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II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) No 82/2011

of 31 January 2011

imposing a definitive anti-dumping duty on imports of okoumé plywood originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009 and terminating a partial interim review pursuant to Article 11(3) of Regulation (EC) No 1225/2009

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ (the basic Regulation), and in particular Articles 9(4) and 11(2), (3), (5) and (6) thereof,

Having regard to the proposal submitted by the European Commission after consulting the Advisory Committee,

Whereas:

A. PROCEDURE

1. Measures in force

(1) The Council, following an anti-dumping investigation ('the original investigation'), by Regulation (EC) No 1942/2004 ⁽²⁾, imposed a definitive anti-dumping duty on imports of okoumé plywood originating in the People's Republic of China (PRC). The duty levels imposed ranged from 6,5 % to 23,5 % for four producers and 66,7 % for all other producers.

2. Request for an expiry review and *ex officio* initiation of a partial interim review

(2) Following the publication of a notice of impending expiry ⁽³⁾ of the anti-dumping measures in force on imports of okoumé plywood originating in the PRC, the Commission received a request for an expiry review pursuant to Article 11(2) of the basic Regulation.

(3) The expiry review was lodged by the European Federation of the Plywood Industry (FEIC) ('the applicant') on behalf of Union producers representing a major proportion, in this case more than 50 % of the Union production of okoumé plywood. The request was based on the grounds that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and recurrence of injury to the Union industry.

(4) In addition, following a French court proceeding into anti-competitive behaviour of a number of French producers of okoumé plywood, it was considered that it could not be excluded that this could have had distorted the injury assessment in the original investigation. Therefore it was considered appropriate to also initiate in parallel an *ex officio* interim review pursuant to Article 11(3) of the basic Regulation to re-examine the injury situation of the Union industry in particular in comparison to the situation which prevailed in the investigation period of the original investigation.

(5) Having determined, after consulting the Advisory Committee, that sufficient evidence existed for the initiation of an expiry review and a partial interim review limited to the examination of injury pursuant to Articles 11(2) and 11(3) of the basic Regulation, the Commission published a notice of initiation of these reviews in the *Official Journal of the European Union* ⁽⁴⁾ (notice of initiation).

3. Investigation

3.1. Investigation period

(6) The investigation of the likelihood of continuation or recurrence of dumping covered the period from 1 October 2008 to 30 September 2009 (the 'review investigation period' or 'RIP').

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ L 336, 12.11.2004, p. 4.

⁽³⁾ OJ C 114, 19.5.2009, p. 11.

⁽⁴⁾ OJ C 270, 11.11.2009, p. 24.

- (7) The examination of the trends relevant for the assessment of the likelihood of a continuation or recurrence of injury covered the period from 1 January 2006 to the end of the RIP (the 'period considered').

3.2. Parties concerned by this investigation

- (8) The Commission officially advised the known Union producers, the exporting producers in the PRC, users and importers which were known to be concerned as well as the authorities of the PRC, of the initiation of the reviews.
- (9) Interested parties were given an opportunity to make their views known in writing and to request a hearing within the time limits set in the notice of initiation. All interested parties who so requested and showed that there were particular reasons why they should be heard, were granted a hearing.

4. Sampling

- (10) In view of the apparent high number of Union producers, importers and exporting producers in the PRC it was considered appropriate, in accordance with Article 17 of the basic Regulation, to examine whether sampling should be used. In order to enable the Commission to decide whether sampling would be necessary and, if so, to select a sample, the above parties were requested to make themselves known within 15 days of the initiation of the review and to provide the Commission with the information requested in the notice of initiation.
- (11) Only one Chinese exporting producer came forward and provided the requested information within the given deadline. It was therefore decided that sampling was not necessary in respect of Chinese exporting producers. A questionnaire was sent to the only cooperating Chinese exporting producer, which however subsequently stopped cooperating and never submitted a reply to the questionnaire. Therefore, as explained in recital 20, in accordance with the provisions of Article 18(1) of the basic Regulation, the findings were based on the facts available.
- (12) Ten Union producers provided the requested information within the given deadline and agreed to be included in the sample. On the basis of the information received from the cooperating Union producers, the Commission selected a sample of five Union producers representing about 40 % of the sales by all Union producers to unrelated customers in the Union in the RIP and about 35 % of the production by all Union producers in the RIP. The sample was selected on the basis of the largest representative sales volume that could reasonably be investigated within the time available and taking into account the geographical spread of the Union producers.

- (13) The Commission sent questionnaires to the five sampled Union producers. Two of the sampled companies ceased cooperating after the sampling phase. Given that the three companies submitting questionnaire replies still represented about 30 % of the sales by all Union producers to unrelated customers in the Union during the RIP, it was considered that the sample was still representative.

