has been carried out and imports of domestic cloven-hoofed animals vaccinated against these diseases are not permitted;</p> <p>II.2.2. they have remained in the territory described under point II.2.1 since birth, or for at least the last 6 months before dispatch to the Union and without contact with imported cloven-hoofed animals for the last 30 days;</p> <p>II.2.3. they have remained in the holding(s) described under box reference I.11 since birth, or for at least 40 days prior to dispatch, and, during this period, in the holding(s) and in an area with a 10 km radius around the holding(s) of origin, there has been no case/outbreak of the diseases referred to in point II.2.1;</p>	

COUNTRY

Model POR-X

II.	Health information	II.a. Certificate reference number	II.b.
	II.2.4. A they are not animals to be killed under a national programme for the eradication of diseases, nor have they been vaccinated against the diseases referred to in point II.2.1;		
(²) (³)	[II.2.4. B they have been subjected within the past 30 days to a test for swine vesicular disease antibodies and a test for classical swine fever antibodies with negative results;]		
(²) (⁴)	[II.2.4. C they have been subjected within the past 30 days to a buffered Brucella antigen test for porcine brucellosis with negative results;]		
	II.2.5. they come from herds which are not restricted under the national brucellosis eradication programme;		
	II.2.6. they are/were (²) dispatched from their holding(s) of origin, without passing through any market,		
	(²) <i>either</i> [directly to the Union,]		
	(²) <i>or</i> [to the officially authorised assembly centre described under box reference I.13 situated within the territory described under point II.2.1,]		
	and, until dispatched to the Union:		
	(a) they did not come in contact with other cloven-hoofed animals not complying with the health requirements as described in this certificate, and		
	(b) they were not at any place where, or around which within a 10 km radius, during the previous 40 days there has been a case/outbreak of any of the diseases referred to in point II.2.1, and		
	(c) in the case the country has not been free for 6 months of vesicular stomatitis, they were transported to the place of loading protected from vector insects;		
	II.2.7. any transport vehicles or containers in which they were loaded were cleaned and disinfected before loading with an officially authorised disinfectant;		
	II.2.8. they were examined by an official veterinarian within 24 hours of loading and showed no clinical sign of disease;		
	II.2.9. they have been loaded for dispatch to the Union on (dd/mm/yyyy) (⁵) in the means of transport described under box reference I.15 that were cleaned and disinfected before loading with an officially authorised disinfectant and so constructed that faeces, urine, litter or fodder could not flow or fall out of the vehicle or container during transportation.		
II.3.	Animal transport attestation		
	I, the undersigned official veterinarian, hereby certify, that the animals described above have been treated before and at the time of loading in accordance with the relevant provisions of Council Regulation (EC) No 1/2005 (OJ L 3, 5.1.2005, p. 1), in particular as regards watering and feeding, and they are fit for the intended transport.		
(²) (⁶)	II.4. Specific requirements		
	II.4.1. Aujeszky's disease is notifiable in the country referred to in box reference I.7;		
	II.4.2. according to official information, no clinical, pathological or serological evidence of Aujeszky's disease has been recorded for the last 12 months in the holding(s) of origin referred to in box reference I.11, and in those holdings situated in its vicinity within 5 km;		
	II.4.3. the animals referred to in box reference I.28:		
	(a) prior to dispatch for exportation, have remained since birth in the holding(s) of origin referred to in box reference I.11 or they have remained in this(ese) holding(s) for the last 3 months and in others of equivalent status since birth,		
	(b) have been isolated in accommodation approved by the competent authority for the last 30 days immediately prior to dispatch for export, without direct or indirect contact with other suidae animals,		

