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*(Acts whose publication is obligatory)*

# COUNCIL REGULATION (EC) No 337/2000

## of 14 February 2000

## concerning a flight ban and a freeze of funds and other financial resources in respect of the Taliban of Afghanistan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Council Common Position 1999/727/CFSP of 15 November 1999 concerning restrictive measures against the Taliban [1],

Having regard to the proposal from the Commission,

Whereas:

(1) On 15 October 1999, the United Nations Security Council adopted Resolution 1267 (1999); in paragraph 2 of that resolution the Security Council demanded that the Taliban without delay hand over Usama bin Laden to the authorities mentioned in that paragraph.

(2) In paragraph 3 of Resolution 1267 (1999) the Security Council decided that a flight ban and a freeze of funds and other financial resources as set out in paragraph 4 of that resolution should be imposed on 14 November 1999 unless the Security Council decided that the Taliban had fully complied with the obligation set out in the aforementioned paragraph 2.

(3) The measures set out in paragraph 4 of Resolution 1267 (1999) fall under the scope of the Treaty and, therefore, notably with a view to avoiding distortion of competition, Community legislation is necessary to implement the relevant decisions of the Security Council as far as the territory of the Community is concerned, such territory being deemed to encompass, for the purposes of this Regulation, the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.

(4) In order to create maximum legal certainty within the Community, names and other relevant data with regard to persons and bodies and aircraft, as designated by the Committee established under the Resolution 1267 (1999), should be made publicly known; appropriate procedures should be established within the Community regarding this aspect.

(5) Resolution 1267 (1999) provides for certain exemptions to the restrictions imposed on the condition of prior approval of the said Committee.

(6) The approval of the said Committee should be obtained through the competent national authorities of the Member States, whose names and addresses should, therefore, be made available and annexed to this Regulation.

(7) For reasons of expediency, the Commission should be empowered to supplement and/or amend the Annexes to this Regulation on the basis of pertinent notifications from the said Committee.

(8) The competent authorities of the Member States should, where necessary, be empowered to ensure compliance with this Regulation.

(9) Violations of the provisions of this Regulation should be penalised and Member States should impose appropriate penalties to that effect.

(10) The Security Council calls for the measures to be applied 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 the relevant paragraphs of Resolution 1267 (1999) enter into force.

(11) The Commission and Member States should inform each other of the measures taken under this Regulation and of other relevant information at their disposal in connection with this Regulation, and cooperate with the said Committee, including by supplying information to it,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the purpose of this Regulation:

[1] OJ L 294, 16.11.1999, p. 1.

1. Taliban shall mean: the Afghan faction which also calls itself the Islamic Emirate of Afghanistan;

2. Taliban Sanctions Committee shall mean: the Committee established by United Nations Security Council Resolution 1267 (1999).

*Article 2*

This Regulation shall apply to any funds, other financial resources, and aircraft designated by the Taliban Sanctions Committee.

The funds and other financial resources referred to in the first subparagraph shall be listed in Annex I and the aircraft referred to therein in Annex II to this Regulation.

*Article 3*

1. All funds and other financial resources designated by the Taliban Sanctions Committee, listed in Annex I, shall be frozen.

2. No funds or other financial resources designated by the Taliban Sanctions Committee, listed in Annex I, shall be made available to or for the benefit of the Taliban or any undertaking owned or controlled, directly or indirectly, by the Taliban.

*Article 4*

Without prejudice to the Community rules concerning confidentiality and to the provisions of Article 284 of the Treaty, the competent authorities of the Member States shall have the power to require banks, other financial institutions, insurance companies, and other bodies and persons to provide all relevant information necessary for ensuring compliance with this Regulation.

*Article 5*

It shall be prohibited for any aircraft designated by the Taliban Sanctions Committee, listed in Annex, II, to take off from, or land in, the territory of the Community.

*Article 6*

1. Article 3 shall not apply to funds and other financial resources for which the Taliban Sanctions Committee has granted an exemption.

2. Article 5 shall not apply to flights for which the Taliban Sanctions Committee has granted an exemption.

3. No exemptions from Articles 3 and 5 other than those referred to in paragraphs 1 and 2 of this Article may be granted.

4. Exemptions referred to in paragraphs 1 and 2 shall be obtained, where appropriate, through the competent authorities of the Member States listed in Annex III. Exemptions granted by the Taliban Sanctions Committee shall apply throughout the Community.

*Article 7*

Without prejudice to the rights and obligations of the Member States under the Charter of the United Nations, the Commission shall:

— supplement and/or amend Annexes I and II on the basis of determinations made by the United Nations Security Council or the Taliban Sanctions Committee,

— supplement and/or amend Annex III on the basis of information supplied by the competent authorities within the Community,

— maintain all the necessary contacts with the Taliban Sanctions Committee for the purpose of the effective implementation of this Regulation.