- (14) The Commission also sent a mini-questionnaire to the five producers which had not been selected in the sample, the two which had stopped cooperation and two other known producers, in order to obtain information on economic indicators referring to a greater number of Union producers. Replies to these mini-questionnaires were received from seven producers.

5. Verification of information received

- (15) The Commission sought and verified all the information it deemed necessary for the purpose of the determination of the continuation or likelihood of recurrence of dumping and injury and the Union interest. Verification visits were carried out at the premises of the following companies:

5.1. Union producers

- GARNICA PLYWOOD SA (Spain),
- JEAN THÉBAULT SAS (France),
- JOUBERT ST-JEAN-D'ANGÉLY SAS (France).

5.2. Producers in the analogue country

- EKOL KONTRPLAK, Tasköprü (Turkey).

B. PRODUCT CONCERNED AND LIKE PRODUCT

1. Product concerned

- (16) The product concerned is the same as in the original investigation and is defined as follows: plywood consisting solely of sheets of wood, each ply not exceeding 6 mm thickness, with at least one outer ply of okoumé not coated by a permanent film of other materials, originating in the PRC, currently falling within CN code ex 4412 31 10 (previously ex 4412 13 10). The product concerned is used for a wide variety of end-uses. It is used in the building industry in exterior joinery and carpentry applications for boarding, shutter boards, exterior basements and balustrades and riverside panelling. It is also used for more decorative purposes in, inter alia, road transports (e.g. cars, coaches, caravans, camping cars), maritime transports (yachts), furniture industry and doors.

- (17) There are two main types of okoumé plywood, plywood made solely with okoumé ('full okoumé') and plywood with at least one of the outer faces made of okoumé ('faced okoumé'), the rest being made of other wood. Both main types of okoumé plywood have the same external appearance. Despite differences in mechanical properties, they all share the same basic physical characteristics, and are basically used for the same purposes.

2. Like product

- (18) As shown in the original investigation, and as confirmed in the present investigation, it has been established that the okoumé plywood manufactured in the PRC and sold domestically as well as the product manufactured and sold in the Union by the Union industry were found to have basically the same physical and technical characteristics and the same uses. Therefore, these products are considered to be like products within the meaning of Article 1(4) of the basic Regulation.

C. LIKELIHOOD OF CONTINUATION OR RECURRENCE OF DUMPING

- (19) In accordance with Article 11(2) of the basic Regulation, it was examined whether dumping was likely to continue or recur upon a possible expiry of the measures in force against the PRC.
- (20) As stated in recital 11, in accordance with Article 18 of the basic Regulation, and in absence of any cooperation by Chinese exporting producers, the analysis of likelihood of continuation or recurrence of dumping had to be based on information available to the Commission from other sources. In this respect, since no detailed information was available about the precise product types exported to the Union from the PRC, the comparison of normal value and export prices had to be limited to the two main types of okoumé plywood, referred to in recital 17.
- (21) As a consequence, the analysis was mainly based on Eurostat trade statistics. In addition, one Chinese exporting producer had submitted until June 2009 the periodic monitoring reports required under recital 61 of the Regulation (EC) No 1942/2004. To some extent, information from these reports could therefore be used in the analysis of likelihood of continuation or recurrence of dumping.

1. Normal value

1.1. Analogue country

- (22) According to Article 2(7)(a) of the basic Regulation, in economies in transition, normal value for exporting producers not granted market economy treatment has to be established on the basis of the price or constructed value in a market economy third country ('analogue country').

- (23) In the notice of initiation Turkey, which had already been used as analogue country in the original investigation, was envisaged as an appropriate analogue country for the purpose of establishing normal value for the PRC in the present expiry review. Although invited to do so, none of the interested parties commented on the choice of Turkey. Therefore, on the basis of the information available at the time of selection, it was concluded that Turkey was the most appropriate analogue country.

1.2. Determination of normal value

- (24) One Turkish producer cooperated and submitted a questionnaire reply. Pursuant to Article 2(7)(a) of the basic Regulation, normal value was calculated on the basis of the data verified at the premises of that cooperating Turkish producer as set out below.
- (25) Normal value was established for both main product types described in recital 17. For one main product type normal value was based on the prices paid or payable on sales made in the domestic market of Turkey, as these were found to be made in representative quantities and in the ordinary course of trade. For the other main product type, which was produced by the Turkish producer but not sold on the domestic market, constructed normal value was used in accordance with Article 2(3) of the basic Regulation.
- (26) To construct normal value pursuant to Article 2(3) of the basic Regulation, the selling, general and administrative (SG & A) expenses incurred and the weighted average profit realised on domestic sales of the like product, in the ordinary course of trade, was added to the average cost of production during the RIP.

