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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 1248/2010

of 21 December 2010

opening the tariff quota for the year 2011 for the importation into the European Union of certain goods originating in Norway resulting from the processing of agricultural products covered by Council Regulation (EC) No 1216/2009

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1216/2009 of 30 November 2009 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, and in particular Article 7(2) thereof,

Having regard to Council Decision 2004/859/EC of 25 October 2004 concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway on Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway ⁽²⁾, and in particular Article 3 thereof,

Whereas:

(1) Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway ⁽³⁾, and Protocol 3 to the EEA Agreement ⁽⁴⁾, determine the trade arrangements for certain agricultural and processed agricultural products between the Contracting Parties.

(2) Protocol 3 to the EEA Agreement, as amended by Decision 138/2004 of the EEA Joint Committee ⁽⁵⁾, provides for a zero duty applying to certain waters containing added sugar or other sweetening matter or flavoured, classified under CN code 2202 10 00 and certain other non-alcoholic beverages containing sugar, classified under CN code ex 2202 90 10.

(3) The zero duty for the waters and other beverages in question has been temporarily suspended for Norway by the Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway ⁽⁶⁾, hereinafter referred to as 'the Agreement', approved by Decision 2004/859/EC. According to point IV of the Agreed Minutes of the Agreement, duty free imports of goods of the CN codes 2202 10 00 and ex 2202 90 10 originating in Norway are to be permitted only within the limits of a duty free quota while a duty is to be paid for imports outside the quota allocation.

(4) Commission Regulation (EU) No 1255/2009 ⁽⁷⁾ withdrew the temporary suspension of the duty free regime for the period 1 January to 31 December 2010 for the importation into the Union of the waters and beverages in question.

(5) It is necessary to open the tariff quota for 2011 for the waters and beverages in question. The last annual quota for those products was opened for 2009 by Commission Regulation (EC) No 89/2009 ⁽⁸⁾. As no annual quota was opened for 2010, the quota volume for 2011 should remain the same as for 2009.

(6) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁹⁾, lays down rules for the management of tariff quotas. It is appropriate to provide that the tariff quota opened by this regulation is to be managed in accordance with those rules.

⁽¹⁾ OJ L 328, 15.12.2009, p. 10.

⁽²⁾ OJ L 370, 17.12.2004, p. 70.

⁽³⁾ OJ L 171, 27.6.1973, p. 2.

⁽⁴⁾ OJ L 22, 24.1.2002, p. 34.

⁽⁵⁾ OJ L 342, 18.11.2004, p. 30.

⁽⁶⁾ OJ L 370, 17.12.2004, p. 72.

⁽⁷⁾ OJ L 338, 19.12.2009, p. 18.

⁽⁸⁾ OJ L 25, 29.1.2009, p. 14.

⁽⁹⁾ OJ L 253, 11.10.1993, p. 1.

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 2011, the Union tariff quota set out in the Annex is opened for the goods originating in Norway which are listed in that Annex under the conditions specified therein.

2. The rules of origin mutually applicable to the goods set out in the Annex shall be as set out in Protocol 3 of the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway.

3. For quantities imported above the quota volume, a preferential duty of EUR 0,047/litre shall apply.

Article 2

The Union tariff quota referred to in Article 1(1) shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

Regulation (EU) No 1255/2009 is repealed.

Article 4

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

It shall apply from 1 January 2011.

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

Done at Brussels, 21 December 2010.

For the Commission
The President
José Manuel BARROSO

ANNEX

Tariff Quota for 2011 applicable upon import into the European Union of goods originating in Norway

Order No	CN code	Product description	Annual quota volume for 2011	Rate of duty applicable within the limits of the quota	Rate of the duty applicable above the quota volume
09.0709	2202 10 00	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured	17,303 million litres	Exemption	EUR 0,047/litre
	Ex 2202 90 10	Other non-alcoholic beverages containing sugar (sucrose or invert sugar)			

COMMISSION REGULATION (EU) No 1249/2010

of 22 December 2010

amending Regulation (EC) No 498/2007 laying down detailed rules for the implementation of Council Regulation (EC) No 1198/2006 on the European Fisheries Fund

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund⁽¹⁾, and in particular Article 102 thereof,

Whereas:

(1) Article 70(1)(b) of Regulation (EC) No 1198/2006 provides that Member States should be responsible for preventing, detecting, correcting irregularities and recovering amounts unduly paid, notifying these to the Commission and keep the Commission informed of the progress of administrative proceedings.

(2) In the light of the experience gained by the Commission and by the Member States with regard to the application of Commission Regulation (EC) No 1681/94 of 11 July 1994 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the structural policies and the organisation of an information system in this field⁽²⁾, the procedures for reporting on follow-up to irregularities should be simplified. Furthermore, in order to reduce the administrative burden imposed on Member States it is necessary to determine more precisely which information the Commission requires. To that end, information on irrecoverable amounts and on the aggregated amounts related to reported irregularities should be included in the annual statement to be submitted to the Commission pursuant to Article 46 of Commission Regulation (EC) No 498/2007⁽³⁾.

(3) The procedures for reporting on irrecoverable amounts should accurately reflect the obligations of Member States laid down in Article 70 of Regulation (EC) No 1198/2006 and in particular the obligation to ensure an effective pursuit of recoveries. It is also appropriate to simplify the procedures whereby the Commission monitors compliance with those obligations in order to render them more efficient and cost-effective.

(4) As a consequence to Article 60 of Regulation (EC) No 1198/2006, it should be clearly stated that the certifying authority is responsible for keeping complete accounting records, including, in particular, references to amounts reported as irregular to the Commission in accordance with Article 55 of Regulation (EC) No 498/2007.

(5) In order to ensure an efficient flow of information concerning irregularities and to avoid overlaps of different contact points, it is appropriate to group the provisions on cooperation with Member States in a single Article.

(6) Regulation (EC) No 498/2007 should therefore be amended accordingly.

(7) The measures provided for in this Regulation are in accordance with the opinion of the European Fisheries Fund Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 498/2007 is amended as follows:

1. in Article 40, the following paragraph 4 is added:

'4. In the accounting records maintained in accordance with Article 60(f) of the basic Regulation, any amount related to an irregularity reported to the Commission under Article 55 shall be identified by the reference number attributed to that irregularity or by any other adequate method.;

2. Article 46 is amended as follows:

(a) paragraph 2 is amended as follows:

(i) the introductory sentence is replaced by the following:

'By 31 March of each year, the certifying authority shall submit to the Commission a statement in accordance with the model set out in Annex X identifying for each priority axis of the operational programme:';

(ii) point (b) is replaced by the following:

'(b) the amounts recovered which have been deducted from those statements of expenditure submitted during the preceding year:';

(iii) the following point (d) is added:

'(d) a list of amounts for which it was established during the preceding year that they cannot be recovered or are not expected to be recovered, classified by the year in which the recovery orders were issued.;

⁽¹⁾ OJ L 223, 15.8.2006, p. 1.

⁽²⁾ OJ L 178, 12.7.1994, p. 43.

⁽³⁾ OJ L 120, 10.5.2007, p. 1.

(iv) the following subparagraphs are added:

‘For the purposes of points (a), (b) and (c) of the first subparagraph, aggregated amounts related to irregularities reported to the Commission under Article 55 shall be provided for each priority axis.

For the purposes of point (d) of the first subparagraph, any amount related to an irregularity reported to the Commission under Article 55 shall be identified by the reference number of that irregularity or by any other adequate method.’;

(b) the following paragraphs 2a and 2b are inserted:

‘2a. For each amount referred to in point (d) of paragraph 2, the certifying authority shall indicate whether it requests the Community share to be borne by the general budget of the European Union.

The Community share shall be borne by the general budget of the European Union, where within one year from the date of the submission of the statement, the Commission does not carry out any of the following:

- (a) request information for the purposes of Article 70(2) of the basic Regulation;
- (b) inform in writing the Member State about its intention to open an enquiry in respect of that amount;
- (c) request the Member State to continue the recovery procedure.

The time limit of one year shall not apply in cases of suspected or established fraud.

2b. For the purposes of the statement referred to in paragraph 2, Member States which have not adopted the euro as their currency by the date when the statement is submitted shall convert amounts in national currency into euro using the exchange rate referred to in Article 95(3) of the basic Regulation. Where the amounts relate to expenditure registered in the accounts of the certifying authority during more than one month, the exchange rate in the month during which expenditure was last registered may be used.’;

3. Article 55 is amended as follows:

(a) in paragraph 1, second subparagraph, points (l) to (o) are replaced by the following:

‘(l) the total eligible expenditure and the public contribution approved for the operation together with the corresponding amount of the Community contribution;

(m) the expenditure and the public contribution certified to the Commission which are affected by the irregularity and the corresponding amount of the Community contribution at risk;

(n) in case of suspected fraud and where no payment of the public contribution has been made to the persons or other entities identified under point (k), the amounts which would have been unduly paid had the irregularity not been identified;

(o) the code of region or area where the operation has been located or carried out, by specifying the NUTS level or otherwise.’;

(b) in paragraph 2, first subparagraph, points (b) and (c) are replaced by the following:

‘(b) cases brought to the attention of the managing or certifying authority by the beneficiary voluntarily and before detection by either of them, whether before or after the inclusion of the expenditure concerned in a certified statement submitted to the Commission;

(c) cases which are detected and corrected by the managing or certifying authority before the inclusion of the expenditure concerned in a statement of expenditure submitted to the Commission.’;

(c) paragraph 3 is replaced by the following:

‘3. Where some of the information referred to in paragraph 1, and in particular information concerning the practices employed in committing the irregularity and the manner in which it was discovered, is not available or needs to be rectified, Member States shall as far as possible supply the missing or correct information when submitting subsequent quarterly reports of irregularities to the Commission.’;

4. Article 57 is replaced by the following:

‘Article 57

Follow-up reporting

1. In addition to the information referred to in Article 55(1), Member States shall inform the Commission, within two months following the end of each quarter, with a reference back to any previous reports made pursuant to that Article, on details concerning the initiation, conclusion or abandonment of any procedures for imposing administrative or criminal penalties related to the reported irregularities as well as of the outcome of such procedures.

With regard to irregularities for which penalties have been imposed, Member States shall also indicate the following:

- (a) whether the penalties are of administrative or criminal nature;
- (b) whether the penalties result from breach of Community or national law;
- (c) a reference to the provisions in which the penalties are laid down;

(d) whether fraud was established.

2. At the written request of the Commission, the Member State shall provide information in relation to a specific irregularity or group of irregularities.;

5. Article 60 is amended as follows:

(a) the heading is replaced by the following:

'Co-operation with Member States';

(b) paragraph 2 is replaced by the following:

'2. Without prejudice to the contacts referred to in paragraph 1, where the Commission considers that, due to the nature of the irregularity identical or similar practices could occur in other Member States, it shall submit the matter to the advisory Committee for the Coordination of fraud prevention set up by Commission Decision 94/140/EC (*).

The Commission shall every year inform that Committee and the committee referred to in Article 101 of the basic Regulation of the order of magnitude of the irregularities affecting the Fund which have been discovered and of the various categories of irregularities, broken down by type and number.

(*) OJ L 61, 4.3.1994, p. 27.;

6. Article 62 is deleted;

7. Article 63 is amended as follows:

(a) in paragraph 1, the second, third and fourth subparagraphs are deleted;

(b) paragraph 2 is replaced by the following:

'2. Member States which have not adopted the euro as their currency by the date when the report under Article 55(1) is submitted shall convert amounts in national currency into euro using the exchange rate referred to in Article 95(3) of the basic Regulation.

Where the amounts relate to expenditure registered in the accounts of the certifying authority during more than one month, the exchange rate in the month during which expenditure was last registered may be used. Where the expenditure has not been registered in the accounts of the certifying authority, the most recent accounting exchange rate published electronically by the Commission shall be used.;

8. Annex X is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following 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, 22 December 2010.

