I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2465/97

of 8 December 1997

concerning the interruption of certain economic relations with Sierra Leone

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 228a,

Having regard to the Common Position 97/826/CFSP defined by the Council on the basis of Article J.2 of the Treaty on European Union, concerning Sierra Leone [1],

Having regard to the proposal from the Commission,

Whereas the United Nations Security Council, acting under Chapter VII of the Charter of the United Nations, decided in its Resolution 1132 (1997) that all States are to take certain measures with regard to Sierra Leone in order to contribute to resolving the crisis in Sierra Leone and obtaining the restoration of the constitutional order in that country; whereas it will re-examine these measures after 180 days, if, in the meantime, it has not decided to terminate them;

Whereas certain of these measures fall under the scope of the Treaty establishing the European Community; whereas, therefore, Community legislation is necessary to implement the pertinent decisions of the Security Council as far as the territory of the Community is concerned; whereas such territory is deemed to encompass, for the purposes of this Regulation, the territories of the Member States to which the Treaty establishing the European Community is applicable, under the conditions laid down in that Treaty;

Whereas the Security Council has also called upon the United Nations Member States to apply the measures set out in Resolution 1132 (1997) notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement signed, any contract entered into or any licence or permit granted before the adoption of said Resolution;

Whereas, therefore, the Fourth ACP-EC Convention, signed in Lomé on 15 December 1989, to which the Community and Sierra Leone are parties, does not pose an obstacle to the application of the said Security Council measures;

Whereas the competent authorities of the United Nations might change the product coverage of the sanctions against Sierra Leone; whereas, therefore, Annex I to this Regulation might have to be further amended accordingly;

Whereas the Security Council Resolution provides for certain exceptions to the restrictions imposed, subject to prior approval of the Committee set up by Resolution 1132 (1997) and to the respect of arrangements for the effective monitoring of delivery;

Whereas the names and addresses of the competent national authorities of the Member States should be indicated and the Member States must obtain the prior approval of the Committee;

Whereas, for reasons of expediency, the Commission should be empowered to supplement and/or amend Annex I to this Regulation on the basis of pertinent decisions by the competent authorities of the United Nations or, in the case of Annex II, on the basis of notifications by the competent authorities of Member States,

[1] See page 6 of this Official Journal.

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be prohibited:

(a) to sell or supply petroleum and petroleum products listed in Annex I, whether or not originating in the Community, in the territory of Sierra Leone;

(b) any activity, including financial, the object or effect of which is, directly or indirectly, to promote the transactions or activities referred to in point (a).

Article 2

The prohibition referred to in Article 1 shall not apply to:

(a) supplies of petroleum and petroleum products to the democratically-elected Government of Sierra Leone, at its request;

(b) supplies for verified humanitarian purposes or the needs of the Military Observer Group of Ecowas (Ecomog), at the request of other governments or United Nations Agencies,

on the condition that, through the competent national authorities, a non-objection declaration has been obtained from the Committee set up pursuant to Resolution 1132 (1997), and that the arrangements determined by the Committee for the effective monitoring of delivery are being fully respected.

The names and addresses of the competent national authorities are contained in Annex II.

Article 3

This Regulation shall apply notwithstanding any rights conferred or obligations imposed by any international agreement signed or any contract entered into or any licence or permit granted before the entry into force of this Regulation.

Article 4

Each Member State shall determine the sanctions to be imposed where the provisions of this Regulation are infringed.

Article 5

The Commission and the Member States shall inform each other of the measures taken under this Regulation and supply each other with other relevant information at their disposal in connection with this Regulation, such as breaches and other enforcement problems, judgments handed down by national courts or decisions by the Committee established by Resolution 1132 (1997).

Article 6

The Commission is hereby empowered to supplement and/or amend Annex I on the basis of pertinent decisions by the competent authorities of the United Nations or, in the case of Annex II, on the basis of notifications by the competent authorities of Member States.

Such supplement and/or amendments shall be published in the *Official Journal of the European Communities*.

Article 7

This Regulation shall apply:

— within the territory of the European Community including its air space,

— to any aircraft or any vessel under the jurisdiction of a Member State,

— to any person elsewhere who is a national of a Member State,

— to any body which is incorporated or constituted under the law of a Member State.

Article 8

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

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

Done at Brussels, 8 December 1997.