COUNTRY

Model POR-X

II. Health information	II.a. Certificate reference number	II.b.
(c) have been subjected to an ELISA test for the presence of Ig ⁽⁷⁾ on sera taken at least 21 days after entry into isolation, with negative results; and, all animals in isolation have also given negative results to this test, and (d) have not been vaccinated against Aujeszky's disease and have not been in contact with vaccinated animals and the herd of origin has not been vaccinated during the previous 12 months.] (2) (8) [II.4.4 (further requirements and/or tests)]		
Notes		
This certificate is meant for live domestic porcine animals (<i>Sus scrofa</i>) intended for breeding or production.		
After importation the animals must be conveyed without delay to the holding of destination where they shall remain for a minimum period of 30 days before further movement outside the holding, except in the case of animals dispatched directly to a slaughterhouse or of animals transiting the Union from one third country to another third country.		
Part I:		
— Box reference I.8: Provide the code of territory as appearing in Part 1 of Annex I to Regulation (EU) No 206/2010.		
— Box reference I.13: The assembly centre, if any, must fulfil the conditions for its approval, as laid down in Part 5 of Annex I to Regulation (EU) No 206/2010.		
— Box reference I.15: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship) is to be provided. In case of unloading and reloading, the consignor must inform the BIP of entry into the Union.		
— Box reference I.23: For containers or boxes, the container number and the seal number (if applicable) should be included.		
— Box reference I.28: <i>Identification system</i> : the animals must bear:		
An individual number which permits tracing of their premises of origin. Specify the identification system (such as tag, tattoos, brand, chip, transponder).		
An ear tag that includes the ISO code of the exporting country. The individual number must permit tracing of their premises of origin.		
— Box reference I.28: <i>Age</i> : months.		
— Box reference I.28: <i>Sex</i> (M = male, F = female, C = castrated).		
Part II:		
⁽¹⁾ Code of the territory as it appears in Part 1 of Annex I to Regulation (EU) No 206/2010.		
⁽²⁾ Keep as appropriate.		
⁽³⁾ Supplementary guarantees to be provided when required in column 5 'SG' of Part 1 of Annex I to Regulation (EU) No 206/2010, with the entry 'B'.		
⁽⁴⁾ Supplementary guarantees to be provided when required in column 5 'SG' of Part 1 of Annex I to Regulation (EU) No 206/2010, with the entry 'C'.		
⁽⁵⁾ Date of loading. Imports of these animals shall not be allowed when the animals were loaded either prior to the date of authorisation for exportation to the Union of the third country, territory or part thereof referred to in boxes I.7 and I.8, or during a period where restrictive measures have been adopted by the Union against imports of these animals from this third country, territory or part thereof.		
⁽⁶⁾ When required by the EU Member State of destination or Switzerland, in accordance with Commission Decision 2008/185/EC (OJ L 59, 4.3.2008, p. 19) and the Agreement between the Community and the Swiss Confederation on trade in agricultural products (OJ L 114, 30.4.2002, p. 132) except for those countries with 'IX' in column 6 'Specific conditions' of Part 1 of Annex I to Regulation (EU) No 206/2010.		
⁽⁷⁾ To be carried out according to the standards laid down in Annex III to Decision 2008/185/EC. In the case of pigs aged over 4 months, the test used shall be the whole virus ELISA.		
⁽⁸⁾ Further requirements requested by Finland in respect of transmissible gastro-enteritis.		
⁽⁹⁾ Supplementary guarantees to be provided when required in column 5 'SG' of Part 1 of Annex I to Regulation (EU) No 206/2010, with the entry 'D'.		

COUNTRY**Model POR-X**

II. Health information	II.a. Certificate reference number	II.b.						
<p>Official veterinarian</p> <table><tr><td data-bbox="252 327 504 358">Name (in capital letters):</td><td data-bbox="943 327 1166 358">Qualification and title:</td></tr><tr><td data-bbox="252 376 312 405">Date:</td><td data-bbox="943 376 1051 405">Signature:</td></tr><tr><td data-bbox="252 423 328 452">Stamp:</td><td></td></tr></table>			Name (in capital letters):	Qualification and title:	Date:	Signature:	Stamp:	
Name (in capital letters):	Qualification and title:							
Date:	Signature:							
Stamp:								

COMMISSION IMPLEMENTING REGULATION (EU) No 751/2014**of 10 July 2014****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 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, 10 July 2014.