2. Export price

- (27) As stated above, in the absence of any cooperation from Chinese exporting producers and in accordance with Article 18 of the basic Regulation, the export price was established on the basis of available Eurostat trade statistics. Since Eurostat does not contain information per product type of okoumé plywood, in order to assess export prices for each of the two main types of okoumé plywood, these figures were adjusted on the basis of the price difference in per cent between full and faced okoumé plywood as observed for the Turkish cooperating producer. The price difference so obtained was then applied to the weighted average Eurostat prices.
- (28) As for the volumes, starting from the Eurostat total volumes, Chinese export volumes for each of the two main types of okoumé plywood have been calculated, on the basis of the proportion between full okoumé and faced okoumé observed in the monitoring reports referred to in recital 21, for the period overlapping with the RIP.

3. Comparison

- (29) In order to ensure a fair comparison between normal value and the export price, due allowance in the form of adjustments was made for differences affecting prices and price comparability in accordance with Article 2(10) of the basic Regulation. On this basis, adjustments for differences in transport costs, ocean freight and insurance costs, handling, loading and ancillary costs were deducted where applicable and justified. In the absence of cooperation from Chinese exporting producers, the amounts for these allowances were established on the basis of facts available.

4. Dumping margin

- (30) The dumping margin found, expressed as a percentage of the CIF Union frontier price, duty unpaid was 34,2 %.

5. Likely development of imports should measures be repealed

5.1. Preliminary remarks

- (31) Further to the analysis of the existence of dumping during the RIP, the likelihood of continuation of dumping was also examined. In the absence of cooperation from any Chinese exporting producers, conclusions about volume of imports and spare capacity below are based on facts available in accordance with Article 18 of the basic Regulation, namely trade statistics and submissions by interested parties.

5.2. Volume of imports

- (32) According to Eurostat trade statistics, actual imports of okoumé plywood from the PRC into the Union significantly dropped since the original IP, but Chinese producers managed to maintain a presence on the Union market, holding a 4,7 % market share during the RIP.

5.3. Production capacity, spare capacity

- (33) In the absence of cooperation from Chinese exporting producers of okoumé plywood, the situation of the Chinese plywood industry as a whole (producing plywood from all species of wood) was examined. As indicated in recital 89 of Commission Regulation (EC) No 988/2004 ⁽¹⁾ imposing provisional anti-dumping duties in the course of the original investigation, plywood producers can and do produce plywood made up from different species of wood on the same equipment. The applicant provided a calculation of the volume of okoumé plywood produced in the PRC, based on the number of okoumé logs available on the Chinese market, which was estimated at around 900 000 m³ for the RIP. The applicant also estimated that around 85 % or 765 000 m³ are used for the production of plywood. The actual okoumé plywood production is difficult to

estimate, as is the product mix, which has an important impact on the possible quantities produced, and is unknown due to the lack of cooperation from any Chinese exporting producers. However, an estimation of production capacity based on okoumé logs clearly shows that, in any product mix scenario, the production capacity in the PRC is largely above the volumes consumed in the Union market (291 000 m³ in the RIP, see recital 41).

- (34) Furthermore, it was established both during the current review as well as in the original investigation, that plywood made from different wood species is produced by the same companies, on the same equipment. Therefore, it can be expected that, in the absence of measures, Chinese producers which are currently focussing on the production of other, less lucrative types of plywood may increasingly shift their production toward okoumé plywood. According to Chinese export statistics, Chinese exports of plywood accounted for more than 5 million m³ during the RIP, or around 17 times the Union market of okoumé plywood. Consequently, only a minor shift in product mix is needed to substantially increase the volumes of okoumé plywood available for export.

5.4. Volume and price of imports from the PRC to the Union and other third countries

- (35) In 2009 and based on Chinese export data, the Union was the destination for only a small portion (ca. 5 %) of Chinese exports of tropical plywood. As compared to the prices to other markets, these sales were made at relatively high sales prices. Therefore, it is likely that, should measures be repealed, a larger share of Chinese exports of okoumé plywood would be directed to the Union.

5.5. Conclusion on the likelihood of continuation of dumping

- (36) The investigation showed that the product concerned is still sold on the Union market at dumped prices and in not insignificant volumes. Moreover, the information available indicates that the production volumes in the PRC are very high and that the share of its exports to the Union is currently restrained due to the measures in place. In this respect, it can be expected that okoumé plywood currently exported to other countries at lower prices will be redirected to the Union market should measures be repealed. In addition, Chinese producers of plywood are expected to increase their production of okoumé plywood if measures would lapse as the Union market of okoumé plywood is relatively lucrative.
- (37) In view of these findings, it is therefore concluded that there is a likelihood of continuation of dumping should the current anti-dumping measures be allowed to lapse.

⁽¹⁾ OJ L 181, 18.5.2004, p. 5.