For the Council

The President

J. POOS

ANNEX I

Petroleum products referred to in Article 1 (a)

CN code	Product description
2709	Petroleum oils and oils obtained from bituminous minerals, crude
2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations
2711	Petroleum gases and other gaseous hydrocarbons
2712 10	Petroleum jelly
2712 20 00	Paraffin wax containing by weight less than 0,75 % of oil
ex 2712 90	'Slack wax', 'scale wax'
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals
2714	Bitumen and asphalt, natural; bituminous or oil shale and tar sands; asphaltites and asphaltic rocks
2715 00 00	Bituminous mixtures based on natural asphalt, or natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cutbacks)
2901	Acyclic hydrocarbons
2902 11 00	Cyclohexane
2902 20	Benzene
2902 30	Toluene
2902 41 00	o-Xylene
2902 42 00	m-Xylene
2902 43 00	p-Xylene
2902 44	Mixed xylene isomers
2902 50 00	Styrene
2902 60 00	Ethylbenzene
2902 70 00	Cumene
2905 11 00	Methanol (methyl alcohol)
3403 19 10	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations containing as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals but not as the basic constituent
3811 21 00	Additives for lubricating oils containing petroleum oils or oils obtained from bituminous minerals
3823 90 10	Petroleum sulphonates, excluding petroleum sulphonated of alkali metals, of ammonium or of ethanolamines; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts

ANNEX II

Names and addresses of the authorities referred to in Article 2

BELGIQUE — BELGIË

Ministère des affaires étrangères, du commerce extérieur et de la coopération au développement
Egmont 1, rue des Petits Carmes 19
B-1000 Bruxelles

1. Direction générale des relations politiques multilatérales
Direction des Nations unies
Tél.: (32 2) 501 82 20
Télécopieur: (32 2) 513 91 48

2. Direction des relations économiques et bilatérales extérieures
   a) Service 'Afrique du Sud du Sahara' (B.22)
   Tél.: (32 2) 501 85 77
   b) Coordination de la politique commerciale (B.40)
   Tél.: (32 2) 501 83 20
   c) Service 'Transports' (B.42)
   Tél.: (32 2) 501 37 62
   Télécopieur: (32 2) 501 88 27

Ministerie van Buitenlandse Zaken, Buitenlandse Handel en Ontwikkelingssamenwerking
Egmont 1, Kleine Karmelietenstraat 19
B-1000 Brussel

1. Algemene Directie multilaterale politieke relaties
Directie Verenigde Naties
Tel. (32-2) 501 82 20
Fax (32-2) 513 91 48

2. Directie buitenlandse economische en bilaterale relaties
   a) Dienst Afrika ten zuiden van de Sahara (B.22)
   Tel. (32-2) 501 85 77
   b) Coordinatie van de handelspolitiek (B.40)
   Tel. (32-2) 501 83 20
   c) Dienst Transport (B.42)
   Tel. (32-2) 501 37 62
   Fax (32-2) 501 88 27

Ministère des affaires économiques
ARE 4e Division, service des licences
Avenue du Général Leman 60
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ELLADA

Ministry of Foreign Affairs
Ambassador Nikolaos Chatoupis
Directorate A7
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Ministry of National Economy
Secretariat General for International Economic Relations
Directorate General for External Economic and Trade Relations
Director Th. Vlassopoulos
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Directorate of Procedure of External Trade
Directors: I. Tseros, tel. 00 301 32 86 021/23, fax 32 86 059
A. Iglessis, tel. 00 301 32 86 051, fax 32 86 094
Ermou and Kornarou 1
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ESPAÑA

Ministerio de Economía y Hacienda
Subdirección General de Política Arancelaria y de Instrumentos de Defensa Comercial
Sr. Manuel Moreno (PL 7-Desp. 3)
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E-28046 Madrid
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FRANCE

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Direction des Nations unies et des organisations internationales
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Mr Brendan Twomey/Mr Ernest Hartman

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Gabinetto
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Ministero dei Trasporti — Roma
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LUXEMBOURG

Ministère des affaires étrangères
Direction des relations économiques internationales et de la coopération
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NEDERLAND

Ministerie van Buitenlandse Zaken
Directie Verenigde Naties, afdeling Politieke Zaken
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ÖSTERREICH

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Ministério dos Negócios Estrangeiros
Srª Mónica Lisboa
Direcção-Geral dos Assuntos Multilaterais
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