For the Commission
The President
José Manuel BARROSO

ANNEX

'ANNEX X

**ANNUAL STATEMENT ON WITHDRAWN AND RECOVERED AMOUNTS AND PENDING RECOVERIES AND
IRRECOVERABLE AMOUNTS UNDER ARTICLE 46(2)**

1. Withdrawals for the year 20... deducted from statements of expenditure for regions eligible:

Withdrawals ⁽¹⁾

Under the convergence objective

a	b	c	d	e	f	g
Priority axis	Total amount in EUR of expenditure paid by beneficiaries withdrawn ⁽²⁾	Corresponding public contribution withdrawn in EUR	Corresponding EFF contribution withdrawn in EUR ⁽³⁾	Total amount in EUR of expenditure withdrawn relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 ⁽⁴⁾	Amount in EUR of corresponding public contribution withdrawn relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007	Amount in EUR of corresponding EFF contribution withdrawn relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 ⁽⁵⁾
1						
2						
3						
4						
5						
<i>Total</i>						

Under the non-Convergence objective

a	b	c	d	e	f	g
Priority axis	Total amount in EUR of expenditure paid by beneficiaries withdrawn ⁽²⁾	Corresponding public contribution withdrawn in EUR	Corresponding EFF contribution withdrawn ⁽³⁾ in EUR	Total amount in EUR of expenditure withdrawn relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 ⁽⁴⁾	Amount in EUR of corresponding public contribution withdrawn relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007	Amount in EUR of corresponding EFF contribution withdrawn relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 ⁽⁵⁾
1						
2						
3						
4						
5						
<i>Total</i>						

⁽¹⁾ This table (withdrawals) is completed relating to expenditure already declared to the Commission and which has been withdrawn from the programme following detection of the irregularity. If table 1 is completed, tables 2, 3 and 4 of this Annex will not need to be completed.

⁽²⁾ This amount is the total amount of expenditure already declared to the Commission which was affected by irregularities and which has been withdrawn.

⁽³⁾ This amount is the EFF part of expenditure already declared to the Commission which was affected by irregularities and which has been withdrawn.

⁽⁴⁾ This amount is the part of the amount in column (b) which has been reported as irregular under the reporting procedures laid down in Article 55 of Regulation (EC) No 498/2007.

⁽⁵⁾ This amount is part of the amount in column (d) which has been reported as irregular under the reporting procedures laid down in Article 55 of Regulation (EC) No 498/2007.

2. Recoveries for the year 20... deducted from statements of expenditure for regions eligible:

Recoveries ⁽¹⁾

Under the convergence objective

h	i	j	k	l	m	n
Priority axis	Total amount in EUR of expenditure paid by beneficiaries ⁽²⁾	Public contribution recovered ⁽³⁾ in EUR	Corresponding EFF contribution recovered ⁽⁴⁾ in EUR	Total amount in EUR of expenditure recovered relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 ⁽⁵⁾	Amount in EUR of public contribution recovered relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 ⁽⁶⁾	Amount in EUR of corresponding EFF expenditure recovered relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 ⁽⁷⁾
1						
2						
3						
4						
5						
<i>Total</i>						

Under the non-Convergence objective

h	i	j	k	l	m	n
Priority axis	Total amount in EUR of expenditure paid by beneficiaries ⁽²⁾	Public contribution recovered ⁽³⁾ in EUR	Corresponding EFF contribution recovered ⁽⁴⁾ in EUR	Total amount in EUR of expenditure recovered relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 ⁽⁵⁾	Amount in EUR of public contribution recovered relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 ⁽⁶⁾	Amount in EUR of corresponding EFF expenditure recovered relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 ⁽⁷⁾
1						
2						
3						
4						
5						
<i>Total</i>						

(1) This table (recoveries) is completed relating to expenditure which was left for the time being in the programme pending outcome of recovery proceedings and which has been deducted following recovery. If table 2 is completed, tables 1, 3 and 4 of this Annex will not need to be completed.

(2) This is the total amount of expenditure already declared to the Commission which was affected by irregularities and in respect of which the corresponding public contribution has been recovered.

(3) This is the amount of public contribution effectively recovered from the beneficiary.

(4) This amount is the corresponding EFF part of expenditure already declared to the Commission which was affected by irregularities and which has been recovered.

(5) This amount relates to the part of the amount in column (i) which has been reported as irregular under the reporting procedures laid down in Article 55 of Regulation (EC) No 498/2007.

(6) This amount is the part of the amount in column (j) which has been reported as irregular under the reporting procedures laid down in Article 55 of Regulation (EC) No 498/2007.

(7) This amount is part of the amount in column (k) which has been reported as irregular under the reporting procedures laid down in Article 55 of Regulation (EC) No 498/2007.

3. Pending recoveries as at 31.12.20...

Convergence

a	b	c	d	e	f	g	h
Priority axis	Year of launch of recovery proceedings	Total amount in EUR of eligible expenditure paid by beneficiaries (1)	Public contribution to be recovered (2) in EUR	Corresponding EFF contribution to be recovered (3) in EUR	Total amount in EUR of expenditure relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 (4)	Amount in EUR of public contribution to be recovered relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 (5)	Amount in EUR of corresponding EFF expenditure to be recovered relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 (6)
1	2007						
	2008						
	...						
2	2007						
	2008						
	...						
3	2007						
	2008						
<i>Total</i>							

Non-Convergence

a	b	c	d	e	f	g	h
Priority axis	Year of launch of recovery proceedings	Total amount in EUR of eligible expenditure paid by beneficiaries (1)	Public contribution to be recovered (2) in EUR	Corresponding EFF contribution to be recovered (3) in EUR	Total amount in EUR of expenditure relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 (4)	Amount in EUR of public contribution to be recovered relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 (5)	Amount in EUR of corresponding EFF expenditure to be recovered relating to irregularities reported under Article 55(1) of Regulation (EC) No 498/2007 (6)
1	2007						
	2008						
	...						
2	2007						
	2008						
	...						
3	2007						

COMMISSION REGULATION (EU) No 1250/2010**of 22 December 2010****amending Council Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 1183/2005 lists the natural and legal persons, entities and bodies covered by the freezing of funds and economic resources under the Regulation.
- (2) On 1 December 2010 the Sanctions Committee of the United Nations Security Council added 4 individuals to

the list of persons, entities and bodies to whom the freezing of funds and economic resources should apply and amended the data in some entries. Annex I should therefore be amended accordingly.

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1183/2005 is replaced by 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, 22 December 2010.

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

David O'SULLIVAN

Director-General for External Relations

⁽¹⁾ OJ L 193, 23.7.2005, p. 1.

ANNEX

'ANNEX I

List of natural and legal persons, entities or bodies referred to in Article 2

A. *Natural persons*

- (1) Frank Kakolele **Bwambale** (*alias* (a) Frank Kakorere, (b) Frank Kakorere Bwambale). Other information: Left the CNDP in January 2008. As of December 2008 resides in Kinshasa, DRC. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (2) Jérôme **Kakwavu Bukande** (*alias* (a) Jérôme **Kakwavu**, (b) Commandant Jérôme). Title: General. Nationality: Congolese. Other information: As of June 2010, has been arrested and is now being held in Kinshasa central prison. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (3) Gaston **Iyamuremye** (*alias*: (a) Rumuli, (b) Byiringiro Victor Rumuli, (c) Victor Rumuri, (d) Michel Byiringiro). Date of Birth: 1948. Place of Birth: (a) Musanze District (Northern Province), Rwanda, (b) Ruhengeri, Rwanda. Title: Brigadier General. Function: Second Vice President of FDLR. Other information: (a) Current location: Kibua, North Kivu, Democratic Republic of Congo, (b) Alternative current location: Aru, DRC. (c) According to multiple sources, including the UNSC DRC Sanctions Committee's Group of Experts, Gaston Iyamuremye is the second vice president of the FDLR and is considered a core member of the FDLR military and political leadership (d) Gaston Iyamuremye ran Ignace Murwanashyaka's (President of the FDLR) office in Kibua, DRC until December 2009. Date of designation referred to in Article 5(1)(b): [date of publication].
- (4) Germain **Katanga**. Nationality: Congolese. Other information: Handed over by the Government of the DR of the Congo to the International Criminal Court (ICC) on 18.10.2007. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (5) Thomas **Lubanga**. Place of birth: Ituri, DRC. Nationality: Congolese. Other information: Transferred to the ICC by the Congolese authorities on 17.3.2006. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (6) Khawa Panga **Mandro** (*alias* (a) Kawa Panga, (b) Kawa Panga Mandro, (c) Kawa Mandro, (d) Yves Andoul Karim, (e) Chief Kahwa, (f) Kawa, (g) Mandro Panga Kahwa, (h) Yves Khawa Panga Mandro). Date of birth: 20.8.1973. Place of birth: Bunia, DRC. Nationality: Congolese. Other information: Arrested by Congolese authorities in October 2005, acquitted by the Court of Appeal in Kisangani, subsequently transferred to the judicial authorities in Kinshasa on new charges. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (7) Callixte **Mbarushimana**. Date of birth: 24.7.1963. Place of birth: Ndusu/Ruhengeri, Northern Province, Rwanda. Nationality: Rwandan. Other information: Current location: Paris or Thiais, France. Date of designation referred to in Article 5(1)(b): 21.3.2009.
- (8) Iruta Douglas **Mpamo** (*alias* (a) Mpano, (b) Douglas Iruta Mpamo). Address: Bld Kanyamuhanga 52, Goma, DRC. Date of birth: (a) 28.12.1965, (b) 29.12.1965. Place of birth: (a) Bashali, Masisi, DRC (refers to date of birth (a)), (b) Goma, DRC (refers to date of birth (b)). Nationality: Congolese. Other information: Based in Goma, DRC, and Gisenyi, Rwanda. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (9) Sylvestre **Mudacumura** (*alias* (a) Radja, (b) Mupenzi Bernard, (c) General Major Mupenzi, (d) General Mudacumura). Nationality: Rwandan. Other information: As of November 2009 continues to serve as FDLR-FOCA military commander. Based in Kibua, Masisi territory, DRC. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (10) Leodomir **Mugaragu** (*alias*: (a) Manzi Leon, (b) Leo Manzi). Date of Birth: (a) 1954, (b) 1953. Place of Birth: (a) Kigali, Rwanda, (b) Rushashi (Northern Province), Rwanda. Title: Brigadier General. Function: FDLR/FOCA Chief of Staff. Other information: (a) According to open-source and official reporting, Leodomir Mugaragu is the Chief of Staff of the Forces Combattantes Abucunguzi/Combatant Force for the Liberation of Rwanda (FOCA), the FDLR's armed wing, (b) According to official reporting Mugaragu is a senior planner for FDLR's military operations in the eastern DRC. Date of designation referred to in Article 5(1)(b): [date of publication].
- (11) Leopold **Mujambere** (*alias* (a) Musenyeri, (b) Achille, (c) Frere Petrus Ibrahim). Title: Colonel. Date of birth: (a) 17.3.1962, (b) 1966 (estimated). Place of birth: Kigali, Rwanda. Nationality: Rwandan. Other information: Current location: Mwenga, South Kivu, DRC. Date of designation referred to in Article 5(1)(b): 21.3.2009.