D. DEFINITION OF THE UNION INDUSTRY

(38) Within the Union, the like product is known to be manufactured by sixteen producers in Cyprus, France, Greece, Italy, Portugal and Spain. Total Union production is estimated at 235 000 m³. The Union producers accounting for the total Union production constitute the Union industry within the meaning of Article 4(1) of the basic Regulation. During the period considered in the original investigation, the Union market consisted of the EU-15 Member States. However, since okoumé plywood production in the new EU-12 Member States is rather insignificant, a comparison between the current and the original investigation will be meaningful.

(39) As mentioned in recital 10, a sample of three producers, representing about 30 % of the Union sales by all Union producers to unrelated customers during the RIP and about 26 % of production by all Union producers during the RIP, was investigated in detail. The sample consisted of the following companies:

— GARNICA PLYWOOD SA (Spain),

— JEAN THÉBAULT SAS (France),

— JOUBERT ST-JEAN-D'ANGÉLY SAS (France).

E. SITUATION ON THE UNION MARKET

1. Union consumption

(40) Union consumption of okoumé plywood was established on the basis of sales volumes of the Union industry and of other Union producers on the Union market and the volume of imports from third countries into the Union based on Eurostat data.

(41) Altogether, between the IP in the original investigation and the RIP of the current review, Union consumption has decreased by 35 %. During the period considered in the current review, Union consumption has decreased by 22 %. This is generally explained by the fact that okoumé plywood has to a certain extent been substituted by other tropical wood species, such as red canarium, bankirai or meranti. In 2008 and the RIP, the economic crisis and the consequent reduction of certain industrial activities contributed to the declining trend in demand for okoumé plywood in the Union.

	2006	2007	2008	RIP
Total Union consumption (m³)	375 105	382 976	339 914	291 421
<i>Index (2006 = 100)</i>	100	102	91	78

Source: Questionnaire replies, review request and Eurostat.

2. Volume, market share and prices of imports from the PRC

(42) Actual imports of the product concerned into the Union dropped from 83 606 m³ in the original IP to 23 531 m³ in 2006. Thereafter, these imports increased by more than 20 % between 2006 and 2008 and dropped sharply between 2008 and the RIP to 54 % of the 2006 level.

Imports (m ³)	2006	2007	2008	RIP
PRC	23 531	37 023	28 493	12 620
<i>Index (2006 = 100)</i>	100	157	121	54

Source: Eurostat.

(43) The corresponding market share increased by 3,4 percentage points between 2006 and 2007. It decreased by 1,3 percentage points between 2007 and 2008 and dropped further by 4,1 percentage points between 2008 and the RIP. Altogether, the market share of Chinese imports to the Union decreased by 2 percentage points over the period considered.

Market shares	2006	2007	2008	RIP
PRC	6,3 %	9,7 %	8,4 %	4,3 %

Source: Questionnaire replies, review request and Eurostat.

(44) Average prices of imports of the product concerned from PRC increased by 32 % between 2006 and the RIP. More specifically, these prices increased by 22 % between 2006 and 2007, further by 3 percentage points between 2007 and 2008 and by another 7 percentage points between 2008 and the RIP.

Imports (EUR/m ³)	2006	2007	2008	RIP
PRC	485	590	608	642
<i>Index (2006 = 100)</i>	100	122	125	132

Source: Eurostat.

3. Price undercutting

(45) For the purposes of analysing price undercutting the weighted average sales prices per product type of the sampled Union industry to unrelated customers on the Union market were compared with the corresponding weighted average prices of the imports concerned. The comparison was made after deduction of rebates and discounts.

- (46) On this basis it was established that on average Chinese imports undercut the Union industry's sales prices by 10 % during the RIP.
- (47) In the original investigation an adjustment was made for the difference in quality between the product concerned imported from the PRC and the like product sold by the Union industry. In the present investigation, the codification of product types in the questionnaires was adjusted in a way to take this into account. Therefore, as the quality difference was taken into account in the present investigation and since no data was received from Chinese exporting producers on eventual additional differences in quality, the adjustment made in the original investigation was not applied in the present investigation. During the IP of the original investigation, the products concerned originating in the PRC were sold in the Union at prices which undercut the Union industry's prices by margins ranging from 11 % to 52 %.

4. Economic situation of the Union industry

Preliminary remarks

- (48) All injury indicators listed in Article 3(5) of the basic Regulation have been analysed. Indicators on the production volume, production capacity, capacity utilisation, employment, sales volume, sales prices, productivity and market share have been analysed on the basis of data collected for the whole Union industry. As regards all other injury indicators, their examination was based on the information submitted by the sampled Union producers as verified at the premises of each company.

Data relating to the Union industry as a whole

(a) Production

- (49) The production volume of the Union industry increased by 31 % between 2006 and 2007 and dropped by 2 percentage points between 2007 and 2008 and by another 13 percentage points between 2008 and the RIP. Despite the 16 % increase in production volume between 2006 and the RIP, the production volume of the Union industry stays below the volumes found in the original investigation i.e. below 283 265 m³ in 2002 and 267 591 in the original IP.

