I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1146/2001
of 11 June 2001
concerning certain restrictive measures in respect of Liberia

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Common Position 2001/357/CFSP of 7 May 2001 concerning restrictive measures against Liberia [1],

Having regard to the proposal from the Commission,

Whereas:

(1) On 7 March the United Nations Security Council adopted Resolution 1343(2001), hereinafter referred to as UNSCR 1343(2001), voicing serious concern at the role played by Liberian authorities in respect of the conflict in Sierra Leone.

(2) The Security Council decided *inter alia* that all States should take the necessary measures to prevent Liberia from being provided with technical training or assistance to military activities related to the provision, manufacture, maintenance or use of arms and related material. On 4 May 2001 the Security Council established that the Liberian authorities did not comply with the requests from the UNSC. The necessary measures should therefore also be taken to prevent the imports of rough diamonds from Liberia, whether or not such diamonds originate in Liberia.

(3) Some of these measures 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. For the purpose of this Regulation, the territory of the Community is deemed to encompass the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.

(4) The Commission and the 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 Committee established by paragraph 14 of UNSCR 1343(2001), in particular by supplying information to it.

(5) Violations of the provisions of this Regulation should be subject to sanctions and Member States should impose appropriate sanctions to that end. It is, moreover, desirable that sanctions for violations of the provisions of this Regulation can be imposed as from the date of entry into force of this Regulation and that Member States institute proceedings against any persons, entities or bodies under their jurisdiction that have violated any of the said provisions,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to the powers of the Member States in the exercise of their public authority, it shall be prohibited to provide Liberia with technical training or assistance related to the provision, manufacture, maintenance or use of arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned.

2. The prohibition referred to in paragraph 1 shall not apply in cases where the Committee established by paragraph 14 of UNSCR 1343(2001) has granted an exemption in advance. Such exemptions shall be obtained through the competent authorities of the Member States listed in Annex II to this Regulation.

Article 2

1. The direct or indirect import into the Community of all rough diamonds as defined in Annex I from Liberia, whether originating there or not, shall be prohibited.

2. The Commission is hereby authorised to amend Annex I in order to bring it into line with changes that may be made to the Combined Nomenclature.

Article 3

Without prejudice to the rights and obligations of the Member States under the Charter of the United Nations, the Commission shall maintain all necessary contacts with the Committee established by paragraph 14 of UNSCR 1343(2001) for the purpose of the effective implementation of this Regulation.

[1] OJ L 126, 8.5.2001, p. 1.

Article 4

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

Article 5

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 6

1. 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.

Pending the adoption, where necessary, of any legislation to this end, the sanctions to be imposed where the provisions of this Regulation are infringed, shall be those determined by the Member States in order to give effect to Article 13 of Regulation (EC) No 467/2001 [1].

2. Each Member State shall be responsible for bringing proceedings against any natural or legal person, entity or body under its jurisdiction, in cases of violation of any of the prohibitions laid down in this Regulation by such person, entity or body.

Article 7

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, and

— to any legal person, entity or 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 cease to apply on 8 May 2002.

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

Done at Luxembourg, 11 June 2001.

For the Council

The President

A. LINDH

[1] OJ L 67, 9.3.2001, p. 1.

ANNEX I

Rough diamonds referred to in Article 2

CN code	Product description
ex 7102 10 00	Unsorted diamonds, unworked and not mounted or set
7102 21 00	Industrial diamonds, unworked or simply sawn, cleaved or bruted
7102 31 00	Non-industrial diamonds, unworked or simply sawn, cleaved or bruted
7105 10 00	Dust and powder of diamonds

ANNEX II

List of competent authorities referred to in Article 1(2)

(to be revised where necessary)