*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	53,5
	MK	67,1
	TR	78,2
	XS	47,9
	ZZ	61,7
0707 00 05	AL	74,4
	MK	31,3
	TR	76,8
	ZZ	60,8
0709 93 10	TR	97,0
	ZZ	97,0
0805 50 10	AR	116,4
	TR	77,0
	UY	123,5
	ZA	127,0
	ZZ	111,0
0808 10 80	AR	108,4
	BR	75,4
	CL	100,0
	NZ	132,9
	ZA	129,7
	ZZ	109,3
	ZZ	109,3
0808 30 90	AR	79,9
	CL	108,3
	NZ	184,8
	ZA	95,4
	ZZ	117,1
0809 10 00	BA	99,6
	MK	85,8
	TR	177,7
	XS	59,5
	ZZ	105,7
0809 29 00	TR	237,4
	ZZ	237,4
0809 30	MK	63,3
	TR	139,7
	ZA	249,3
	ZZ	150,8
0809 40 05	BA	70,3
	ZZ	70,3

⁽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'.

DECISIONS

COUNCIL DECISION 2014/449/CFSP

of 10 July 2014

concerning restrictive measures in view of the situation in South Sudan

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 18 July 2011, the Council adopted Decision 2011/423/CFSP ⁽¹⁾.
- (2) On 20 January 2014, the Council concluded that targeted restrictive measures against individuals obstructing the peace process in South Sudan, in support of efforts by the African Union (AU) and the Intergovernmental Authority on Development and in close coordination with international partners, should be considered. On 17 March 2014, the Council reiterated that it stood ready to consider such measures in relation to South Sudan.
- (3) The Council has remained seriously concerned about the situation in South Sudan. Therefore, restrictive measures targeting persons obstructing the political process in South Sudan, including by acts of violence or violations of ceasefire agreements, as well as persons responsible for serious violations of human rights in South Sudan, should be imposed.
- (4) For the sake of clarity, the restrictive measures targeting persons obstructing the political process in South Sudan or responsible for serious violations of human rights in South Sudan, and the restrictive measures already imposed by Decision 2011/423/CFSP, insofar as these concern South Sudan, should be integrated into a single legal instrument,

HAS ADOPTED THIS DECISION:

Article 1

1. The sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned to South Sudan by nationals of Member States or from the territories of Member States, or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.
2. It shall also be prohibited to:
 - (a) provide, directly or indirectly, technical assistance, brokering services or other services related to the items referred to in paragraph 1 or related to the provision, manufacture, maintenance and use of such items, to any natural or legal person, entity or body in, or for use in, South Sudan;
 - (b) provide, directly or indirectly, financing or financial assistance related to the items referred to in paragraph 1, including in particular grants, loans and export credit insurance, as well as insurance or reinsurance for any sale, supply, transfer or export of such items, or for the provision of related technical assistance, brokering services or other services to any natural or legal person, entity or body in, or for use in, South Sudan;
 - (c) participate, knowingly and intentionally, in activities, the object or effect of which is to circumvent the measures referred to in points (a) or (b).

⁽¹⁾ Council Decision 2011/423/CFSP of 18 July 2011 concerning restrictive measures against Sudan and South Sudan and repealing Common Position 2005/411/CFSP (OJ L 188, 19.7.2011, p. 20).

Article 2

1. Article 1 shall not apply to:

- (a) the sale, supply, transfer or export of non-lethal military equipment intended solely for humanitarian, human rights monitoring or protective use, or for institution-building programmes of the UN, the AU, the European Union or the Intergovernmental Authority on Development (IGAD), or of materiel intended for European Union, UN and AU crisis management operations;
- (b) the sale, supply, transfer or export of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use, in South Sudan, by personnel of the European Union and its Member States or by UN, AU or IGAD personnel;
- (c) the provision of technical assistance, brokering services and other services related to the equipment or to the programmes and operations referred to in point (a);
- (d) the provision of financing and financial assistance related to the equipment or to the programmes and operations referred to in point (a);
- (e) the sale, supply, transfer or export of de-mining equipment and materiel for use in de-mining operations;
- (f) the sale, supply, transfer or export of non-lethal military equipment intended solely for the support of the process of Security Sector Reform in South Sudan as well as the provision of financing, financial assistance or technical assistance related to such equipment;

provided that such deliveries have been approved in advance by the competent authority of the Member State in question.