	2006	2007	2008	RIP
Production (m³)	203 604	267 155	263 080	235 182
<i>Index (2006 = 100)</i>	100	131	129	116

Source: Questionnaire replies, review request and Eurostat.

(b) Production capacity and capacity utilisation

- (50) The production capacity of the Union industry has increased by 33 % between 2006 and 2007 and further by 12 percentage points between 2007 and 2008. Between 2008 and the RIP, production capacity remained stable. Altogether, production capacity of the Union industry increased by 45 % over the period considered. Capacity utilisation was 51 % in 2006 and it dropped further to 41 % during the RIP.

	2006	2007	2008	RIP
Production capacity (m³)	399 016	532 415	578 484	577 205
<i>Index (2006 = 100)</i>	100	133	145	145
Capacity utilisation	51 %	50 %	45 %	41 %
<i>Index (2006 = 100)</i>	100	98	89	80

Source: Questionnaire replies and review request.

(c) Employment

- (51) The employment level of the Union industry shows an increase of 11 % between 2006 and the RIP. More specifically, the number of people employed increased by 21 % between 2006 and 2007 and remained close to this level in 2008. Between 2008 and the RIP the number of employees dropped by 9 percentage points. As a consequence of company closures and restructuring, the employment level in the period considered never reached the levels noted during the original investigation.

	2006	2007	2008	RIP
Employment (persons)	883	1 064	1 060	983
<i>Index (2006 = 100)</i>	100	121	120	111

Source: Questionnaire replies and review request.

(d) Sales volume

- (52) Over the period considered, the Union sales volume of the Union producers to unrelated customers decreased by 16 %. Between 2006 and 2007, sales remained stable before dropping in 2008 and in the RIP. Sales volumes during the period considered were in the same order of magnitude as compared to the period considered in the original investigation.

	2006	2007	2008	RIP
Union sales volume (m³)	277 739	272 341	242 728	233 333
<i>Index (2006 = 100)</i>	100	98	87	84

Source: Questionnaire replies and review request.

(e) Sales prices

- (53) Between 2006 and 2007 average sales prices of the Union industry on the Union market to unrelated customers increased by 13 % and by a further 5 percentage points between 2007 and 2008. During the RIP, these prices turned back to the level of 2007. Altogether, Union sales prices have increased by 13 % over the period considered.

	2006	2007	2008	RIP
Unit price Union market (EUR/m³)	786	885	930	887
<i>Index (2006 = 100)</i>	100	113	118	113

Source: Questionnaire replies and review request.

(f) Productivity

- (54) Productivity of the Union producers' workforce, measured as annual output (cubic metres) per person employed, increased by 4 % over the period considered. This reflects the fact that production increased at a higher pace than the employment level and is an indication of the improved efficiency by the Union producers.

	2006	2007	2008	RIP
Productivity (m³ per employee)	231	251	248	239
<i>Index (2006 = 100)</i>	100	109	108	104

Source: Questionnaire replies and review request.

(g) Market share

- (55) The market share of the Union industry increased by almost 6 percentage points during the period considered. More specifically, it dropped by 3 percentage points between 2006 and 2007 and remained fairly stable between 2007 and 2008. Between 2008 and the RIP it increased by 8,6 percentage points to 80,2 %. The increase of the Union industry's market share over the period considered is reflecting a decrease in Union sales against a more pronounced decrease in Union consumption.

	2006	2007	2008	RIP
Market share Union producers	74,3 %	71,3 %	71,6 %	80,2 %

Source: Questionnaire replies, review request and Eurostat.

(h) Magnitude of the dumping margin and recovery from past dumping

- (56) During the RIP, despite the measures in force, substantial dumping continued albeit at an overall lower level than that established in the original investigation. Given the volume and the price of the dumped imports, the impact of the actual margin of dumping, which is significant, cannot be considered negligible. Although some recovery from the past dumping could be established, the Union industry remains vulnerable to the injurious effects of any dumped imports in the Union market.

- (57) Concerning the overall situation of the Union industry, it has been found that several producers have closed down since the original investigation. According to information available, the biggest Union producer of the original IP went bankrupt in 2008 and it first reduced and then completely stopped production. Two other Union producers sampled in the original investigation closed down in 2005 and 2006 respectively. Another French producer also closed down at the beginning of 2009. In addition, a Greek producer has substantially reduced production. These developments, even though they may have contributed to an increased market share of the remaining Union producers, show that the Union industry on the whole is still fragile and vulnerable.

Data relating to the sampled Union producers

(a) Stocks

- (58) The level of closing stock of the sampled Union producers increased by almost five times over the period considered. Compared to the period covered by the original investigation, where okoumé plywood was merely produced on order, higher volumes appear to be kept in stock during the period considered. This is particularly the case in 2008 and the RIP as a consequence of dropping sales volumes.

