



HIGH REPRESENTATIVE OF THE
EUROPEAN UNION FOR
FOREIGN AFFAIRS AND
SECURITY POLICY

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Joint Proposal for a

COUNCIL REGULATION

**amending Regulation (EU) No 204/2011 concerning restrictive measures in view of the
situation in Libya**

EXPLANATORY MEMORANDUM

- (1) On 2 March 2011 the Council adopted Regulation (EU) No 204/2011 concerning restrictive measures in view of the situation in Libya to give effect to the measures provided for in Decision 2011/137/CFSP of 28 February 2011.
- (2) On 27 August 2014, the United Nations Security Council (UNSC) adopted Resolution 2174 (2014) amending the scope of the arms embargo and extending the application of the travel ban and asset freeze measures
- (3) The Council is about to adopt a decision amending Decision 2011/137/CFSP in accordance with Resolution 2174 (2014).
- (4) Further action by the Union is needed in order to implement certain of these amendments.
- (5) The High Representative of the Union for Foreign Affairs and Security Policy and the European Commission should therefore propose to amend Regulation (EC) No 204/2011 accordingly.

Joint Proposal for a

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amending Regulation (EU) No 204/2011 concerning restrictive measures in view of the situation in Libya

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2011/137/CFSP of 28 February 2011 concerning restrictive measures in view of the situation in Libya¹,

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

Whereas:

- (1) Council Regulation (EU) No 204/2011 of 2 March 2011 concerning restrictive measures in view of the situation in Libya² gives effect to certain measures provided for in Decision 2011/137/CFSP.
- (2) On 27 August 2014, the United Nations Security Council (UNSC) adopted Resolution 2174 (2014) extending the application of the travel ban and asset freeze measures as set out in paragraph 22 of Resolution 1970 (2011) and paragraph 23 of UNSCR 1973 (2011) and amending the scope of the arms embargo imposed by paragraph 9 of Resolution 1970 (2011), paragraph 13 of Resolution 2009 (2011) and paragraphs 9 and 10 of Resolution 2095 (2011).
- (3) On ... September 2014, the Council adopted Council Decision 2014/.../CFSP³ amending Decision 2011/137/CFSP⁴ in accordance with UNSC Resolution 2174 (2014).
- (4) Certain of these amendments fall within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is therefore necessary in order to implement them, in particular with a view to ensuring their uniform application by economic operators in all Member States.
- (5) Regulation (EU) No 204/2011 should therefore be amended accordingly,

¹ OJ L 58, 3.3.2011, p. 53.

² OJ L 58, 3.3.2011, p. 53.

³ OJ L ...

⁴ Council Decision 2011/137/CFSP of 28 February 2011 concerning restrictive measures in view of the situation in Libya (OJ L 58, 03.03.2011, p. 53).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 204/2011 is amended as follows:

- (1) In Article 3, paragraph 2, point (c) is replaced by the following:
“(c) the provision of technical assistance, financing or financial assistance related to non-lethal military equipment intended solely for security or disarmament assistance to the Libyan government;”
- (2) In Article 6, paragraph 1 is replaced by the following:
“1. Annex II shall include the natural or legal persons, entities and bodies designated by the United Nations Security Council or by the Sanctions Committee in accordance with paragraph 22 of UNSCR 1970 (2011), paragraphs 19, 22 or 23 of UNSCR 1973 (2011) or paragraph 4 of UNSCR 2174 (2014).”

Article 2

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

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

Done at Brussels,

For the Council
The President