2. Article 1 shall also not apply to protective clothing, including flak jackets and military helmets, temporarily exported to South Sudan by personnel of the European Union, or its Member States, by UN or IGAD personnel, or by representatives of the media, humanitarian and development workers and associated personnel for their personal use only.

3. Member States shall consider deliveries under this Article on a case-by-case basis, taking full account of the criteria set out in Council Common Position 2008/944/CFSP⁽¹⁾. Member States shall require adequate safeguards against misuse of authorisations granted under this Article and, where appropriate, make provisions for repatriation of the equipment.

Article 3

1. Member States shall take the measures necessary to prevent the entry into, or transit through, their territories of persons obstructing the political process in South Sudan, including by acts of violence or violations of ceasefire agreements, as well as persons responsible for serious violations of human rights in South Sudan, and persons associated with them, as listed in the Annex.

2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.

3. Paragraph 1 shall be without prejudice to the cases where a Member State is bound by an obligation of international law, namely:

- (a) as a host country of an international intergovernmental organisation;
- (b) as a host country to an international conference convened by, or under the auspices of, the UN;

⁽¹⁾ Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment (OJ L 335, 13.12.2008, p. 99).

- (c) under a multilateral agreement conferring privileges and immunities; or
 - (d) pursuant to the 1929 Treaty of Conciliation (Lateran Pact) concluded by the Holy See (Vatican City State) and Italy.
4. Paragraph 3 shall be considered as applying also in cases where a Member State is host country of the Organisation for Security and Cooperation in Europe (OSCE).
5. The Council shall be duly informed in all cases where a Member State grants an exemption pursuant to paragraphs 3 or 4.
6. Member States may grant exemptions from the measures imposed under paragraph 1 where travel is justified on grounds of urgent humanitarian need, or on grounds of attending intergovernmental meetings and meetings promoted by the European Union or hosted by a Member State holding the Chairmanship in office of the OSCE, where a political dialogue is conducted that directly promotes the policy objectives of restrictive measures, including democracy, human rights and the rule of law in South Sudan.
7. A Member State wishing to grant exemptions referred to in paragraph 6 shall notify the Council in writing. The exemption shall be deemed to be granted unless one or more of the Council members raise an objection in writing within two working days of receiving notification of the proposed exemption. Should one or more of the Council members raise an objection, the Council, acting by a qualified majority, may decide to grant the proposed exemption.
8. Where, pursuant to paragraphs 3, 4, 6 and 7 a Member State authorises the entry into, or transit through, its territory of persons listed in the Annex, the authorisation shall be strictly limited to the purpose for which it is given and to the persons directly concerned thereby.

Article 4

1. All funds and economic resources belonging to, owned, held or controlled by persons obstructing the political process in South Sudan, including by acts of violence or violations of ceasefire agreements, as well as persons responsible for serious violations of human rights in South Sudan, and natural or legal persons, entities or bodies associated with them, as listed in the Annex, shall be frozen.
2. No funds or economic resources shall be made available directly or indirectly to or for the benefit of the natural or legal persons, entities or bodies listed in the Annex.
3. The competent authority of a Member State may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as it deems appropriate, after having determined that the funds or economic resources concerned are:
- (a) necessary to satisfy the basic needs of the persons listed in the Annex and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
 - (b) intended exclusively for the payment of reasonable professional fees and the reimbursement of incurred expenses associated with the provision of legal services;
 - (c) intended exclusively for the payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources; or
 - (d) necessary for extraordinary expenses, provided that the competent authority has notified the competent authorities of the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least two weeks prior to the authorisation.

The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under this paragraph.

4. By way of derogation from paragraph 1, the competent authorities of a Member State may authorise the release of certain frozen funds or economic resources, provided that the following conditions are met:

- (a) the funds or economic resources are the subject of an arbitral decision rendered prior to the date on which the natural or legal person, entity or body referred to in paragraph 1 was listed in the Annex, or of a judicial or administrative decision rendered in the Union, or a judicial decision enforceable in the Member State concerned, prior to or after that date;
- (b) the funds or economic resources will be used exclusively to satisfy claims secured by such a decision or recognised as valid in such a decision, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the decision is not for the benefit of a natural or legal person, entity or body listed in the Annex; and
- (d) recognition of the decision is not contrary to public policy in the Member State concerned.