- (12) Ignace **Murwanashyaka** (*alias* Ignace). Title: Dr. Date of birth: 14.5.1963. Place of birth: (a) Butera, Rwanda; (b) Ngoma, Butare, Rwanda. Nationality: Rwandan. Other information: Resident in Germany. As of November 2009, still recognized as the President of the FDLR-FOCA political branch and supreme commander of the FDLR armed forces. Arrested by German Federal Police on 17 November 2009. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (13) Straton **Musoni** (*alias* I.O. Musoni). Date of birth: (a) 6.4.1961, (b) 4.6.1961. Place of birth: Mugambazi, Kigali, Rwanda. Other information: (a) Rwandan passport expired on 10.9.2004, (b) Resident in Neuffen, Germany, (c) As of November 2009, still recognized as the 1st Vice President of the FDLR-FOCA political branch and President of the FDLR military high command, (d) Arrested by German Federal Police on 17 November 2009. Date of designation referred to in Article 5(1)(b): 13.4.2007.
- (14) Jules **Mutebutsi** (*alias* (a) Jules **Mutebusi**, (b) Jules **Mutebuzi**, (c) Colonel **Mutebutsi**). Place of birth: South Kivu, the DR of the Congo. Nationality: Congolese. Other information: Arrested by the Rwandan authorities in December 2007. Reportedly he is currently 'restrained'. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (15) Mathieu Chui **Ngudjolo** (*alias* Cui Ngudjolo). Other information: Known as 'Colonel' or 'General'. Surrendered by the Government of the DR of the Congo to the International Criminal Court on 7 February 2008. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (16) Floribert Ngabu **Njabu** (*alias* (a) Floribert **Njabu**, (b) Floribert **Ndjabu**, (c) Floribert **Ngabu**, (d) Ndjabu). Other information: Arrested and placed under house arrest in Kinshasa from March 2005. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (17) Laurent **Nkunda** (*alias* (a) Laurent Nkunda Bwatare, (b) Laurent Nkundabatware, (c) Laurent Nkunda Mahoro Batware, (d) Laurent Nkunda Batware, (e) General Nkunda, (f) Nkunda Mihigo Laurent). Date of birth: (a) 6.2.1967, (b) 2.2.1967. Place of birth: North Kivu/Rutshuru, DRC (refers to date of birth (a)). Nationality: Congolese. Other information: (a) Known as 'Chairman' and 'Papa Six', (b) Arrested on Rwandan soil in January 2009 and subsequently replaced as commander of the CNDP in North Kivu. As of November 2009 he retains some control over CNDP and its international network.. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (18) Félicien **Nsanzubukire** (*alias* Fred Irakeza) Date of Birth: 1967. Place of Birth: Murama, Kinyinya, Rubungo, Kigali, Rwanda. Other information: (a) Current location: Uvira-Sange area, Uvira Territory, South Kivu Province, DRC (b) According to multiple sources, Félicien Nsanzubukire is the 1st battalion leader of the FDLR. Félicien Nsanzubukire has been a member of the FDLR since at least 1994 and operating in eastern DRC since October 1998. The UNSC DRC Sanction Committee's Group of Experts reports that Félicien Nsanzubukire supervised and coordinated the trafficking of ammunition and weapons between at least November 2008 and April 2009 from the United Republic of Tanzania, via Lake Tanganyika, to FDLR units based in the Uvira and Fizi areas of South Kivu. Date of designation referred to in Article 5(1)(b): [date of publication].
- (19) Pacifique **Ntawunguka** (*alias* (a) Colonel Omega, (b) Nzeri, (c) Israel, (d) Pacifique Ntawungula). Title: Colonel. Date of birth: (a) 1.1.1964, (b) 1964 (estimated). Place of birth: Gaseke, Gisenyi Province, Rwanda. Nationality: Rwandan. Other information: (a) Current location: Peti, Walikale – Masisi border, DRC, (b) Received military training in Egypt. Date of designation referred to in Article 5(1)(b): 21.3.2009.
- (20) James **Nyakuni**. Nationality: Ugandan. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (21) Stanislas **Nzeyimana** (*alias* (a) Deogratias Bigaruka Izabayo, (b) Bigaruka, (c) Bigurura, (d) Izabayo Deo (e) Jules Mateso Mlamba). Date of birth: (a) 1.1.1966, (b) 1967 (estimated), (c) 28.8.1966. Place of birth: Mugusa (Butare), Rwanda. Nationality: Rwandan. Other information: (a) As of November 2009 recognized as Major General Stanislas Nzeyimana, FDLR Deputy Commander, (b) Current location: Kalonge, Masisi, North Kivu, DRC or Kibua, DRC. Date of designation referred to in Article 5(1)(b): 21.3.2009.
- (22) Dieudonné **Ozia Mazio** (*alias* (a) Ozia Mazio, (b) Omari, (c) Mr Omari). Date of birth: 6.6.1949. Place of birth: Ariwara, DRC. Nationality: Congolese. Other information: Deceased in Ariwara on 23 September 2008. Date of designation referred to in Article 5(1)(b): 10.11.2005.

- (23) Bosco **Taganda** (*alias* (a) Bosco Ntaganda, (b) Bosco Ntagenda, (c) General Taganda. Nationality: Congolese. Other information: (a) Known as 'Terminator' and 'Major', (b) Based in Bunagana and Rutshuru, (c) De facto military head of CNDP following arrest of General Laurent Nkunda in January 2009. Former chief of staff of the CNDP. Based in Bunagana and Rutshuru, (d) Since appointment as the de facto military head of CNDP in January 2009, has been instructed to manage integration into FARDC and given the post of deputy operational commander for Kimia II although this is officially denied by FARDC. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (24) Innocent **Zimurinda**. Title: Lieutenant Colonel. Date of Birth: (a) 1.9.1972, (b) 1975. Place of Birth: Ngungu, Masisi Territory, North Kivu Province, DRC. Other information (a) Current location: Masisi Territory, North Kivu Province, DRC, (b) According to open-source and official reporting, Lt Col Innocent Zimurinda was an officer in the Congrès National pour la Défense du Peuple (CNDP) which was integrated into the Forces Armées de la République Démocratique du Congo (FARDC) in early 2009. According to multiple sources he has given orders resulting in the massacre of over 100 Rwandan refugees during an April 2009 military operation in the Shalio area and participated in a November 2008 CNDP operation that resulted in the massacre of 89 civilians in the region of Kiwanji. In March 2010, 51 human rights groups working in eastern DRC posted a complaint online alleging that he was responsible for multiple human rights abuses between February 2007 and August 2007, involving the murder of numerous civilians and the rape of a large number of women and girls. According to the UNSC DRC Sanctions Committee's Group of Experts he holds direct and command responsibility for child recruitment and for maintaining children within troops under his command, whereas on 29 August 2009 he refused to release three children from his command in Kalehe. According to a 21 May 2010 statement by the Special Representative of the Secretary General for Children and Armed Conflict he has been involved in the arbitrary execution of child soldiers, including during operation Kimia II, and denied access to the UN Mission in the DRC (MONUC) when it wanted to screen troops for minors. Date of designation referred to in Article 5(1)(b): [date of publication].

B. Legal persons, entities and bodies

- (1) Butembo Airlines (*alias* BAL). Address: Butembo, DRC. Other information: As of December 2008, BAL no longer holds an aircraft operating license in the DR of the Congo. Date of designation referred to in Article 5(1)(b): 13.4.2007.
- (2) Congocom Trading House. Address: Butembo, DRC. Telephone No: +253 (0) 99 983 784. Other information: gold trading house in Butembo. Date of designation referred to in Article 5(1)(b): 13.4.2007.
- (3) Compagnie Aérienne des Grands Lacs (CAGL), (*alias* Great Lakes Business Company (GLBC)). Address: (a) CAGL: Avenue President Mobutu, Goma, (CAGL also has an office in Gisenyi, Rwanda); (b) GLBC: PO Box 315, Goma, DRC (GLBC also has an office in Gisenyi, Rwanda). Date of designation referred to in Article 5(1)(b): 13.4.2007.
- (4) Machanga Ltd. Address: Kampala, Uganda. Other information: Gold export company in Kampala (Directors: Mr Rajendra Kumar Vaya and Mr Hirendra M. Vaya). Date of designation referred to in Article 5(1)(b): 13.4.2007.
- (5) Tous Pour la Paix et le Développement (*alias* TPD). Address: Goma, North Kivu, DRC. Other information: TPD is a non-governmental organisation. As of December 2008, TPD still existed and had offices in several towns in Masisi and Rutshuru territories, but its activities had almost ceased. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (6) Uganda Commercial Impex (UCI) Ltd. Address: (a) Kajoka Street, Kisemente, Kampala, Uganda, (b) PO Box 22709, Kampala, Uganda. Other information: Gold export company in Kampala (Directors: Mr Kunal Lodhia and Mr J.V. Lodhia). Date of designation referred to in Article 5(1)(b): 13.4.2007.'

COMMISSION REGULATION (EU) No 1251/2010**of 22 December 2010****amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea**

THE EUROPEAN COMMISSION,

freezing of funds and economic resources should apply. Annex V should therefore be updated.

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

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately.

Having regard to Council Regulation (EC) No 329/2007 ⁽¹⁾, and in particular Article 13(1)(e) thereof,

HAS ADOPTED THIS REGULATION:

Whereas:

Article 1

- (1) Annex V to Regulation (EC) No 329/2007 lists persons, entities and bodies who, having been designated by the Council, are covered by the freezing of funds and economic resources under that Regulation.

Annex V to Regulation (EC) No 329/2007 is hereby replaced by the Annex to this Regulation.

Article 2

- (2) On 22 December 2010, the Council decided to amend the list of persons, entities and bodies to whom the

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, 22 December 2010.

*For the Commission
On behalf of the President,*

David O'SULLIVAN

Director General for External Relations

⁽¹⁾ OJ L 88, 29.3.2007, p. 1.

ANNEX

'ANNEX V

LIST OF PERSONS, ENTITIES AND BODIES REFERRED TO IN ARTICLE 6(2)

A. Natural persons referred to in Article 6(2)(a)

#	Name (and possible aliases)	Identifying information	Reasons
1.	CHANG Song-taek (alias JANG Song-Taek)	Date of birth: 2.2.1946 or 6.2.1946 or 23.2.1946 (North Hamgyong province) Passport number (as of 2006): PS 736420617	Member of the National Defence Commission. Director of the Administrative Department of the Korean Workers' Party.
2.	CHON Chi Bu		Member of the General Bureau of Atomic Energy, former technical director of Yongbyon.
3.	CHU Kyu-Chang (alias JU Kyu-Chang)	Date of birth: between 1928 and 1933	First Deputy Director of the Defence Industry Department (ballistics programme), Korean Workers' Party, Member of the National Defence Commission.
4.	HYON Chol-hae	Year of birth: 1934 (Manchuria, China)	Deputy Director of the General Political Department of the People's Armed Forces (military adviser to Kim Jong-Il).
5.	JON Pyong-ho	Year of birth: 1926	Secretary of the Central Committee of the Korean Workers' Party, Head of the Central Committee's Military Supplies Industry Department controlling the Second Economic Committee of the Central Committee, member of the National Defence Commission.
6.	KIM Yong-chun (alias Young-chun)	Date of birth: 4.3.1935 Passport number: 554410660	Deputy Chairman of the National Defence Commission, Minister for the People's Armed Forces, special adviser to Kim Jong-Il on nuclear strategy.
7.	O Kuk-Ryol	Year of birth: 1931 (Jilin Province, China)	Deputy Chairman of the National Defence Commission, supervising the acquisition abroad of advanced technology for nuclear and ballistic programmes.
8.	PAEK Se-bong	Year of birth: 1946	Chairman of the Second Economic Committee (responsible for the ballistics programme) of the Central Committee of the Korean Workers' Party. Member of the National Defence Commission.
9.	PAK Jae-gyong (alias Chae-Kyong)	Year of birth: 1933 Passport number: 554410661	Deputy Director of the General Political Department of the People's Armed Forces and Deputy Director of the Logistics Bureau of the People's Armed Forces (military adviser to Kim Jong-Il).
10.	PYON Yong Rip (alias Yong-Nip)	Date of birth: 20.9.1929 Passport number: 645310121 (issued on 13.09.2005)	President of the Academy of Science, involved in WMD-related biological research.

#	Name (and possible aliases)	Identifying information	Reasons
11.	RYOM Yong		Director of the General Bureau of Atomic Energy (entity designated by the United Nations), in charge of international relations.
12.	SO Sang-kuk	Date of birth: between 1932 and 1938	Head of the Department of Nuclear Physics, Kim Il Sung University.