Sample	2006	2007	2008	RIP
Closing stock (m³)	1 419	3 954	6 805	6 589
<i>Index (2006 = 100)</i>	100	279	480	464

Source: Questionnaire replies.

(b) *Wages*

- (59) The annual labour cost of the sampled Union producers increased by 26 % over the period considered. More specifically, annual labour cost increased by 29 % between 2006 and 2007. Further, it dropped by 3 percentage points between 2007 and 2008. Between 2008 and the RIP it remained stable.

Sample	2006	2007	2008	RIP
Annual labour cost (EUR)	6 429 123	8 262 078	8 125 944	8 100 326
<i>Index (2006 = 100)</i>	100	129	126	126

Source: Questionnaire replies.

(c) *Profitability and return on investments*

- (60) The profitability level of the sampled Union producers was 4,3 % in 2006 and it improved to 9,8 % and 8,3 % in 2007 and 2008 respectively, before dropping to 5,9 % during the RIP. The return on investments ('ROI'), expressed as the profit in percent of the net book value of investments decreased by 51 % over the period considered or from 12,5 % in 2006 to 6,2 % in the RIP.

Sample	2006	2007	2008	RIP
Profitability of Union (% of net sales)	4,3 %	9,8 %	8,3 %	5,9 %
<i>Index (2006 = 100)</i>	100	230	193	137
ROI (profit in % of net book value of investments)	12,5 %	13,6 %	12,1 %	6,2 %
<i>Index (2006 = 100)</i>	100	109	97	49

Source: Questionnaire replies.

(d) *Cash flow and ability to raise capital*

- (61) The net cash flow of sampled Union producers from operating activities has increased by 32 % over the period considered. There were no indications that the Union industry encountered difficulties in raising capital.

Sample	2006	2007	2008	RIP
Cash flow (EUR)	10 507 019	11 414 266	15 892 091	13 853 776
<i>Index (2006 = 100)</i>	100	109	151	132

Source: Questionnaire replies.

(e) *Investments*

- (62) The sampled producers' annual investments in the production of the like product increased by 10 % between 2006 and 2007, by 100 percentage points between 2007 and 2008 and by a further 16 percentage points between 2008 and the RIP. Overall, investments increased by 126 % over the period considered.

Sample	2006	2007	2008	RIP
Net investments (EUR)	3 588 258	3 959 491	7 520 975	8 108 166
<i>Index (2006 = 100)</i>	100	110	210	226

Source: Questionnaire replies.

5. Conclusion on the economic situation of the Union industry

- (63) The analysis of the macroeconomic and microeconomic data shows that the Union industry is in a relatively stable situation. In particular, the profitability level of the sampled Union producers has recovered from the level of – 8,9 % found for the sampled producers in the original investigation and the average profitability level has remained between 4,3 % and 9,8 % throughout the period considered. The Union industry also managed to increase its market share in a shrinking market thanks to the measures in force.

F. LIKELIHOOD OF RECURRENCE OF INJURY

1. Impact of the projected volume of imports and price effects in case of repeal of measures

- (64) Although the Union industry seems to have stabilised and recovered from the effects of the dumped imports from PRC, they have not reached the level of production, sales and employment of the period before the original investigation. A number of Union producers closed down which also shows that the industry as a whole is still somewhat fragile.
- (65) A number of elements support the likelihood of recurrence of injury in case measures were allowed to lapse. Firstly, in the light of the current undercutting levels found for imports from the PRC and assuming that the current low level of import prices would continue or even be reinforced in order to gain lost market share, the Union industry would not be in a position to maintain the current price level. This likely depression of prices would indeed jeopardise the current recovery of the Union industry and undermine profitability.
- (66) Secondly, in view of the considerable production capacities of the Chinese exporting producers, it is also likely that (dumped) imports would increase at low price levels. This, in turn, would mean that the Union industry would lose sales on the market, and given the already low capacity utilisation rate during the RIP, this might lead to further reduction of production or even further closures of Union producers.
- (67) On the basis of the above, it is concluded that in case the measures are allowed to expire, there is a likelihood of a recurrence of injury from renewed dumped imports of the product concerned from the PRC.

Other considerations: access to raw material in Gabon

- (68) Okoumé is a tropical wood which grows predominantly in Gabon and to a lesser extent in Equatorial Guinea and

in Cameroon. The complainant association has provided evidence that the Gabonese government has prohibited, as of 1 January 2010, the export of unpeeled okoumé logs from Gabon with the aim of keeping the transformation of the logs into veneers in the country. It has been therefore examined whether such a ban, although it took place after the RIP, would have a substantial impact on the present analysis.