The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under this paragraph.

5. Paragraph 1 shall not prevent a listed natural or legal person, entity or body from making a payment due under a contract entered into prior to the date on which such natural or legal person, entity or body was listed in the Annex, provided that the Member State concerned has determined that the payment is not, directly or indirectly, received by a natural or legal person, entity or body referred to in paragraph 1.

6. Paragraph 2 shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts;
- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to the measures provided for in paragraphs 1 and 2; or
- (c) payments due under judicial, administrative or arbitral decisions rendered in the Union or enforceable in the Member State concerned;

provided that any such interest, other earnings and payments remain subject to the measures provided for in paragraph 1.

Article 5

1. The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall decide to establish and amend the list in the Annex.

2. The Council shall communicate the decision referred to in paragraph 1, including the grounds for the listing, to the natural or legal person, entity or body concerned, either directly, if the address is known, or through the publication of a notice, providing such natural or legal person, entity or body with an opportunity to present observations.

3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review the decision referred to in paragraph 1 and inform the natural or legal person, entity or body concerned accordingly.

Article 6

1. The Annex shall include the grounds for listing the persons referred to in Article 3(1) and Article 4(1).
2. The Annex shall also contain, where available, the information necessary to identify the persons concerned. Such information may include names, including aliases, date and place of birth, nationality, passport and identity card numbers, gender, address if known, and function or profession. With regard to legal persons, entities or bodies, such information may include names, place and date of registration, registration number and place of business.

Article 7

In order to maximise the impact of the measures set out in this Decision, the Union shall encourage third States to adopt restrictive measures similar to those provided for in this Decision.

Article 8

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

This Decision shall apply until 12 July 2015.

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

Done at Brussels, 10 July 2014.

For the Council
The President
S. GOZI

ANNEX

List of natural or legal persons, entities or bodies referred to in Articles 3 and 4

	Name	Identifying information	Reasons	Date of listing
1.	Santino DENG (a.k.a.: Santino Deng Wol)	Commander of the third Infantry Division of the Sudan People's Liberation Army (SPLA)	Santino Deng is commander of the third Infantry Division of the SPLA that took part in in the recapture of Bentiu in May 2014. Santino Deng is thus responsible for violations of the 23 January Cessation of Hostilities Agreement.	11.7.2014
2.	Peter GADET (aka: Peter Gatdet Yaka; Peter Cadet; Peter Gadet Yak; Peter Gadet Yaak; Peter Gatdet Yaak; Peter Gatdet; Peter Gatdeet Yaka)	Leader of the anti-government Nuer militia Place of Birth: Mayom County Unity State	Peter Gadet is leader of the anti-government Nuer militia that conducted an attack on Bentiu on 15 - 17 April 2014, in violation of the January 23rd Cessation of Hostilities Agreement. The attack resulted in the killing of more than 200 civilians. Peter Gadet is thus responsible for fuelling the cycle of violence, thus obstructing the political process in South Sudan, and for serious human rights violations.	11.7.2014

COUNCIL DECISION 2014/450/CFSP**of 10 July 2014****concerning restrictive measures in view of the situation in Sudan and repealing Decision 2011/423/CFSP**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 30 May 2005, the Council adopted Common Position 2005/411/CFSP ⁽¹⁾. Common Position 2005/411/CFSP integrated the measures imposed by Council Common Position 2004/31/CFSP ⁽²⁾ and the measures to be implemented pursuant to United Nations Security Council Resolution (UNSCR) 1591 (2005) into a single legal document.
- (2) On 18 July 2011, the Council adopted Decision 2011/423/CFSP ⁽³⁾ imposing restrictive measures against Sudan and South Sudan.
- (3) For the sake of clarity, the restrictive measures imposed by Decision 2011/423/CFSP, insofar as these concern Sudan, should be separated and integrated into a single legal instrument.
- (4) Decision 2011/423/CFSP should therefore be repealed,