B. Legal persons, entities and bodies referred to in Article 6(2)(a)

#	Name (and possible aliases)	Identifying information	Reasons
1.	Green Pine Associated Corporation (alias: Chongsong Yonhap; Ch'o'ngsong Yo'nhap)	c/o Reconnaissance General Bureau Headquarters, Hyongjesan-Guyok, Pyongyang / Nungrado, Pyongyang	Ch'o'ngsong Yo'nhap has been identified for sanctions for exporting arms or related material from North Korea. Green Pine specializes in the production of maritime military craft and armaments, such as submarines, military boats and missile systems, and has exported torpedoes and technical assistance to Iranian defence-related firms. Green Pine is responsible for approximately half of the arms and related materiel exported by North Korea and has taken over many of the activities of KOMID after its designation by the UNSC.
2	Korea Heungjin Trading Company	Location: Pyongyang	Pyongyang-based entity used by the Korea Mining Development Trading Corporation (KOMID) for trading purposes (KOMID was designated by the United Nations, 24.4.2009). Korea Heungjin Trading Company is also suspected to have been involved in supplying missile-related goods to Iran's Shahid Hemmat Industrial Group.
3.	Korea Pugang mining and Machinery Corporation ltd		Subsidiary of Korea Ryongbong General Corporation (entity designated by the United Nations, 24.4.2009); operates facilities for the production of aluminium powder, which can be used in missiles.
4.	Korea Taesong Trading Company	Location: Pyongyang	Pyongyang-based entity used by the Korea Mining Development Trading Corporation (KOMID) for trading purposes (KOMID was designated by the United Nations, 24.4.2009). Korea Taesong Trading Company has acted on behalf of KOMID in dealings with Syria.
5.	Korean Ryengwang Trading Corporation	Rakwon-dong, Pothonggang District, Pyongyang, North Korea	Subsidiary of Korea Ryongbong General Corporation (entity designated by the United Nations, 24.4.2009).
6.	Second Economic Committee and Second Academy of Natural Sciences		The Second Economic Committee is involved in key aspects of North Korea's missile program. The Second Economic Committee is responsible for overseeing the production of North Korea's ballistic missiles. It also directs the activities of KOMID (KOMID was designated by the United Nations, 24.4.2009). It is a national-level organization responsible for research and development of North Korea's advanced weapons systems, including missiles and probably nuclear weapons. It uses a number of subordinate organizations to obtain technology, equipment, and

#	Name (and possible aliases)	Identifying information	Reasons
			information from overseas, including Korea Tangu Trading Corporation, for use in North Korea's missile and probably nuclear weapons programs.
7.	Sobaeksu United Corp. (alias Sobaeksu United Corp.)		State-owned company, involved in research into, and the acquisition, of sensitive products and equipment. It possesses several deposits of natural graphite, which provide raw material for two processing facilities, which, inter alia, produce graphite blocks that can be used in missiles.
8.	Yongbyon Nuclear Research Centre		Research centre which has taken part in the production of military-grade plutonium. Centre maintained by the General Bureau of Atomic Energy (entity designated by the United Nations, 16.7.2009).

C. Natural persons referred to in Article 6(2)(b)

#	Name (and possible aliases)	Identifying information	Reasons
1.	JON Il-chun	Date of birth: 24.8.1941	In February of 2010 KIM Tong-un was discharged from his office as director of Office 39, which is, among other things, in charge of purchasing goods out of the DPRK diplomatic representations bypassing sanctions. He was replaced by JON Il-chun. JON Il-chun is also said to be one of the leading figures in the State Development Bank.
2.	KIM Tong-un		Former director of "Office 39" of the Central Committee of the Workers' Party, which is involved in proliferation financing.

D. Legal persons, entities or bodies referred to in Article 6(2)(b)

#	Name (and possible aliases)	Identifying information	Reasons
1.	Korea Daesong Bank (alias: Choson Taesong Unhaeng; Taesong Bank)	Address: Segori-dong, Gyongheung St., Potonggang District, Pyongyang Phone: 850 2 381 8221 Phone: 850 2 18111 ext. 8221 Fax: 850 2 381 4576	North Korean financial institution that is directly subordinated to Office 39 and is involved in facilitating North Korea's proliferation financing projects.
2.	Korea Daesong General Trading Corporation (alias: Daesong Trading Company; Korea Daesong Trading Company; Korea Daesong Trading Corporation)	Address: Pulgan Gori Dong 1, Potonggang District, Pyongyang Phone: 850 2 18111 ext. 8204/8208 Phone: 850 2 381 8208/4188 Fax: 850 2 381 4431/4432	Company that is subordinated to Office 39 and is used to facilitate foreign transactions on behalf of Office 39. Office 39's Director of Office, Kim Tong-un is listed in Annex V of Council Regulation (EC) No 329/2007.'

COMMISSION REGULATION (EU) No 1252/2010**of 22 December 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 December 2010.

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

Done at Brussels, 22 December 2010.

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

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	87,5
	MA	43,2
	TR	107,5
	ZZ	79,4
0707 00 05	EG	140,2
	JO	158,2
	TR	124,5
	ZZ	141,0
0709 90 70	MA	88,3
	TR	129,0
	ZZ	108,7
0805 10 20	AR	43,0
	BR	41,5
	IL	67,1
	MA	60,8
	PE	58,9
	TR	67,1
	UY	48,7
	ZA	43,8
	ZZ	53,9
0805 20 10	MA	61,0
	ZZ	61,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	HR	61,9
	IL	71,3
	JM	144,2
	TR	72,6
	ZZ	87,5
0805 50 10	AR	49,2
	TR	61,0
	UY	49,2
	ZZ	53,1
0808 10 80	AR	65,9
	CA	84,9
	CL	84,2
	CN	83,7
	MK	29,3
	NZ	74,9
	US	116,8
	ZA	124,1
ZZ	83,0	
0808 20 50	CN	86,2
	US	131,9
	ZZ	109,1

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

COMMISSION REGULATION (EU) No 1253/2010**of 22 December 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EU) No 867/2010 for the 2010/11 marketing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) ⁽¹⁾,Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

(1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2010/11 marketing year are fixed by Commission Regulation (EU) No 867/2010 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 1247/2010 ⁽⁴⁾.

(2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EU) No 867/2010 for the 2010/11, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 December 2010.

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

Done at Brussels, 22 December 2010.

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

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*⁽¹⁾ OJ L 299, 16.11.2007, p. 1.⁽²⁾ OJ L 178, 1.7.2006, p. 24.⁽³⁾ OJ L 259, 1.10.2010, p. 3.⁽⁴⁾ OJ L 338, 22.12.2010, p. 42.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 23 December 2010

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	66,09	0,00
1701 11 90 ⁽¹⁾	66,09	0,00
1701 12 10 ⁽¹⁾	66,09	0,00
1701 12 90 ⁽¹⁾	66,09	0,00
1701 91 00 ⁽²⁾	61,65	0,00
1701 99 10 ⁽²⁾	61,65	0,00
1701 99 90 ⁽²⁾	61,65	0,00
1702 90 95 ⁽³⁾	0,62	0,16

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.

⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.

⁽³⁾ Per 1 % sucrose content.

COMMISSION REGULATION (EU) No 1254/2010**of 22 December 2010****fixing the import duties in the cereals sector applicable from 1 January 2011**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,Having regard to Commission Regulation (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

(1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

(2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, for the purposes of calculating the import duty referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

(3) Under Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

(4) Import duties should be fixed for the period from 1 January 2011 and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 2011, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 1 January 2011.

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

Done at Brussels, 22 December 2010.

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

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 187, 21.7.2010, p. 5.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 1 January 2011

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	0,00
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize, other than seed ⁽²⁾	0,00
1007 00 90	Grain sorghum other than hybrids for sowing	0,00

⁽¹⁾ For goods arriving in the Union via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or on the Black Sea,
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 3 of Regulation (EU) No 642/2010 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

15.12.2010-21.12.2010

1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	249,34	176,75	—	—	—	—
Fob price USA	—	—	234,56	224,56	204,56	135,89
Gulf of Mexico premium	—	15,41	—	—	—	—
Great Lakes premium	30,57	—	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).⁽²⁾ Discount of 10 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).⁽³⁾ Discount of 30 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico–Rotterdam: 19,99 EUR/t

Freight costs: Great Lakes–Rotterdam: 49,01 EUR/t

DECISIONS

COUNCIL DECISION

of 20 December 2010

appointing a Slovak member of the Committee of the Regions

(2010/798/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Slovak Government,

Whereas:

- (1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU and 2010/29/EU appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015 ⁽¹⁾.
- (2) A member's seat on the Committee of the Regions has become vacant following the end of the term of office of Mr Juraj BLANÁR,

Article 1

The following is hereby appointed to the Committee of the Regions as a member for the remainder of the current term of office, which runs until 25 January 2015:

Mr Pavol FREŠO
predseda Bratislavského samosprávneho kraja

Article 2

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

Done at Brussels, 20 December 2010.

For the Council
The President
J. SCHAUVLIEGE

⁽¹⁾ OJ L 348, 29.12.2009, p. 22 and OJ L 12, 19.1.2010, p. 11.

COUNCIL DECISION 2010/799/CFSP

of 13 December 2010

in support of a process of confidence-building leading to the establishment of a zone free of weapons of mass destruction and their means of delivery in the Middle East in support of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) The EU is actively implementing the EU Strategy against Proliferation of Weapons of Mass Destruction and giving effect to the measures listed in Chapter III thereof, such as rendering multilateralism more effective and promoting a stable international and regional environment.
- (2) The EU is committed to the multilateral treaty system, which provides the legal and normative basis for all non-proliferation efforts. The EU policy is to pursue the implementation and universalisation of the existing disarmament and non-proliferation norms. The EU will assist third countries in the fulfilment of their obligations under multilateral conventions and regimes.
- (3) Promotion of a stable international and regional environment is a condition for the fight against proliferation of weapons of mass destruction (WMD). To this end, the EU will foster regional security arrangements, regional arms control and disarmament processes.
- (4) Positive and negative security assurances can play an important role: they can serve both as an incentive to forego the acquisition of WMD and as a deterrent. The EU will promote further consideration of security assurances.
- (5) Proliferation of WMD is a global threat, which requires a global approach. However, as security in Europe is closely linked to security and stability in the Mediterranean and the Middle East, the EU believes that it has the duty to contribute to the security and stability in this region.
- (6) The Joint Declaration of the Paris Summit for the Mediterranean of 13 July 2008, establishing the Union for the Mediterranean, reaffirmed the common aspiration to achieve peace as well as regional security as set out in the Barcelona Declaration adopted at the Euro-Mediterranean Conference of 27-28 November 1995, which, inter alia, promotes regional security by acting in favour of nuclear, chemical and biological non-proliferation through adherence to and compliance with a combination of international and regional non-proliferation regimes and arms control and disarmament agreements such as the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Chemical Weapons Convention, the Biological and Toxin Weapons Convention, the Comprehensive Nuclear Test-Ban Treaty, and/or regional arrangements such as weapons-free zones, including their verification regimes, as well as by fulfilling in good faith their commitments under arms control, disarmament and non-proliferation conventions.
- (7) The parties to the Union for the Mediterranean will pursue a mutually and effectively verifiable Middle East zone free of WMD — nuclear, chemical and biological — and their delivery systems. Furthermore the parties will consider practical steps, inter alia, to prevent the proliferation of nuclear, chemical and biological weapons as well as excessive accumulation of conventional arms.
- (8) The Euro-Mediterranean Association Agreements between the EU and Mediterranean partners foresee the establishment of a regular political dialogue, which will enhance regional security and stability and cover all subjects of common interest, in particular peace, security, democracy and regional development.
- (9) On 19-20 June 2008, the EU organised a seminar in Paris on 'Middle East Security, WMD Non-Proliferation and Disarmament', which brought together representatives of States of the region and EU Member States as well as academics and national nuclear energy agencies. Participants encouraged the EU to promote the continuation of the debate in various fora, and to gradually move to a more formal format that would include discussions among government officials, building on the Barcelona Framework, but doing so in a geographically more inclusive format.
- (10) The 2010 NPT Review Conference emphasised the importance of a process leading to full implementation of its 1995 Resolution on the Middle East (the 1995 Resolution). To that end, the Conference endorsed practical steps, inter alia, consideration of all offers aimed at supporting the implementation of the 1995 Resolution, including the offer of the EU to host a follow-up seminar related to the one organised in June 2008.

- (11) The 2010 NPT Review Conference further recognised the important role played by civil society in contributing to the implementation of the 1995 Resolution and encouraged all efforts in this regard.
- (12) The 20th EU-GCC Joint Council and Ministerial Meeting held in Luxembourg on 14 June 2010 welcomed the successful outcome of the 2010 NPT Review Conference. The participants reiterated support for the establishment of a zone free of all WMD and their means of delivery in the Middle East, including the Gulf region,

HAS ADOPTED THIS DECISION:

Article 1

1. For the purpose of providing follow-up to the 2008 EU seminar on 'Middle East Security, WMD Non-Proliferation and Disarmament', the EU shall support activities in order to further the following objectives:

- to encourage regional political and security-related dialogue within civil societies and governments, and more particularly among experts, officials and academics,
- to identify confidence-building measures that could serve as practical steps towards the prospect of a Middle East zone free of WMD and their means of delivery,
- to encourage discussion on the universalisation and implementation of relevant international treaties and other instruments to prevent the proliferation of WMD and their delivery systems,
- to discuss issues related to the peaceful uses of nuclear energy and international and regional cooperation in this regard.