BELGIUM

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

Direction des relations économiques et bilatérales extérieures

(a) Service Afrique du Sud du Sahara (B.22)
Tel. (32-2) 501 85 77

(b) Coordination de la politique commerciale (B.40)
Tel. (32-2) 501 83 20

(c) Service transports (B.42)
Tel. (32-2) 501 37 62
Fax (32-2) 501 88 27

Ministère des affaires économiques
ARE 4 o division, service des licences
Avenue du Général Leman 60
B-1040 Bruxelles
Tel. (32-2) 206 58 16/27
Fax (32-2) 230 83 22

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

DENMARK

Justitsministeriet
Slotholmsgade 10
DK-1216 København K
Tel. (45) 33 92 33 40
Fax (45) 33 93 35 10

Erhvervsfremme Styrelsen
Dahlerups Pakhus
Langelinie Allé 17
DK-2100 København O
Tel. (45) 35 46 60 00
Fax (45) 35 46 60 01

Udenrigsministeriet
Asiatisk Plads 2
DK-1402 København K
Tel. (45) 33 92 00 00
Fax (45) 32 54 05 33

GERMANY

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Straße 29-35
D-65760 Eschborn

GREECE

Ministry of Foreign Affairs
Ambassador Nikolaos Chatoupis
Directorate A7
Tel. (301) 361 00 12
Fax (301) 361 00 96/645 00 49
Zalokosta 1
GR-106 71 Athens

Ministry of National Economy
Secretariat-General for International Economic Relations
Directorate-General for External
Economic and Trade Relations
Director Th. Vlassopoulos
Tel. (301) 32 86 401-3
Fax (301) 32 86 404

Directorate of Procedure of External Trade Directors:
I. Tseros
Tel. (301) 32 86 021/23
Fax (301) 32 86 059

A. Iglessis
Tel. (301) 32 86 051
Fax (301) 32 86 094
Ermou and Kornarou 1
GR-105 63 Athens

SPAIN

Ministerio de Economía
Dirección General de Comercio e Inversiones
Paseo de la Castellana, 162
E-28046 Madrid
Tel. (34) 913 49 39 83
Fax (34) 913 49 35 62

FRANCE

Ministère de l'économie, des finances et de l'industrie
Direction générale des douanes et des droits indirects
Cellule embargo — Bureau E2
Tel. (33) 144 74 48 93
Fax (33) 144 74 48 97

Ministère des affaires étrangères
Direction des Nations unies et des organisations internationales
Tel. (33) 143 17 59 68
Fax (33) 143 17 46 91

IRELAND

Department of Foreign Affairs
Bilateral Economic Relations Section
76-78 Harcourt Street
Dublin 2
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Tel. (353-1) 40 82 492
Fax (353-1) 47 85 927

ITALY

Ministero degli Affari esteri
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Ministero del Commercio estero
Gabinetto
Roma
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Fax (0039) 06 59 64 74 94

Ministero dei Trasporti
Gabinetto
Roma
Tel. (0039) 06 44 26 71 16/06 84 90 40 94
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LUXEMBOURG

Ministère des affaires étrangères
Direction des relations économiques internationales et de la coopération
BP 1602
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NETHERLANDS

Ministerie van Buitenlandse Zaken
Directie Verenigde Naties
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AUSTRIA

Bundesministerium für wirtschaftliche Angelegenheiten
Abteilung II/A/2
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A-1030 Wien

Bundesministerium für Wissenschaft und Verkehr
Oberste Zivilluftfahrtbehörde (OZB)
Radetzkystraße 2
A-1030 Wien

Österreichische Nationalbank
Otto Wagner Platz 3
A-1090 Wien
Tel. (01) 40 420

PORTUGAL

Ministério dos Negócios Estrangeiros
Direcção-Geral dos Assuntos Multilaterais — SPM
Largo do Rilvas
P-1399-030 Lisboa
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Ministério das Finanças
Direcção-Geral dos Assuntos Europeus e Relações Internacionais
Av. Infante D. Henrique, n.º 1 C 2.º
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FINLAND

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SWEDEN

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UNITED KINGDOM

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