HAS ADOPTED THIS DECISION:

Article 1

1. The sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned to Sudan by nationals of Member States or from the territories of Member States, or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.
2. It shall also be prohibited to:
 - (a) provide, directly or indirectly, technical assistance, brokering services or other services related to the items referred to in paragraph 1 or related to the provision, manufacture, maintenance and use of such items, to any natural or legal person, entity or body in, or for use in, Sudan;
 - (b) provide, directly or indirectly, financing or financial assistance related to the items referred to in paragraph 1, including in particular grants, loans and export credit insurance, as well as insurance or reinsurance for any sale, supply, transfer or export of such items, or for the provision of related technical assistance, brokering services or other services to any natural or legal person, entity or body in, or for use in, Sudan;
 - (c) participate, knowingly and intentionally, in activities, the object or effect of which is to circumvent the measures referred to in points (a) or (b).

Article 2

1. Article 1 shall not apply to:
 - (a) the sale, supply, transfer or export of non-lethal military equipment intended solely for humanitarian, human rights monitoring or protective use, or for institution-building programmes of the UN, the African Union (AU), the European Union, or of materiel intended for European Union, UN and AU crisis management operations;

⁽¹⁾ Council Common Position 2005/411/CFSP of 30 May 2005 concerning restrictive measures against Sudan and repealing Common Position 2004/31/CFSP (OJ L 139, 2.6.2005, p. 25).

⁽²⁾ Council Common Position 2004/31/CFSP of 9 January 2004 concerning the imposition of an embargo on arms, munitions and military equipment on Sudan (OJ L 6, 10.1.2004, p. 55).

⁽³⁾ Council Decision 2011/423/CFSP of 18 July 2011 concerning restrictive measures against Sudan and South Sudan and repealing Common Position 2005/411/CFSP (OJ L 188, 19.7.2011, p. 20).

- (b) the sale, supply, transfer or export of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for the protective use, in Sudan, by personnel of the European Union and its Member States, or by UN or AU personnel;
- (c) the provision of technical assistance, brokering services and other services related to the equipment or to the programmes and operations referred to in point (a);
- (d) the provision of financing and financial assistance related to the equipment or to the programmes and operations referred to in point (a);
- (e) the sale, supply, transfer or export of de-mining equipment and materiel for use in de-mining operations;

provided that such deliveries have been approved in advance by the competent authority of the Member State in question.

2. Article 1 shall also not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Sudan by UN personnel, personnel of the European Union, or its Member States, representatives of the media, humanitarian and development workers and associated personnel for their personal use only.

3. Member States shall consider deliveries under this Article on a case-by-case basis, taking full account of the criteria set out in Council Common Position 2008/944/CFSP⁽¹⁾. Member States shall require adequate safeguards against misuse of authorisations granted under this Article and, where appropriate, make provisions for repatriation of the equipment.

Article 3

In accordance with UNSCR 1591(2005), restrictive measures as set out in Articles 4(1) and 5(1) of this Decision shall be imposed against those individuals who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, violate the arms embargo and/or are responsible for offensive military overflights in and over the Darfur region, as designated by the Committee established by paragraph 3 of UNSCR 1591(2005) ('Sanctions Committee').

The relevant persons are listed in the Annex to this Decision.

Article 4

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the persons referred to in Article 3.
2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.
3. Paragraph 1 shall not apply where the Sanctions Committee determines that travel is justified on the grounds of humanitarian need, including religious obligation, or where the Sanctions Committee concludes that an exemption would further the objectives of the relevant UNSCRs for the creation of peace and stability in Sudan and the region.
4. Where, pursuant to paragraph 3, a Member State authorises the entry into, or transit through, its territory of persons designated by the Sanctions Committee, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.

Article 5

1. All funds, other financial assets and economic resources owned or controlled directly or indirectly by the persons referred to in Article 3, or held by entities owned or controlled directly or indirectly by such persons or by any persons acting on their behalf or at their direction, as identified in the Annex, shall be frozen.
2. No funds, financial assets or economic resources shall be made available directly or indirectly to or for the benefit of such persons or entities.