- (69) Information received in the investigation has indicated that Asian companies, which import/export more than 60 % of Gabonese logs, seem to be in a strong position to negotiate with the Société Nationale des Bois du Gabon (SNBG), the main exporter of okoumé wood and with the Gabonese government and appear less impacted by the decision than European companies. In the absence of the cooperation of Chinese exporting producers, no further impact assessment could be carried out in this respect.
- (70) The export ban entered into force on 1 January 2010 only, i.e. after the RIP and a transitory period until May 2010 applied to logs already cut at the end of 2009 which could still be exported. In order to examine the effect of entry into force of the export ban on the Union producers, additional information was requested from the members of the complainant association on 14 September 2010. Replies were received from four Union producers. Two of the sampled producers have their own peeling plant in Gabon and therefore appear not to be affected by the ban. However, all sampled producers confirmed the information that Chinese companies have a strong negotiating position to secure access to raw material and that the effectiveness of the enforcement of the law is still to be seen. Union producers confirmed that okoumé supply has decreased and prices have increased following the export ban on logs in Gabon and that the producers which have an okoumé peeling plant in the Union suffer the most from the new situation.
- (71) In any event, the ban applies in principle to all exports, i.e. also exports to the PRC. Therefore, the new legal situation in Gabon does not seem to affect the analysis in the present expiry review.

2. Conclusion on the likelihood of recurrence of injury

- (72) Based on the above analysis, it is concluded that the expiry of the measures would be likely to result in a recurrence of injury to the Union industry caused by dumped imports of the product concerned from the PRC.

G. INTERIM REVIEW LIMITED TO THE INJURY ASPECTS IN VIEW OF THE DECISION OF THE FRENCH CONSEIL DE LA CONCURRENCE

- (73) As mentioned in recital 4, a number of French producers were subject to a French court proceeding into anti-competitive behaviour due to which it was considered appropriate to initiate *ex officio* an interim review to re-examine the injury situation of the Union industry in particular in comparison to the situation which prevailed in the investigation period of the original investigation.
- (74) In the above mentioned court proceeding, the French Conseil de la Concurrence fined six French plywood producers for anti-competitive behaviour (i.e. applying the same price grills and simultaneous price increases) during the period November 1995 to May 2004. In its judgement of 29 September 2009, the Cour d'Appel de Paris confirmed the decision of the Conseil de la Concurrence although it somewhat reduced the level of the fines.
- (75) In the injury analysis of the original proceeding five European producers were sampled: three French, one Italian and one Portuguese. Two of the three French producers in the sample were later subject to the fines described above. In order to examine the possible influence of the above anti-competitive behaviour on the injury analysis, first the average sales prices of each of the companies in the original sample were compared. It was found that the two French producers which were later fined had indeed a higher average unit sales price than the other three companies in the sample. This price difference can be partially explained by the findings of the original investigation i.e. by a different product mix of these producers. However, when making the comparison on a more detailed level, it appears that unit sales prices of the two French producers in the original IP were also higher for both full okoumé plywood (7-30 % higher) and faced okoumé plywood (3-19 %).
- (76) Therefore, in a next step, the data of the two fined French companies were removed from the injury calculation and the injury picture of the original case was examined on the basis of the data from the remaining three sampled companies. As the macroeconomic indicators (production, productivity, sales, market share, employment and growth) were based on information provided by ten Union producers, the data of the other fined French companies was also removed from this calculation.
- (77) It was found that the findings of the original investigation concerning the so-called microeconomic indicators would not change significantly without the data from the fined French companies. Over the period considered in the original investigation, profitability of the sampled companies decreased from 3,5 % to – 8,9 %. If the fined French producers were excluded from the sample, profitability would have decreased from 3,1 % to – 6,5 %. Return on investment of the sampled companies decreased from 15,6 % to – 27,5 %; without the fined French producers it would have decreased from 19,3 % to – 38,9 %. Investments of the sampled companies dropped by 80 %; without the fined French producers it would have dropped by 86 %. Cash flow of the sampled producers decreased from 7,6 million EUR to 59 000 EUR; without the fined French producers it would have decreased from 1,5 million EUR to – 69 000 EUR. Concerning macroeconomic data of the Union industry as a whole, a more nuanced picture would be noted if the data from the fined French producers were excluded. Over the period considered in the original investigation, production of the Union industry decreased by 10 %; without the fined French producers it would have decreased by 1 %. Employment in the Union industry dropped by 9 %; without the fined French producers it would have remained stable. Sales value of the Union industry decreased by 7 %; without the fined French producers it would have increased by 5 %. Sales volume of the Union industry dropped by 10 %; without the fined French producers it would have increased by 1 %.
- (78) Therefore, even if the injury picture would look more nuanced when excluding the fined French companies, there would still have been material injury in the original investigation. This follows, in particular, from the development of the so-called microeconomic indicators.
- (79) It has also been examined whether the anti-competitive behaviour of the French producers could have had a potential effect on the injury picture of the current review. Firstly, since the cartel stopped in 2004, none of the indicators could directly be influenced by anti-competitive actions any longer. Therefore it was assessed whether indirectly, i.e. through the cost of the fines, there could still be an influence on the injury analysis. It has been found that none of the two French producers in the sample included the amount of the fine when calculating their profitability. Therefore it has been found that the past anti-competitive practices or the fines imposed had no effect on the current injury analysis.
- (80) Based on the above analysis, it is concluded that the anti-competitive behaviour of French producers did not affect the injury situation of the Union industry in particular in comparison to the situation which prevailed in the investigation period of the original investigation. Therefore, the partial interim review should be terminated.