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

- (a) providing means for the organisation of a follow-up event related to the 2008 EU seminar on 'Middle East Security, WMD Non-Proliferation and Disarmament';
- (b) providing means for the preparation of background papers on subjects dealt with by the follow-up seminar.

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

Article 2

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

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

Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 347 700.

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

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

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

Article 4

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

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

Article 5

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

2. This Decision shall expire 18 months after the date of the conclusion of the financing agreements referred to in Article 3(3). However, it shall expire 6 months after its entry into force if no financing agreement has been concluded by that time.

Done at Brussels, 13 December 2010.

For the Council
The President
 C. ASHTON

ANNEX

Projects in support of a process of confidence-building leading to the establishment of a zone free of weapons of mass destruction and their means of delivery in the middle east in support of the implementation of the eu strategy against proliferation of weapons of mass destruction**1. Objectives**

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

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

The EU wishes to continue and intensify political and security dialogue among the relevant partners of the Union for the Mediterranean and all other countries in the Middle East on issues related to the establishment of a WMD free zone. The EU believes that elaboration and implementation of concrete confidence-building measures could facilitate progress towards a WMD free zone. These confidence-building measures could, inter alia, consist of small scale projects in the scientific and civil society field where progress is possible as well as training seminars for diplomats and military and confidence-building 'visits' in countries of the region.

Against the background of increasing interest in the development of peaceful uses of nuclear energy in the region, efforts should also be carried out in order to ensure that the development of peaceful uses take place in accordance with the best safety, security and non-proliferation standards. The question of how to enhance peaceful nuclear cooperation should be explored in general terms as well as more specifically such as through the development of regional multinational nuclear facilities.

The EU believes that these objectives could amongst other things be furthered through a follow-up seminar on 'Middle East Security, WMD Non-Proliferation and Disarmament' with all parties concerned. That follow-up seminar would enable focused and structured discussion on the requirements that might in future lead to the establishment of an effectively verifiable Middle East zone free of nuclear weapons and all other WMD and their delivery systems. Preparations of the seminar would need to be taken in close coordination with all relevant parties.

The EU continues to support the decisions and the resolution on the Middle East adopted at the 1995 NPT Review and Extension Conference as well as the Final Documents of the 2000 NPT Review Conference and of the 2010 NPT Review Conference. The 2010 NPT Review Conference endorsed several practical steps, which include the consideration of all offers aimed at supporting the implementation of the 1995 Resolution, including the offer of the EU to host a follow-up seminar related to the one organised in June 2008. The Conference further recognised the important role played by civil society in contributing to the implementation of 1995 Resolution.

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

- through organising a follow-up event related to the 2008 EU seminar on 'Middle East Security, WMD Non-Proliferation and Disarmament',
- through providing means for the preparation of background papers on topics dealt with by the follow-up seminar.

2. Description of the projects

- 2.1. Project: Seminar in support of a process of confidence building leading to the establishment of a zone free of WMD and their means of delivery in the Middle East

2.1.1. Purpose of the project

The project will:

- (a) provide a follow-up event related to the EU seminar on 'Middle East Security, WMD Non-Proliferation and Disarmament' which was held in Paris on 19-20 June 2008;
- (b) discuss issues related to regional security in the Middle East, including proliferation of WMD and their means of delivery and conventional issues;
- (c) explore possible confidence-building measures to facilitate the process towards the establishment of a Middle East zone free of WMD and their means of delivery, including by drawing from experiences with existing zones;
- (d) discuss possibilities to universalise and implement international non-proliferation and disarmament treaties and other instruments;
- (e) explore perspectives for peaceful nuclear cooperation and related assistance activities, including by drawing from Euratom experience.

2.1.2. Results of the project

The project will:

- (a) deepen dialogue and generate trust within civil society and governments in order to achieve further progress in support of regional security and the establishment of a zone free of WMD and their means of delivery in the Middle East;
- (b) increase mutual understanding of issues affecting the regional security landscape, including proliferation of WMD and their means of delivery and conventional issues;
- (c) increase the awareness, knowledge and understanding of practical steps required for the establishment of a Middle East zone free of WMD and their means of delivery;
- (d) contribute to efforts to universalise and implement international non-proliferation and disarmament treaties and other instruments;
- (e) facilitate international and regional cooperation on peaceful uses of nuclear energy in accordance with the best standards of nuclear safety, security and non-proliferation.

2.1.3. Description of the project

The project provides for the organisation of a seminar, which will last up to 2 days and which will take place preferably in Brussels or in the Mediterranean region.

Participants will include representatives of relevant EU Institutions, EU Member States, all Middle East countries, nuclear weapon states, relevant international organisations and academic experts. Approximately 100 representatives are expected to participate in the seminar.

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

Invited participants and speakers will have their costs covered: travel, accommodation and per diems. The Council Decision also provides financial means to cover all other costs, including conference equipment, lunches, dinners, coffee breaks, translation of documents and interpretation.

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

The seminar shall be held in 2011. A report of the seminar will be prepared by the EU Non-Proliferation Consortium and sent to the representative of the HR. The report may be shared with relevant bodies in the EU, all Middle East countries, other interested countries, and competent international organisations.

2.2. Project: Background papers

2.2.1. Purpose of the project

The project will:

- (a) provide up to eight background papers on topics covered by the seminar in support of a process of confidence building leading to the establishment of a zone free of WMD and their means of delivery in the Middle East;
- (b) provide tools to understand the regional security landscape, including proliferation of WMD and their means of delivery and conventional issues;

- (c) identify possible confidence-building measures that could serve as practical steps towards the prospect of a Middle East zone free of WMD and their means of delivery;
- (d) identify ways to achieve further progress in the universalisation and implementation of international non-proliferation and disarmament treaties and other instruments;
- (e) identify perspectives for peaceful nuclear cooperation in the context of countries' energy policy and needs.

2.2.2. Results of the project

The project will:

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

2.2.3. Description of the project

The project provides for the preparation of up to eight background papers of 10-15 pages (5 000-7 000 words) each. The background papers will be prepared or commissioned by the EU Non-Proliferation Consortium and do not necessarily represent the views of the EU Institutions and the EU Member States.

The background papers will cover the topics discussed by the seminar in support of a process of confidence building leading to the establishment of a zone free of WMD and their means of delivery in the Middle East. Every paper will frame political/and or operational policy options.

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

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

3. **Duration**

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

4. **Beneficiaries**

The beneficiaries of this project are:

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

5. **Procedural aspects, coordination and the Steering Committee**

The Steering Committee will be composed of a representative of the HR and a representative of the Implementing Entity for each specific project. The Steering Committee will review the implementation of the Council Decision regularly, at least once every 6 months, including by the use of electronic means of communication.

6. **Implementing entities**

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

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

COUNCIL DECISION 2010/800/CFSP**of 22 December 2010****concerning restrictive measures against the Democratic People's Republic of Korea and repealing
Common Position 2006/795/CFSP**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 20 November 2006, the Council adopted Common Position 2006/795/CFSP concerning restrictive measures against the Democratic People's Republic of Korea ⁽¹⁾ (the 'DPRK') which implemented United Nations Security Council Resolution ('UNSCR') 1718 (2006).
- (2) On 27 July 2009, the Council adopted Common Position 2009/573/CFSP ⁽²⁾ which amended Common Position 2006/795/CFSP and implemented UNSCR 1874 (2009).
- (3) On 22 December 2009, the Council adopted Decision 2009/1002/CFSP ⁽³⁾ which amended Common Position 2006/795/CFSP.
- (4) In accordance with Article 7(2) of Common Position 2006/795/CFSP, the Council has carried out a complete review of the lists as set out in Annexes II and III to that Common Position, of persons to whom and entities to which Articles 3(1)(b) and (c) and 4(1)(b) and (c) thereof applied. The Council has concluded that the persons and entities concerned should continue to be subject to restrictive measures.
- (5) The Council has identified additional persons and entities that should be subject to restrictive measures.
- (6) The procedure for amending Annexes I and II to this Decision should include providing to designated persons and entities the grounds for listing so as to give them an opportunity to present observations. Where observations are submitted or where substantial new evidence is presented, the Council should review its decision in the light of those observations and inform the person or entity concerned accordingly.
- (7) This Decision 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, the right to property and the right to the protection of personal data. This Decision should be applied in accordance with those rights and principles.

- (8) This Decision also fully respects the obligations of Member States under the Charter of the United Nations and the legally binding nature of Security Council Resolutions.
- (9) Common Position 2006/795/CFSP should be repealed and replaced by this Decision.
- (10) The Union implementing measures are set out in Council Regulation (EC) No 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea ⁽⁴⁾,

HAS ADOPTED THIS DECISION:

Article 1

1. The direct or indirect supply, sale or transfer of the following items and technology, including software, to the DPRK by nationals of Member States or through or from the territories of Member States, or using the flag vessels or aircraft of Member States, shall be prohibited, whether or not originating in the territories of the Member States:

- (a) arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, para-military equipment and spare parts for the aforementioned, with the exception of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use of personnel of the Union and its Member States in the DPRK;
- (b) all items, materials, equipment, goods and technology as determined by the Security Council or the Committee established pursuant to paragraph 12 of UNSCR 1718 (2006) (the 'Sanctions Committee') in accordance with paragraph 8(a)(ii) of UNSCR 1718 (2006), which could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes;

⁽¹⁾ OJ L 322, 22.11.2006, p. 32.

⁽²⁾ OJ L 197, 29.7.2009, p. 111.

⁽³⁾ OJ L 346, 23.12.2009, p. 47.

⁽⁴⁾ OJ L 88, 29.3.2007, p. 1.

(c) certain other items, materials, equipment, goods and technology which could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes or which could contribute to its military activities, which shall include all dual-use goods and technology listed in Annex I to Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items⁽¹⁾. The Union shall take the necessary measures in order to determine the relevant items to be covered by this provision.

2. It shall also be prohibited to:

(a) provide technical training, advice, services, assistance or brokering services, related to items and technology referred to in paragraph 1 or to the provision, manufacture, maintenance and use of those items, directly or indirectly to any person, entity or body in, or for use in, the DPRK;

(b) provide financing or financial assistance related to items and technology referred to in paragraph 1, including, in particular, grants, loans and export credit insurance, for any sale, supply, transfer or export of these items and technology, or for the provision of related technical training, advice, services, assistance, or brokering services, directly or indirectly to any person, entity or body in, or for use in, the DPRK;

(c) to participate, knowingly or intentionally, in activities the object or effect of which is to circumvent the prohibition referred to in points (a) and (b).

3. The procurement from the DPRK by nationals of Member States, or using the flag vessels or aircraft of Member States, of items or technology referred to in paragraph 1, as well as the provision to nationals of Member States by the DPRK of technical training, advice, services, assistance, financing and financial assistance referred to in paragraph 2, shall also be prohibited, whether or not originating in the territory of the DPRK.

Article 2

1. Member States shall not enter into new commitments for grants, financial assistance or concessional loans to the DPRK, including through their participation in international financial institutions, except for humanitarian and developmental purposes directly addressing the need of the civilian population or the promotion of denuclearisation. Member States shall also exercise vigilance with a view to reducing current commitments and, if possible, putting an end to them.

⁽¹⁾ OJ L 134, 29.5.2009, p. 1.

2. Member States shall not provide public financial support for trade with the DPRK, including the granting of export credits, guarantees or insurance, to their nationals or entities involved in such trade, where such financial support could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes or activities.

Article 3

The direct or indirect supply, sale or transfer of luxury goods to the DPRK by nationals of Member States or through or from the territories of Member States, or using the flag vessels or aircraft of Member States, shall be prohibited whether originating or not in the territories of Member States.

Article 4

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of:

(a) the persons designated by the Sanctions Committee or by the Security Council as being responsible for, including through supporting or promoting, the DPRK's policies in relation to its nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes, together with their family members, as listed in Annex I;

(b) the persons not covered by Annex I who are responsible for, including through supporting or promoting, the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes, as listed in Annex II;

(c) the persons not covered by Annex I or Annex II who provide financial services or the transfer to, through, or from the territory of Member States, or involving nationals of Member States or entities organised under their laws, or persons or financial institutions in their territory, of any financial or other assets or resources that could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes, as listed in Annex III.