⁽¹⁾ Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment (OJ L 335, 13.12.2008, p. 99).

3. Exemptions may be made for funds, other financial assets and economic resources which are:
 - (a) necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
 - (b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
 - (c) intended exclusively for payment of fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources;

after notification by the Member State concerned to the Sanctions Committee of the intention to authorise, where appropriate, access to such funds, other financial assets and economic resources and, in the absence of a negative decision by the Sanctions Committee, within two working days of such notification;

- (d) necessary for extraordinary expenses, after notification by the Member State concerned to the Sanctions Committee and approval by that Committee;
- (e) the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the UNSCR 1591(2005), and is not for the benefit of a person or entity referred to in this Article, after notification by the Member State concerned to the Sanctions Committee.

4. Paragraph 2 shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts; or
- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to restrictive measures;

provided that any such interest, other earnings and payments continue to be subject to paragraph 1.

Article 6

The Council shall establish the list contained in the Annex and implement any modifications thereof on the basis of determinations made by the Sanctions Committee.

Article 7

1. Where the UN Security Council or the Sanctions Committee lists a person or entity, the Council shall include such person or entity in the Annex. The Council shall communicate its decision, including the grounds for listing, to the person or entity concerned, either directly, if the address is known, or through the publication of a notice, providing such person or entity an opportunity to present observations.

2. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the person or entity concerned accordingly.

Article 8

1. The Annex shall include the grounds for listing of listed persons and entities as provided by the UN Security Council or the Sanctions Committee.

2. The Annex shall also include, where available, information provided by the UN Security Council or by the Sanctions Committee necessary to identify the persons or entities concerned. With regard to persons, such information may include names including aliases, date and place of birth, nationality, passport and identity 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. The Annex shall also include the date of designation by the UN Security Council or by the Sanctions Committee.

Article 9

The measures referred to in Article 1 shall be reviewed at regular intervals and at least every 12 months. They shall be repealed if the Council deems that their objectives have been met.

Article 10

Decision 2011/423/CFSP is hereby repealed.

Article 11

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

Done at Brussels, 10 July 2014.

For the Council
The President
S. GOZI

ANNEX

LIST OF PERSONS AND ENTITIES REFERRED TO IN ARTICLES 4 AND 5

1. **Last name:** ELHASSAN

First name(s): Gaffar Mohammed

Alias: Gaffar Mohmed Elhassan

Date of birth/Place of birth/nationality/residence:

Date of birth: 24 June 1952;

Resides in: El Waha, Omdurman, Sudan.

Passport/identifying information/status:

Retired from the Sudanese Army.

Ex-serviceman's identification card no: 4302.

Designation/justification:

Major-General and Commander of the Western Military Region for the Sudanese Armed Forces (SAF).

The Panel of Experts reports that Major-General Gaffar Mohammed Elhassan stated to them that he had direct operational command (primarily tactical command) of all elements of the SAF in Darfur while he was in command of the Western Military Region. Elhassan held this position as Western Military Area Commander from November 2004 (approximately) until early 2006. The Panel's information is that Elhassan was responsible for violations of paragraph 7 of UNSCR 1591 (2005) as by virtue of this position he requested (from Khartoum), and authorized as from 29 March 2005, the transfer of military equipment into Darfur without the prior approval of the 1591 Committee. Elhassan himself admitted to the Panel of Experts that aircraft, aircraft engines and other military equipment had been brought into Darfur from other parts of Sudan between 29 March 2005 and December 2005. For example, he informed the Panel that 2 Mi-24 attack helicopters were brought unauthorized into Darfur between 18 and 21 September 2005.

There are also reasonable grounds to believe that Elhassan was directly responsible, as Western Military Area Commander, for authorizing offensive military flights in the area around Abu Hamra, 23-24 July 2005 and in the Jebel Moon area of Western Darfur, on 19 November 2005. Mi-24 attack helicopters were involved in both operations and reportedly opened fire on both occasions. The Panel of Experts report that Elhassan indicated to the Panel that he himself approved requests for air support and other air operations in his capacity as Western Military Area Commander. (See Panel of Experts report, S/2006/65, paragraphs 266-269.) Through such actions Major-General Gaffar Mohammed Elhassan has breached relevant provisions of UNSCR 1591 (2005) and therefore meets the criteria to be designated by the Committee to be subjected to sanctions.