*Article 8*

The Commission and the Member States shall inform each other immediately of the measures taken under this Regulation and supply each other with the relevant information at their disposal in connection with this Regulation, and in respect of violation and enforcement problems or judgements handed down by national courts.

*Article 9*

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 10*

Each Member State shall determine the sanctions to be imposed where the provisions of this Regulation are infringed. Such sanctions shall be effective, proportionate and dissuasive.

*Article 11*

This Regulation shall apply:

— within the territory of the Community, including its airspace,

— on board 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 12*

This Regulation shall enter into force on the day following that 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, 14 February 2000.

*For the Council*
*The President*
J. GAMA

*ANNEX I*

**List of funds and other financial resources referred to in Article 2**

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*ANNEX II*

**List of aircrafts referred to in Article 2**

| Operator | Owner | Registration/Serial | Make | Model |
|---|---|---|---|---|
| Afghan Air Force | Afghan Air Force | 229 SFG1008 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 230 SFG1009 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 231 SFG1010 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 232 SFG1011 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 233 SFG1012 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 234 SFG1013 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 235 SFG1014 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 236 SFG1015 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 237 SFG1016 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 238 SFG1017 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 239 SFG1018 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 240 SFG1019 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 241 SFG1020 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 242 SFG1021 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 243 SFG1022 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 244 SFG1023 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 245 SFG1024 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 246 SFG1025 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 247 SFG1026 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 252 SFG1027 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 268 SFG1028 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | 284 AN32021 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 301 AN32053 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 302 AN32054 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 303 AN32055 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 304 AN32056 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 305 AN32057 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 306 AN32058 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 307 AN32022 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 308 AN32023 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 346 AN32059 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 353 AN32024 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 363 AN32060 | Antonov | AN32 |
| Afghan Air Force | Afghan Air Force | 381 AN12235 | Antonov | AN12 |
| Afghan Air Force | Afghan Air Force | 382 AN12236 | Antonov | AN12 |

| Operator | Owner | Registration/Serial | Make | Model |
|---|---|---|---|---|
| Afghan Air Force | Afghan Air Force | 384 AN12237 | Antonov | AN12 |
| Afghan Air Force | Afghan Air Force | 387 4342205 | Antonov | AN12 |
| Afghan Air Force | Afghan Air Force | 388 AN12238 | Antonov | AN12 |
| Afghan Air Force | Afghan Air Force | 390 AN12239 | | AN12 |
| Afghan Air Force | Afghan Air Force | T-001<br>B7010105 | Ilyushin | IL18 |
| Afghan Air Force | Afghan Air Force | T-004<br>SFG1007 | Antonov | AN26 |
| Afghan Air Force | Afghan Air Force | T-005<br>SFG1006 | Antonov | AN24 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | CCCP-87255<br>AFG01 | Yakoviev | YK40 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-BAG<br>7306602 | Antonov | AN24 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-BAH<br>17306709 | Antonov | AN24 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-BAL<br>14105 | Antonov | AN26 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-BAN<br>14304 | Antonov | AN26 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-BAO<br>14305 | Antonov | AN26 |
| Ariana Afghan Airlines | Unconfirmed CIS Operator | YA-DAA<br>AN12353 | Antonov | AN12 |
| Ariana Afghan Airlines | Polet Russian Air Company | YA-DAB<br>5342801 | Antonov | AN12 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-DAG<br>87304504 | Antonov | AN24 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-FAU<br>20343 | Boeing | B727 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-FAW<br>19619 | Boeing | B727 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-GAX<br>331 | De Haviland | DHC6 |
| Caspian Airlines | Ariana Afghan Airlines | EP-CPG<br>748 | Tupolev | T154 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-DAF | Antonov | AN24 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-DAJ<br>47309603 | Antonov | AN24 |
| Ariana Afghan Airlines | Ariana Afghan Airlines | YA-FAY<br>22289 | Boeing | B727 |
| Ariana Afghan Airlines | Tyumenaviatrans | YA-87486<br>9441438 | Yakoviev | YK40 |

*ANNEX III*

**List of competent authorities referred to in Article 6(4)**

A. **FLIGHT BAN**

BELGIUM

Ministère des communications et de l'infrastructure
Administration de l'aéronautique
Centre Communications Nord — 4e étage
Rue du Progrès 80 — Boîte 5
B-1030 Bruxelles
Tel. (32-2) 206 32 00
Fax (32-2) 203 15 28

DENMARK

Civil Aviation Administration
Luftfartshuset
Box 744
Ellebjergvej 50
DK-2450 København
Tel. (45) 36 44 48 48
Fax (45) 36 44 03 03

GERMANY

Generaldirektor für Luft- und Raumfahrt
Bundesministerium für Verkehr
Postfach 200 100
D-53170 Bonn
Tel. (49-228) 300 45 00
Fax (49-228) 300 79 29