2. Paragraph 1(a) shall not apply where the Sanctions Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Sanctions Committee concludes that an exemption would otherwise further the objectives of UNSCR 1718 (2006) or UNSCR 1874 (2009).

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

4. Paragraph 1 shall be without prejudice to 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 United Nations;
- (c) under a multilateral agreement conferring privileges and immunities;
- (d) under the 1929 Treaty of Conciliation (Lateran pact) concluded by the Holy See (State of the Vatican City) and Italy.

5. Paragraph 4 shall also be considered as applying in cases where a Member State is host country of the Organisation for Security and Cooperation in Europe (OSCE).

6. The Council shall be duly informed in all cases where a Member State grants an exemption pursuant to paragraphs 4 or 5.

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

8. A Member State wishing to grant exemptions referred to in paragraph 7 shall notify the Council thereof in writing. The exemption shall be deemed to be granted unless one or more of the Council Members raises 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.

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

Article 5

1. All funds and economic resources belonging to, owned, held or controlled, directly or indirectly, by:

- (a) the persons and entities designated by the Sanctions Committee or by the Security Council as being engaged in or providing support for, including through illicit means, the DPRK's nuclear-related, ballistic missiles-related or other weapons of mass destruction-related programmes, as listed in Annex I;
- (b) the persons and entities not covered by Annex I that are responsible for the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, as listed in Annex II;
- (c) the persons and entities not covered by Annex I or Annex II that provide financial services or the transfer to, through, or from the territory of Member States, or involving nationals of Member States or entities organised under their laws, or persons or financial institutions in their territory, of any financial or other assets or resources that could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes, or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, as listed in Annex III,

shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of persons and entities referred to in paragraph 1.

3. Exemptions may be made for funds and economic resources which are:

- (a) necessary to satisfy basic needs, including payment 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; or

(c) intended exclusively for the payment of fees or service charges, in accordance with national laws, for the routine holding or maintenance of frozen funds and economic resources,

after notification by the Member State concerned to the Sanctions Committee, for persons and entities listed in Annex I, of the intention to authorise, where appropriate, access to such funds and economic resources and in the absence of a negative decision by the Sanctions Committee within five working days of such notification.

4. Exemptions may also be made for funds and economic resources which are:

(a) necessary for extraordinary expenses, after notification by the Member State concerned to and approval by the Sanctions Committee for persons and entities listed in Annex I; or

(b) the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds and economic resources may be used to satisfy that lien or judgment, provided that the lien or judgment was entered prior to the date on which the person or entity referred to in paragraph 1 was designated by the Sanctions Committee, the Security Council or by the Council, and is not for the benefit of a person or entity referred to in paragraph 1, after notification by the Member State concerned to the Sanctions Committee for persons and entities listed in Annex I.

5. 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 14 October 2006,

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

Article 6

1. In order to prevent the provision of financial services or the transfer to, through, or from the territory of Member States, or to or by nationals of Member States or entities organised under their laws, or persons or financial institutions within their jurisdiction, of any financial or other assets or resources that could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes or activities, Member States shall exercise enhanced monitoring of the activities of financial institutions within their jurisdiction with:

(a) banks domiciled in the DPRK;

(b) branches and subsidiaries within the jurisdiction of the Member States of banks domiciled in the DPRK, as listed in Annex IV;

(c) branches and subsidiaries outside the jurisdiction of the Member States of banks domiciled in the DPRK, as listed in Annex V; and

(d) financial entities that are neither domiciled in the DPRK nor within the jurisdiction of the Member States but are controlled by persons and entities domiciled in the DPRK, as listed in Annex V,

in order to avoid such activities contributing to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes or activities.

2. For the above purpose, financial institutions shall be required, in their activities with banks and financial entities set out in paragraph 1, to:

(a) exercise continuous monitoring over account activity, including through their programmes on customer due diligence and under their obligations relating to money-laundering and financing of terrorism;

(b) require that all information fields of payment instructions which relate to the originator and beneficiary of the transaction in question be completed, and if that information is not supplied, refuse the transaction;

(c) maintain all records of transactions for a period of five years and make them available to national authorities on request;

(d) if they suspect or have reasonable grounds to suspect that funds could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes or activities, promptly report their suspicions to the Financial Intelligence Unit (FIU) or another competent authority designated by the Member State concerned. The FIU or such other competent authority shall have access, directly or indirectly, on a timely basis to the financial, administrative and law enforcement information that it requires to undertake this function properly, including the analysis of suspicious transaction reports.

Article 7

1. Member States shall inspect, in accordance with their national authorities and legislation and consistent with international law, all cargo to and from the DPRK in their territory, including at their airports and seaports, if they have information that provides reasonable grounds to believe that the cargo contains items whose supply, sale, transfer or export is prohibited under this Decision.

2. Member States shall inspect vessels, with the consent of the flag State, on the high seas, if they have information that provides reasonable grounds to believe that the cargo of such vessels contains items whose supply, sale, transfer or export is prohibited under this Decision.

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

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

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

6. The provision by nationals of Member States or from the territories of Member States of bunkering or ship supply services, or other servicing of vessels, to DPRK vessels shall be prohibited if they have information that provides reasonable grounds to believe that the vessels carry items whose supply, sale, transfer or export is prohibited under this Decision unless provision of such services is necessary for humanitarian purposes or until the cargo has been inspected, and seized and disposed of if necessary, in accordance with paragraphs 1, 2 and 4.

Article 8

Member States shall take the necessary measures to exercise vigilance and prevent specialised teaching or training of DPRK nationals, within their territories or by their nationals, of disciplines which would contribute to the DPRK's proliferation-sensitive nuclear activities and the development of nuclear weapon delivery systems.

Article 9

1. The Council shall adopt modifications to Annex I on the basis of the determinations made by the Security Council or by the Sanctions Committee.

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

Article 10

1. Where the Security Council or the Sanctions Committee lists a person or entity, the Council shall include such person or entity in Annex I.

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

3. The Council shall communicate its decision to the person or entity referred to in paragraphs 1 and 2, including the grounds for listing, either directly, if the address is known, or through the publication of a notice, providing such person or entity an opportunity to present observations.

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

Article 11

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

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

Article 12

1. This Decision shall be reviewed, and, if necessary, amended, in particular as regards the categories of persons, entities or items or additional persons, entities or items to be covered by the restrictive measures, or taking into account relevant Security Council Resolutions.

2. The measures provided for in Article 6 shall be reviewed within six months of the adoption of this Decision.

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

Article 13

Common Position 2006/795/CFSP is hereby repealed.

Article 14

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

Done at Brussels, 22 December 2010.

For the Council
The President
S. VANACKERE

ANNEX I

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

	Name	Alias	Date of birth	Date of designation	Other information
1.	Yun Ho-jin	a.k.a. Yun Ho-chin	13.10.1944	16.7.2009	Director of Namchongang Trading Corporation; oversees the import of items needed for the uranium enrichment programme.
2.	Ri Je-son	a.k.a. Ri Che-son	1938	16.7.2009	Director of the General Bureau of Atomic Energy (GBAE), chief agency directing the Democratic People's Republic of Korea's nuclear programme; facilitates several nuclear endeavours including GBAA's management of Yongbyon Nuclear Research Centre and Namchongang Trading Corporation.
3.	Hwang Sok-hwa			16.7.2009	Director in the General Bureau of Atomic Energy (GBAE); involved in the Democratic People's Republic of Korea's nuclear programme; as Chief of the Scientific Guidance Bureau in the GBAA, served on the Science Committee inside the Joint Institute for Nuclear Research.
4.	Ri Hong-sop		1940	16.7.2009	Former director, Yongbyon Nuclear Research Centre, oversaw three core facilities that assist in the production of weapons-grade plutonium: the Fuel Fabrication Facility, the Nuclear Reactor, and the Reprocessing Plant.
5.	Han Yu-ro			16.7.2009	Director of Korea Ryongaksan General Trading Corporation; involved in the Democratic People's Republic of Korea's ballistic missile programme.

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

	Name	Alias	Location	Date of designation	Other information
1.	Korea Mining Development Trading Corporation	a.k.a. CHANGGWANG SINYONG CORPORATION; a.k.a. EXTERNAL TECHNOLOGY GENERAL CORPORATION; a.k.a. DPRKN MINING DEVELOPMENT TRADING COOPERATION; a.k.a. 'KOMID'	Central District, Pyongyang, DPRK.	24.4.2009	Primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.
2.	Korea Ryonbong General Corporation	a.k.a. KOREA YONBONG GENERAL CORPORATION; f.k.a. LYONGAKSAN GENERAL TRADING CORPORATION	Pot'onggang District, Pyongyang, DPRK; Rakwondong, Pothonggang District, Pyongyang, DPRK.	24.4.2009	Defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales.

	Name	Alias	Location	Date of designation	Other information
3.	Tanchon Commercial Bank	f.k.a. CHANGGWANG CREDIT BANK; f.k.a., KOREA CHANGGWANG CREDIT BANK	Saemul 1-Dong Pyongchon District, Pyongyang, DPRK.	24.4.2009	Main DPRK financial entity for sales of conventional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons.
4.	Namchongang Trading Corporation	a.k.a. NCG; a.k.a. NAMCHONGANG TRADING; a.k.a. NAM CHON GANG CORPORATION; a.k.a. NOMCHONGANG TRADING CO.; a.k.a. NAM CHONG AN TRADING CORPORATION	Pyongyang, DPRK.	16.7.2009	Namchongang is a DPRK trading company subordinate to the General Bureau of Atomic Energy (GBAE). Namchongang has been involved in the procurement of Japanese-origin vacuum pumps that were identified at a DPRK nuclear facility, as well as nuclear-related procurement associated with a German individual. It has further been involved in the purchase of aluminium tubes and other equipment specifically suitable for a uranium enrichment programme from the late 1990s. Its representative is a former diplomat who served as DPRK's representative for the International Atomic Energy Agency (IAEA) inspection of the Yongbyon nuclear facilities in 2007. Namchongang's proliferation activities are of grave concern given the DPRK's past proliferation activities.
5.	Hong Kong Electronics	a.k.a. HONG KONG ELECTRONICS KISH CO	Sanaee St., Kish Island, Iran.	16.7.2009	Owned or controlled by, or acts or purports to act for or on behalf of Tanchon Commercial Bank and KOMID. Hong Kong Electronics has transferred millions of dollars of proliferation-related funds on behalf of Tanchon Commercial Bank and KOMID (both designated by the Committee in April 2009) since 2007. Hong Kong Electronics has facilitated the movement of money from Iran to the DPRK on behalf of KOMID.
6.	Korea Hyoksin Trading Corporation	a.k.a. KOREA HYOKSIN EXPORT AND IMPORT CORPORATION	Rakwon-dong, Pothonggang District, Pyongyang, DPRK.	16.7.2009	A DPRK company based in Pyongyang that is subordinate to Korea Ryonbong General Corporation (designated by the Committee in April 2009) and is involved in the development of weapons of mass destruction.
7.	General Bureau of Atomic Energy (GBAE)	a.k.a. General Department of Atomic Energy (GDAE)	Haeudong, Pyongchen District, Pyongyang, DPRK.	16.7.2009	The GBAE is responsible for the DPRK's nuclear programme, which includes the Yongbyon Nuclear Research Centre and its 5 MWe (25 MWt) plutonium production research reactor, as well as its fuel fabrication and reprocessing facilities. The GBAE has held nuclear-related meetings and discussions with the International Atomic Energy Agency. GBAE is the primary DPRK Government agency that oversees nuclear programmes, including the operation of the Yongbyon Nuclear Research Centre.

	Name	Alias	Location	Date of designation	Other information
8.	Korean Tangun Trading Corporation		Pyongyang, DPRK.	16.7.2009	Korea Tangun Trading Corporation is subordinate to DPRK's Second Academy of Natural Sciences and is primarily responsible for the procurement of commodities and technologies to support DPRK's defence research and development programmes, including, but not limited to, weapons of mass destruction and delivery system programmes and procurement, including materials that are controlled or prohibited under relevant multilateral control regimes.