Date of UN designation: 25 April 2006.

2. **Last name:** ALSIEM

First name(s): Musa Hilal Abdalla

Alias: Sheikh Musa Hilal; Abd Allah; Abdallah; AlNasim; Al Nasim; AlNaseem; Al Naseem; AlNasseem; Al Nasseem

Date of birth/Place of birth/nationality/residence:

Date of Birth: 01/01/1964 or 1959;

Place of birth: Kutum;

Resides in: Kabkabiya and the city of Kutum, Northern Darfur and has resided in Khartoum.

Passport/identifying information/status:

Diplomatic Passport No: D014433,

Issued on 21 February 2013; Expires 21 February 2015.

Certificate of Nationality No: A0680623.

Member of the National Assembly of Sudan. In 2008, appointed by the President of Sudan as special adviser to the Ministry of Federal Affairs.

Designation/justification:

Paramount Chief of the Jalul Tribe in North Darfur.

Report from Human Rights Watch states they have a memo dated 13 February 2004 from a local government office in North Darfur ordering 'security units in the locality' to 'allow the activities of the mujahideen and the volunteers under the command of the Sheikh Musa Hilal to proceed in the areas of [North Darfur] and to secure their vital needs'. On 28 September 2005, 400 Arab militia attacked the villages of Aro Sharrow (including its IDP camp), Acho, and Gozmena in West Darfur. We also believe that Musa Hilal was present during the attack on Aro Sharrow IDP camp; his son had been killed during the SLA attack on Shareia, so he was now involved in a personal blood feud. There are reasonable grounds to believe that as the Paramount Chief he had direct responsibility for these actions and is responsible for violations of international humanitarian and human rights law and other atrocities.

Date of UN designation: 25 April 2006

3. Last name: SHARIF

First name(s): Adam Yacub

Alias: Adam Yacub Shant; Adam Yacoub

Date of birth/Place of birth/nationality/residence:

Date of birth: Circa 1976.

Passport/identifying information/status:

Reportedly deceased on 7 June 2012.

Designation/justification:

Sudanese Liberation Army (SLA) Commander.

SLA soldiers under the command of Adam Yacub Shant violated the ceasefire agreement by attacking a Government of Sudan military contingent that was escorting a convoy of trucks near Abu Hamra, Northern Darfur on July 23, 2005 killing three soldiers. After the attack, Government military weapons and ammunition were looted. The Panel of Experts has information establishing that the attack by SLA soldiers took place and was clearly organized; consequently it was well planned. It is therefore reasonable to assume, as the Panel concluded, that Shant, as the confirmed SLA Commander in the area, must have had knowledge of and approved or ordered the attack. He therefore bears direct responsibility for the attack and meets the criteria for being listed.

Date of UN designation: 25 April 2006.

4. Last name: MAYU

First name(s): Jibril Abdulkarim Ibrahim

Alias: General Gibril Abdul Kareem Barey; 'Tek'; Gabril Abdul Kareem Badri

Date of birth/Place of birth/nationality/residence:

Date of birth: 1 January 1967;

Place of Birth: Nile District, El-Fasher, El-Fasher, North Darfur;

Nationality: Sudanese by birth;

Resides in: Tine, on the Sudanese side of the border with Chad.

Passport/identifying information/status:

National Identification Number: 192-3238459-9

Certificate of nationality acquired through birth: No 302581

Designation/justification:

National Movement for Reform and Development (NMRD) Field Commander.

Mayu is responsible for the kidnapping of African Union Mission in Sudan (AMIS) personnel in Darfur during October 2005. Mayu openly attempts to thwart the AMIS mission through intimidation; for example he threatened to shoot down African Union (AU) helicopters in the Jebel Moon area in November 2005. Through such actions Mayu has clearly violated UNSCR 1591 (2005) in constituting a threat to stability in Darfur and meets the criteria to be designated by the Committee to be subjected to sanctions.

Date of UN designation: 25 April 2006.

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