GREECE

Ministry of Transport and Communications
Hellenic Civil Aviation Authority
PO Box 73 751
GR-16604 Helliniko
Tel. (30-1) 894 42 63
Fax (30-1) 894 42 79

SPAIN

Direccion General de Aviación Civil
Ministerio de Fomento
Paseo de la Castellana, 67
E-28071 Madrid
Tel. (34-91) 597 70 00
Fax (34-91) 597 53 57

FRANCE

Ministere de l'équipement, des transports et du logement
Direction générale de l'aviation civile
Direction des transports aériens
50, rue Henri Farman
F-75720 Paris cedex 15
Tel. (33-1) 58 09 43 21
Fax (33-1) 58 09 36 36

IRELAND

General Director for Civil Aviation
Department of Transport, Energy and Communications
44, Kildare Street
Dublin 2
Ireland
Tel. (353-1) 604 10 36
Fax (353-1) 604 11 81

ITALY

Ente Nazionale per l'Aviazione Civile (ENAC)
Via di Villa Ricotti 42
I-00161 Roma
Tel. (39-06) 44 18 52 08/44 18 52 09
Fax (39-06) 44 18 53 16

LUXEMBOURG

Directeur de l'aviation civile
Ministère des transports
19-21, boulevard Royal
L-2938 Luxembourg
Tel. (352) 478 44 12
Fax (352) 46 77 90

NETHERLAND

Ministry of Transport, Public Works and Water Management
Directorate General of Civil Aviation
Plesmanweg 1-6
PO Box 90771
2509 LT Den Haag
Netherlands
Tel. (31-70) 351 72 45
Fax (31-70) 351 63 48

AUSTRIA

Bundesministerium für Wissenschaft und Verkehr
Zentralsektion Verkehr, Luftfahrt
Radetzkystrae 2
A-1030 Wien
Tel. (43-1) 711 62 70 00
Fax (43-1) 711 62 70 99

PORTUGAL

Instituto Nacional da Aviação Civil
Ministério do Equipamento Social
Rua B, edifícios 4, 5, 6
Aeroporto da Portela
P-1749-034 Lisboa
Tel.: (351-21) 842 35 00
Fax: (351-21) 840 23 98
Email: inacgeral@mail.telepac.pt

FINLAND

Civil Aviation Administration
Ilmailulaitos/Luftfartsverket
PO Box 50
FIN-01531 Vantaa
Tel. (358-9) 82 77 20 10
Fax (358-9) 82 77 20 91

SWEDEN

Regeringskansliet
Utrikesdepartementet
Rattssekretariatet för EU-fragor
Fredsgatan 6
S-103 39 Stockholm
Tel. (46-8) 405 10 00
Fax (46-8) 723 11 76

UNITED KINGDOM

Department of Environment, Transport and the Regions
International Aviation Negotiations
Great Minster House
76, Marsham Street
London SW1P 4DR
United Kingdom
Tel. (44-171) 890 58 01
Fax (44-171) 676 21 94

EUROPEAN COMMUNITY

Commission of the European Communities
Directorate-General for External Relations
Mr A. de Vries, DM24 5/75
Rue de la Loi/Wetstraat 200
B-1049 Bruxelles/Brussel
Tel.: (32-2) 295 68 80
Fax: (32-2) 295 73 31

B. **FREEZE OF FUNDS**

BELGIUM

Ministere des finances
Trésorerie
avenue des Arts 30
B-1040 Bruxelles
Fax (32-2) 233 75 18

DENMARK

Erhvervsfremmestyrelsen
Dahlerups Pakhus
Langelinie Alle 17
DK-2100 København Ø
Tel. (45) 35 46 60 00
Fax (45) 35 46 60 01

GERMANY

1. For examinations of the status of banks:

Landeszentralbank in Baden-Württemberg
Postfach 10 60 21
D-70049 Stuttgart
Tel. 07 11/9 44-11 20/21/23
Fax. 07 11/9 44-19 06

Landeszentralbank in Freistaat Bayern
D-80291 München
Tel. 0 89/280 89-32 64
Fax. 0 89/28 89-38 78

Landeszentralbank in Berlin und Brandenburg
Postfach 11 01 60
D-10831 Berlin
Tel. 0 30/34 75/11 10/15/20
Fax. 0 30/34 75/11 90

Landeszentralbank in der Freien Hansestadt Hamburg, in Mecklenburg-Vorpommern und Schleswig-Holstein
Postfach 57 03 48
D-22772 Hamburg
Tel. 0 40/37 07/66 00
Fax. 0 40/37 07-66 15

Landeszentralbank in Hessen
Postfach 11 12 32
D-60047 Frankfurt am Main
Tel. 0 69/23 88-19 20
Fax. 0 69/23 88-19 19