ANNEX II

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

#	Name (and possible aliases)	Identifying information	Reasons
1.	CHANG Song-taek (alias JANG Song-Taek)	Date of birth: 02.02.1946 or 06.02.1946 or 23.02.1946 (North Hamgyong province) Passport number (as of 2006): PS 736420617	Member of the National Defence Commission. Director of the Administrative Department of the Korean Workers' Party.
2.	CHON Chi Bu		Member of the General Bureau of Atomic Energy, former technical director of Yongbyon.
3.	CHU Kyu-Chang (alias JU Kyu-Chang)	Date of birth: between 1928 and 1933	First Deputy Director of the Defence Industry Department (ballistics programme), Korean Workers' Party, Member of the National Defence Commission.
4.	HYON Chol-hae	Year of birth: 1934 (Manchuria, China)	Deputy Director of the General Political Department of the People's Armed Forces (military adviser to Kim Jong Il).
5.	JON Pyong-ho	Year of birth: 1926	Secretary of the Central Committee of the Korean Workers' Party, Head of the Central Committee's Military Supplies Industry Department controlling the Second Economic Committee of the Central Committee, member of the National Defence Commission.
6.	KIM Yong-chun (alias Young-chun)	Date of birth: 04.03.1935 Passport number: 554410660	Deputy Chairman of the National Defence Commission, Minister for the People's Armed Forces, special adviser to Kim Jong Il on nuclear strategy.
7.	O Kuk-Ryol	Year of birth: 1931 (Jilin Province, China)	Deputy Chairman of the National Defence Commission, supervising the acquisition abroad of advanced technology for nuclear and ballistic programmes.
8.	PAEK Se-bong	Year of birth: 1946	Chairman of the Second Economic Committee (responsible for the ballistics programme) of the Central Committee of the Korean Workers' Party. Member of the National Defence Commission.
9.	PAK Jae-gyong (alias Chae-Kyong)	Year of birth: 1933 Passport number: 554410661	Deputy Director of the General Political Department of the People's Armed Forces and Deputy Director of the Logistics Bureau of the People's Armed Forces (military adviser to Kim Jong Il).
10.	PYON Yong Rip (alias Yong-Nip)	Date of birth: 20.09.1929 Passport number: 645310121 (issued on 13.09.2005)	President of the Academy of Science, involved in WMD-related biological research.
11.	RYOM Yong		Director of the General Bureau of Atomic Energy (entity designated by the United Nations), in charge of international relations.
12.	SO Sang-kuk	Date of birth: between 1932 and 1938	Head of the Department of Nuclear Physics, Kim Il Sung University.

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

#	Name (and possible aliases)	Identifying information	Reasons
1.	Green Pine Associated Corporation (alias: Chongsong Yonhap; Ch'o'ngsong Yo'nhap)	c/o Reconnaissance General Bureau Headquarters, Hyongjesan-Guyok, Pyongyang / Nungrado, Pyongyang	Ch'o'ngsong Yo'nhap has been identified for sanctions for exporting arms or related material from North Korea. Green Pine specializes in the production of maritime military craft and armaments, such as submarines, military boats and missile systems, and has exported torpedoes and technical assistance to Iranian defence-related firms. Green Pine is responsible for approximately half of the arms and related materiel exported by North Korea and has taken over many of the activities of KOMID after its designation by the UNSC.
2.	Korea Heungjin Trading Company	Location: Pyongyang	Pyongyang-based entity used by the Korea Mining Development Trading Corporation (KOMID) for trading purposes (KOMID was designated by the United Nations, 24.4.2009). Korea Heungjin Trading Company is also suspected to have been involved in supplying missile-related goods to Iran's Shahid Hemmat Industrial Group.
3.	Korea Pugang mining and Machinery Corporation Ltd		Subsidiary of of Korea Ryongbong General Corporation (entity designated by the United Nations, 24.04.2009); operates facilities for the production of aluminium powder, which can be used in missiles.
4.	Korea Taesong Trading Company	Location: Pyongyang	Pyongyang-based entity used by the Korea Mining Development Trading Corporation (KOMID) for trading purposes (KOMID was designated by the United Nations, 24.4.2009). Korea Taesong Trading Company has acted on behalf of KOMID in dealings with Syria.
5.	Korean Ryengwang Trading Corporation	Rakwon-dong, Pothonggang District, Pyongyang, North Korea	Subsidiary of Korea Ryongbong General Corporation (entity designated by the United Nations, 24.04.2009).
6.	Second Economic Committee and Second Academy of Natural Sciences		The Second Economic Committee is involved in key aspects of North Korea's missile program. The Second Economic Committee is responsible for overseeing the production of North Korea's ballistic missiles. It also directs the activities of KOMID (KOMID was designated by the United Nations, 24.4.2009). It is a national-level organization responsible for research and development of North Korea's advanced weapons systems, including missiles and probably nuclear weapons. It uses a number of subordinate organizations to obtain technology, equipment, and information from overseas, including Korea Tangun Trading Corporation, for use in North Korea's missile and probably nuclear weapons programs.
7.	Sobaeku United Corp. (alias Sobaeksu United Corp.)		State-owned company, involved in research into, and the acquisition, of sensitive products and equipment. It possesses several deposits of natural graphite, which provide raw material for two processing facilities, which, inter alia, produce graphite blocks that can be used in missiles.
8.	Yongbyon Nuclear Research Centre		Research centre which has taken part in the production of military-grade plutonium. Centre maintained by the General Bureau of Atomic Energy (entity designated by the United Nations, 16.07.2009).

ANNEX III

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

#	Name (and possible aliases)	Identifying information	Reasons
1.	JON Il-chun	Date of birth: 24.08.1941	In February of 2010 KIM Tong-un was discharged from his office as director of Office 39, which is involved in proliferation financing and which is, among other things, in charge of purchasing goods out of the DPRK diplomatic representations bypassing sanctions. He was replaced by JON Il-chun. JON Il-chun is also said to be one of the leading figures in the State Development Bank.
2.	KIM Tong-un		Former director of "Office 39" of the Central Committee of the Workers' Party, which is involved in proliferation financing.

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

#	Name (and possible aliases)	Identifying information	Reasons
1.	Korea Daesong Bank (alias: Choson Taesong Unhaeng; Taesong Bank)	Address: Segori-dong, Gyongheung St., Potonggang District, Pyongyang Phone: 850 2 381 8221 Phone: 850 2 18111 ext. 8221 Fax: 850 2 381 4576	North Korean financial institution that is directly subordinated to Office 39 and is involved in facilitating North Korea's proliferation financing projects.
2.	Korea Daesong General Trading Corporation (alias: Daesong Trading; Daesong Trading Company; Korea Daesong Trading Company; Korea Daesong Trading Corporation)	Address: Pulgan Gori Dong 1, Potonggang District, Pyongyang Phone: 850 2 18111 ext. 8204/8208 Phone: 850 2 381 8208/4188 Fax: 850 2 381 4431/4432	Company that is subordinated to Office 39 and is used to facilitate foreign transactions on behalf of Office 39. Office 39's Director of Office, Kim Tong-un is listed in Annex V of CR No. 1283/2009.

ANNEX IV

List of branches and subsidiaries referred to in Article 6(1)(b)

ANNEX V

List of branches, subsidiaries and financial entities referred to in Article 6(1)(c) and (d)

COUNCIL DECISION 2010/801/CFSP

of 22 December 2010

amending Council Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 29 October 2010, the Council adopted Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire ⁽¹⁾.
- (2) On 13 December, the Council emphasised the importance of the Presidential election held on 31 October and 28 November 2010 for the return of peace and stability in Côte d'Ivoire and declared it to be imperative that the sovereign wish expressed by the Ivorian people be respected.
- (3) The Council further decided to adopt restrictive measures against those who are obstructing the process of peace and national reconciliation, and in particular who are jeopardising the proper outcome of the electoral process,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/656/CFSP is hereby amended as follows:

1. Article 4 is replaced by the following:

'Article 4

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of:

- (a) the persons referred to in Annex I and designated by the Sanctions Committee, who constitute a threat to the peace and national reconciliation process in Côte d'Ivoire, in particular those who block the implementation of the Linas-Marcoussis and Accra III Agreements, any other person determined as responsible for serious violations of human rights and international humanitarian law in Côte d'Ivoire on the basis of relevant information, any other person who publicly incites hatred and violence and any other person determined by the Sanctions Committee to be in violation of the measures imposed by paragraph 7 of UNSCR 1572(2004);
- (b) the persons referred to in Annex II who are not included in the list in Annex I and who are obstructing the process of peace and national reconciliation, and in particular who are jeopardising the proper outcome of the electoral process.

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

3. Paragraph 1(a) shall not apply where the Sanctions Committee determines that:

- (a) travel is justified on the grounds of urgent humanitarian need, including religious obligations;
- (b) an exemption would further the objectives of the UNSC Resolutions for peace and national reconciliation in Côte d'Ivoire and stability in the region.

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

- (i) as a host country to an international intergovernmental organisation;
- (ii) as a host country to an international conference convened by, or under the auspices of, the UN;
- (iii) under a multilateral agreement conferring privileges and immunities; or
- (iv) under the 1929 Treaty of Conciliation (Lateran pact) concluded by the Holy See (State of the Vatican City) and Italy.

5. Paragraph 4 shall be considered as applying also in cases where a Member State is host country to the Organisation for Security and Cooperation in Europe (OSCE).

6. The Council shall be duly informed in all cases where a Member State grants an exemption pursuant to paragraphs 4 or 5.

7. Member States may grant exemptions from the measures imposed under paragraph 1(b) where travel is justified on the grounds of urgent humanitarian need, or on grounds of attending intergovernmental meetings, including those 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 democracy, human rights and the rule of law in Côte d'Ivoire.

8. A Member State wishing to grant exemptions referred to in paragraph 7 shall notify the Council in writing. The exemption shall be deemed to be granted unless one or more of the Council members raises an objection in writing within two working days of receiving notification of the proposed exemption. Should one or more Council members raise an objection, the Council, acting by a qualified majority, may decide to grant the proposed exemption.

⁽¹⁾ OJ L 285, 30.10.2010, p. 28.

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

2. Article 5(1) is replaced by the following:

‘1. All funds and economic resources owned or controlled directly or indirectly by the persons or entities designated by the Sanctions Committee pursuant to Article 4(1)(a) or held by entities owned or controlled directly or indirectly by them or by any persons acting on their behalf or at their direction, as designated by the Sanctions Committee, shall be frozen.

The persons referred in the first subparagraph are listed in Annex I.’.

3. Article 6 is replaced by the following:

‘Article 6

1. The Council shall establish the list in Annex I and amend it in accordance with determinations made by either the United Nations Security Council or the Sanctions Committee.

2. The Council, acting on a proposal from a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall establish and amend the list in Annex II.’.

4. Article 7 is replaced by the following:

‘Article 7

1. Where the Security Council or the Sanctions Committee designates a person or entity, the Council shall include such person or entity in the list in Annex I.

2. Where the Council decides to apply to a person or entity the measures referred to in Article 4(1)(b), it shall amend Annex II accordingly.

3. 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 with an opportunity to present observations.

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

5. Article 8 is replaced by the following:

‘Article 8

1. Annexes I and II shall include the grounds for listing the persons and entities as provided by the Security Council or by the Sanctions Committee in the case of Annex I.

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

6. Article 10 is replaced by the following:

‘Article 10

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

2. It shall be reviewed, amended or repealed as appropriate, in accordance with relevant decisions of the United Nations Security Council.

3. The measures referred to in Article 4(1)(b) shall be reviewed at regular intervals and at least every twelve months. They shall cease to apply to the persons or entities concerned if the Council establishes, in accordance with the procedure in Article 6(2), that the conditions necessary for their application are no longer met.’.

Article 2

The Annex to Decision 2010/656/CFSP becomes Annex I and its title is replaced by the following:

‘List of persons referred to in Article 4(1)(a) and Article 5’.

Article 3

The Annex to this Decision shall be added as Annex II to Decision 2010/656/CFSP.

Article 4

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

Done at Brussels, 22 December 2010.

For the Council

The President

S. VANACKERE

ANNEX

‘ANNEX II

List of persons referred to in Article 4(1)(b)

	Name (and any aliases)	Identifying information	Grounds for designation
1.	Mr Pascal Affi N'Guessan	Born 1 January 1953 in Bouadikro; passport number: PD – AE 09DD00013.	Secretary General of the Ivorian Popular Front (FPI), former Prime Minister. Expression of radical views and active disinformation. Incitement to violence.
2.	Lieutenant-Colonel Nathanaël Ahouman Brouha	Born 6 June 1960.	Commander of the Security Group of the Presidency of the Republic (GSPR). Implicated in the repression of 25 March 2004. Member of the <i>death squads</i> .
3.	Mr Gilbert Marie Aké N'Gbo	Born 8 October 1955 in Abidjan Passport number: 08 AA 61107	Supposedly Prime Minister and Minister for Planning and Development
4.	Mr Pierre Israël Amessan Brou		Director General of Radio Télévision Ivoirienne (RTI). Responsible for the disinformation campaign.
5.	Mr Frank Anderson Kouassi		President of the National Audiovisual Communication Council (CNCA). Active complicity in the disinformation campaign.
6.	Ms Nadiana Bamba	Born 13 June 1974 in Abidjan Passport number: PD – AE 061 FP 04	Director of press group “Le temps Notre voie”. Responsible for the disinformation campaign and incitement to inter-community hatred and violence.
7.	Mr Kadet Bertin	Born around 1957 in Mama.	Security adviser to Mr Gbagbo. Responsible for arms trafficking for the “Presidency”.
8.	General Dogbo Blé	Born 2 February 1959 in Daloa.	Head of the Republican Guard. Took part in the offensive of 4-6 November 2004 and the events of the following days in Abidjan. Member of the <i>death squads</i> . Implicated in repression of popular movements.
9.	Mr Paul Antoine Bohoun Bouabré	Born 9 February 1957 in Issia Passport number: PD – AE 015 FO 02	Former Minister for Planning and Development.
10.	Sub-prefect Oulaï Delefosse		Former liaison officer in the LIMA force. Leader in the Great West Patriotic Resistance Union (UPRGO). Responsible for threats against soldiers of the LICORNE force. Implicated in recruitment of Liberian mercenaries. Head of a pro-Gbagbo militia. Implicated in acts of brutality.
11.	Admiral Vagba Faus-signau	Born 31 December 1954 in Bobia.	Commander of the Ivorian Navy – deputy chief of staff.
12.	Pastor Gammi		Head of the Ivorian Movement for the Liberation of Western Côte d'Ivoire (MILOCI). Implicated in the attack on Logoualé (28 February 2005). Implicated in brutality against non-indigenous populations in the West in November and December 2010.

	Name (and any aliases)	Identifying information	Grounds for designation
13.	Mr Laurent Gbagbo	Born 31 May 1945 in Gagnoa	Supposedly President of the Republic
14.	Ms Simone Gbagbo	Born 20 June 1949 in Moossou	Wife of Mr Gbagbo. President of the Ivorian Popular Front (FPI) group in the National Assembly. Suspected of maintaining parallel political/religious networks opposed to the international resolutions.
15.	General Guiai Bi Poin	Born 31 December 1954 in Gounela.	Head of the Security Operations Command Centre (CECOS). Implicated in the repression of March 2004. Implicated in the Hôtel Ivoire incident (November 2004). Implicated in the repression of the popular risings of February, November and December 2010.
16.	Mr Denis Maho Glofié	Born in Val de Marne, France	Leader in the Great West Liberation Front (FLGO). Head of a pro-Gbagbo militia. Implicated in brutality.
17.	Captain Anselme Séka Yapo	Born 2 May 1973 in Adzopé	Bodyguard to Ms Gbagbo. Member of the <i>death squads</i> . Implicated in brutality and murders.
18.	Mr Désiré Tagro	Born 27 January 1959 in Issia Passport number: PD – AE 065FH08.	Supposedly Minister for the Interior, Secretary-General of the “Presidency”. Implicated in violent repression of the popular risings of February, November and December 2010.
19.	Mr Paul Yao N'Dré	Born 29 December 1956.	President of the Constitutional Council. ‘Knowingly validated false results for the presidential elections of 31 October and 28 November 2010.’

COMMISSION DECISION

of 21 December 2010

exempting certain cases of irregularity arising from operations co-financed by the Structural Funds and by the Cohesion Fund for the 2000-2006 programming period from the special reporting requirements laid down by Article 5(2) of Regulation (EC) No 1681/94 and by Article 5(2) of Regulation (EC) No 1831/94

(notified under document C(2010) 9244)

(2010/802/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 ⁽¹⁾, and in particular Articles 70(3) and 105(1) thereof; and Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund ⁽²⁾ and in particular Article 103(3) thereof; and Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ⁽³⁾ and in particular Articles 74(4) and 92 thereof,

Whereas:

(1) The legal framework for the European Regional Development Fund, the European Social Fund, the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, the Financial Instrument for the Fisheries Guidance (hereinafter 'the Structural Funds') and for the Cohesion Fund is largely established although it has been subject to frequent adjustments. Programming involves the preparation of multiannual development plans in several stages, with each stage constituting a 7-year period. Each programming period is governed by a set of individual Regulations which are based on the same general principles but introduce certain new rules specifically designed for the programming period concerned. The relevant provisions governing the 2007-2013 programming period are laid down in Regulation (EC) No 1083/2006 and Commission Regulation (EC) No 1828/2006 of 8 December 2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional

Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund ⁽⁴⁾, Regulation (EC) No 1198/2006 and Commission Regulation (EC) No 498/2007 of 26 March 2007 laying down detailed rules for the implementation of Council Regulation (EC) No 1198/2006 on the European Fisheries Fund ⁽⁵⁾, Commission Regulation (EC) No 1848/2006 of 14 December 2006 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organisation of an information system in this field and repealing Council Regulation (EEC) No 595/91 ⁽⁶⁾ and Commission Regulation (EC) No 1975/2006 of 7 December 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures ⁽⁷⁾.

(2) The relevant provisions governing the 2000-2006 programming period are laid down in Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽⁸⁾ and Council Regulation (EC) No 1164/94 of 16 May 1994 establishing a Cohesion Fund ⁽⁹⁾. Commission Regulation (EC) No 1681/94 of 11 July 1994 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the structural policies and the organization of an information system in this field ⁽¹⁰⁾ and Commission Regulation (EC) No 1831/94 of 26 July 1994 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the Cohesion Fund and the organization of an information system in this field ⁽¹¹⁾ established rules as to irregularities and the recovery of sums wrongly paid in connection with the financing of policies by the Funds, and applied to that programming period. Those Regulations established reporting requirements in case of detected irregularities. Those requirements resulted in a disproportionate administrative burden on Member States and the Commission.

⁽¹⁾ OJ L 210, 31.7.2006, p. 25.

⁽²⁾ OJ L 223, 15.8.2006, p. 1.

⁽³⁾ OJ L 277, 21.10.2005, p. 1.

⁽⁴⁾ OJ L 371, 27.12.2006, p. 1.

⁽⁵⁾ OJ L 120, 10.5.2007, p. 1.

⁽⁶⁾ OJ L 355, 15.12.2006, p. 56.

⁽⁷⁾ OJ L 368, 23.12.2006, p. 74.

⁽⁸⁾ OJ L 161, 26.6.1999, p. 1.

⁽⁹⁾ OJ L 130, 25.5.1994, p. 1.

⁽¹⁰⁾ OJ L 178, 12.7.1994, p. 43.

⁽¹¹⁾ OJ L 191, 27.7.1994, p. 9.

- (3) By virtue of Article 28(1) of the Protocol Concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union ⁽¹⁾, measures which on the date of accession have been subject to assistance under Council Regulation (EC) No 1267/1999 of 21 June 1999 establishing an Instrument for Structural Policies for Pre-accession ⁽²⁾ (ISPA) not completed by that date are considered to have been approved under Regulation (EC) No 1164/94 and all provisions governing the implementation of measures approved pursuant to the latter Regulation apply to those measures. Concerning ex-ISPA projects, this Decision should therefore also be addressed to Bulgaria and Romania.
- (4) Accordingly, in order to reduce the burden imposed on Member States and to improve efficiency, Article 3(1) of Regulation (EC) No 1681/94 was amended by Commission Regulation (EC) No 2035/2005 ⁽³⁾ and Article 3(1) of Regulation (EC) No 1831/94 was amended by Commission Regulation (EC) No 2168/2005 ⁽⁴⁾ so that, for the 2000-2006 programming period, Member States do not need to report cases where the irregularity consists solely of the failure to partially or totally execute an operation co-financed by the Union budget owing to the bankruptcy of the final beneficiary or the final recipient, and which do not involve other irregularities preceding the bankruptcy or suspected fraud (hereinafter referred to as 'simple bankruptcies').
- (5) While Regulation (EC) No 1681/94 as amended and Regulation (EC) No 1831/94 as amended simplified the existing reporting system, the simplifications introduced did not extend to the requirement relating to the submission of the special report referred to in Article 5(2) of both Regulations. Experience of dealing with reported irregularities, and examining the special reports submitted, in particular for the 1994-1999 programming period, has shown that the administrative burden for the Member States in applying the provisions of Article 5(2) of both Regulations to simple bankruptcies is disproportionate, given that it is highly unlikely that the failure to recover in such cases results from the fault or negligence of the authorities of the Member State.
- (6) In order to give full effect, therefore, to the aims of the provisions of Regulation (EC) No 1681/94 as amended and Regulation (EC) No 1831/94 as amended, it is appropriate to extend that simplification to the requirement to submit a special report under Article 5(2) of both Regulations so that Member States which are benefiting from the simplification provided for in the second subparagraph of Article 3(1) of those Regulations equally benefit from the simplification of the requirement to report under Article 5(2).
- (7) While the legal framework governing the Structural Funds as well as the Cohesion Fund and the irregular use thereof is clearly identifiable by programming period, the identification of disproportionate administrative requirements in the established reporting system is only possible at the closure of a given programming period. Therefore, in order to effectively assess and improve the reporting system, a certain period of time was necessary.
- (8) Further efforts to simplify the reporting obligations were introduced by Regulation (EC) No 2035/2005 and Regulation (EC) No 2168/2005 amending, respectively, Regulation (EC) No 1681/94 and Regulation (EC) No 1831/94. Most notably, the reporting threshold laid down in both Article 12(1) of Regulation (EC) No 1681/94 and Article 12(1) of Regulation (EC) No 1831/94 was raised from EUR 4 000 to EUR 10 000. Given the short period of time between the entry into force of Regulation (EC) No 2035/2005 and Regulation (EC) No 2168/2005 and the end of the 2000-2006 programming period, however, the intended simplification of the reporting system could not be fully achieved for that programming period, thus necessitating the elimination of the reporting obligations for cases involving an amount of less than EUR 10 000 which were notified before 28 February 2006.
- (9) For reasons of equal treatment, therefore, all reporting obligations with regard to the irregular use of the Structural Funds and of the Cohesion Fund should benefit from the raised threshold and the intended simplification of the reporting system introduced by Regulation (EC) No 1681/94 as amended and Regulation (EC) No 1831/94 as amended.
- (10) This Decision is without prejudice to the obligation for Member States to take all appropriate measures to recover amounts unduly paid and to account to the Commission for amounts which are recovered.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Coordination Committee of the Funds, the European Fisheries Fund Committee and of the Rural Development Committee,

HAS ADOPTED THIS DECISION:

Article 1

With respect to irregularities arising from operations co-financed by the Structural Funds and the Cohesion Fund for the 2000-2006 programming period, Member States shall not be required to submit the following reports:

⁽¹⁾ OJ L 157, 21.6.2005, p. 29.

⁽²⁾ OJ L 161, 26.6.1999, p. 73.

⁽³⁾ OJ L 328, 15.12.2005, p. 8.

⁽⁴⁾ OJ L 345, 28.12.2005, p. 15.

(a) special reports under Article 5(2) of Regulation (EC) No 1681/94 and Regulation (EC) No 1831/94 in cases of simple bankruptcy referred to in the first indent of the second subparagraph of Article 3(1) of those Regulations unless expressly requested by the Commission;

(b) reports under Article 5(2) of Regulation (EC) No 1681/94 and Regulation (EC) No 1831/94 in cases involving an amount of less than EUR 10 000 unless expressly requested by the Commission.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 December 2010.

For the Commission

Johannes HAHN

Member of the Commission

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