Landeszentralbank in der Freien Hansestadt Bremen, in Niedersachsen und Sachsen-Anhalt
Postfach 2 45
D-30002 Hannover
Tel. 05 11/30 33-27 23
Fax. 05 11/30 33-27 30

Landeszentralbank in Nordrhein-Westfalen
Postfach 10 11 48
D-40002 Düsseldorf
Tel: 02 11/8 74-23 73/31 59
Fax: 02 11/8 74-23 78

Landeszentralbank in Rheinland-Pfalz und im Saarland
Postfach 30 09
D-55020 Mainz
Tel: 0 61 31/3 77-4 10/4 16
Fax: 0 61 31/3 77-4 24

Landeszentralbank in den Freistaaten Sachsen und Thüringen
Postfach 90 11 21
D-04103 Leipzig
Tel. 03 41/8 60-22 00
Fax. 03 41/8 60-23 89

2. For examinations of the status of companies, undertakings, entities and institutions other than banks:

Bundesausfuhramt
Referat 214
Postfach 51 60
D-65726 Eschborn
Tel. 0 61 96/9 08-0
Fax. 0 61/96/9 08-4 12

GREECE

Ministry of National Economy
Secretariat-General for International Economic Relations
Directorate-General for External Economic and Trade Relations
Director General Mr V. Kanellakis
Ermou and Kornarou 1
GR-105 63 Athens
Tel. (31) 32 86 401-3
Fax (31) 32 86 404

SPAIN

Dirección General de Política Comercial e Inversiones Exteriores
Subdirección General de Gestión de las Transacciones con el Exterior
(Ministerio de Economía y Hacienda)
Pº de la Castellana, 162 — Planta 9
E-28046 Madrid
Tel. (00-34) 91 583 74 00
Fax (00-34) 91 583 55 09

Direccion General del Tesoro y Política Financiera
Subdirección General de Inspección y Control de Movimientos de Capitales
(Ministerio de Economía y Hacienda)
Pl. de Jacinto Benavente, 3
E-28071 Madrid
Tel. (00-34) 91 360 45 88
Fax (00-34) 91 583 52 14

FRANCE

Ministère de l'économie, des finances et de l'industrie
Direction du Trésor
Service des affaires européennes et internationales
Sous-direction E
139, rue du Bercy
F-75572 Paris-cedex 12
Tel. (33-1) 44 87 17 17
Fax (33-1) 53 18 36 15

IRELAND

Central Bank of Ireland
Financial Markets Department
P.O. Box 559
Dame Street
Dublin 2
Tel. (353-1) 671 66 66

Department of Foreign Affairs
Bilateral Economic Relations Section
76-78 Harcourt Street
Dublin 2
Tel. (353-1) 408 24 92

ITALY

Ministero del Commercio Estero
Direzione Generale per la Politica Commerciale e per la Gestione del Regime degli Scambi
Divisione IV
Viale America, 341
I-00144 Roma
Tel: (39-06) 59 93 24 39
Fax: (39-06) 59 64 75 06

LUXEMBOURG

Ministère des affaires étrangères
Direction des relations économiques internationales et de la coopération
BP 1602
L-1016 Luxembourg

NETHERLANDS

Ministerie van Financiën
Directie Wetgeving, Juridische en Bestuurlijke Zaken
Postbus 20201
2500 EE Den Haag
Nederland
Tel. (31-70) 342 82 27
Fax (31-70) 342 79 05

AUSTRIA

Bundesministerium für wirtschaftliche Angelegenheiten
Abteilung II/A/2
Landstrasser Haupstraße 55-57
A-1030 Wien

Österreichische Nationalbank
Otto Wagner-Platz 3
A-1090 Wien
Tel. (43-1) 40 420-0
Fax. (43-1) 40 420-73 99

PORTUGAL

Ministério das Finanças
Direcção Geral dos Assuntos Europeus e Relações Internacionais
Avenida Infante D. Henrique, n.º 1, C 2.º
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PL 176
SF-00161 Helsinki
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SWEDEN

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Utrikesdepartementet
Rattssekretariatet för EU-frågor
Fredsgatan 6
S-103 39 Stockholm
Tel. (46-8) 405 10 00
Fax (46-8) 723 11 76

UNITED KINGDOM

HM Treasury
International Financial Services
Parliament Street
London SW1P 3AG
United Kingdom
Tel: (44-171) 270 55 50
Fax: (44-171) 270 43 65

Bank of England
Sanctions Emergency Unit
London EC2R 8AH
United Kingdom
Tel. (44-171) 601 46 07
Fax (44-171) 601 43 09

EUROPEAN COMMUNITY

Commission of the European Communities
Directorate-General External Relations
Mr A. de Vries, DM24 5/75
Rue de la Loi/Wetstraat 200
B-1049 Bruxelles/Brussel
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