H. UNION INTEREST

- (81) In accordance with Article 21 of the basic Regulation, it was examined whether there are compelling reasons not to maintain the existing anti-dumping measures. The determination of the Union interest was based on an appreciation of all the various interests involved. All interested parties were given the opportunity to make their views known pursuant to Article 21(2) of the basic Regulation.
- (82) It should be recalled that, in the original investigation, the adoption of measures was considered not to be against the interest of the Union. Furthermore, the fact that the present investigation is a review, thus analysing a situation in which anti-dumping measures have already been in place, allows the assessment of any undue negative impact on the parties concerned by the current anti-dumping measures.
- (83) On this basis it was examined whether, despite the conclusions on the likelihood of a continuation or recurrence of injurious dumping, compelling reasons existed which would lead to the conclusion that it is not in the Union interest to maintain measures in this particular case.

1. Interest of the Union industry and other Union producers

- (84) The continuation of the anti-dumping measures on imports from the country concerned would enhance the possibility for the Union industry to reach a reasonable level of profitability, as it would help avoiding that the Union industry is pushed out of the market by substantial volumes of dumped imports from the PRC. Indeed, there is a clear likelihood of injurious dumping in substantial volumes which the Union industry could not withstand. The Union industry would therefore continue to benefit from the maintenance of the current anti-dumping measures.
- (85) Accordingly, it is concluded that the maintenance of anti-dumping measures against the PRC would clearly be in the interest of the Union industry and other Union producers.

2. Interest of unrelated importers in the Union

- (86) Two unrelated Union importers cooperated in the investigation. Both opposed the continuation of the measures and claimed that the measures were ineffective, that Chinese products are not comparable to like products produced by the Union industry due to quality differences and expressed doubts about the competitiveness of the Union okoumé plywood industry.

However, none of these claims have been substantiated. In the absence of any evidence suggesting that the current anti-dumping measures in force considerably affected importers, it is concluded that the continuation of measures will not affect the Union importers to any significant extent.

3. Interest of users in the Union

- (87) Questionnaire replies were received from three users located in Italy, Greece and France respectively. Given that none of them purchased the product concerned from the PRC and in the absence of further evidence suggesting that the current anti-dumping measures in force considerably affected users, it can be concluded that the maintenance of the measures would not have a significant negative impact on users in the Union.

4. Conclusion on Union interest

- (88) It is thus considered that no compelling Union interest reasons exist against the maintenance of the measures in force.

I. ANTI-DUMPING MEASURES

- (89) All parties were informed of the essential facts and considerations on the basis of which it was intended to recommend that the existing measures be maintained.

Company	Rate of duty (%)
Nantong Zongyi Plywood Co. Ltd	9,6
Zhejiang Deren Bamboo-Wood Technologies Co. Ltd	23,5
Zhonglin Enterprise (Dangshan) Co. Ltd	6,5
Jiaxing Jinlin Lumber Co. Ltd	17
All other companies	66,7

- (90) They were also granted a period within which they could make representations subsequent to this disclosure. The submissions and comments were duly taken into consideration where warranted.

- (91) It follows from the above that, as provided for by Article 11(2) and Article 11(3) of the basic Regulation, the anti-dumping measures applicable to imports of okoumé plywood originating in the PRC should be maintained.

- (92) The individual company anti-dumping duty rates specified in this Regulation are solely applicable to imports of the product concerned produced by these companies and thus by the specific legal entities mentioned. Imports of the product concerned manufactured by any other company not specifically mentioned in the operative part of this Regulation with its name and address, including entities related to those specifically mentioned, cannot benefit from these rates and shall be subject to the duty rate applicable to 'all other companies'.
- (93) Any claim requesting the application of these individual anti-dumping duty rates (e.g. following a change in the name of the entity or following the setting up of new production or sales entities) should be addressed to the Commission ⁽¹⁾ forthwith with all relevant information, in particular any modification in the company's activities linked to production, domestic and export sales associated with, for instance, that name change or that change in the production and sales entities. If appropriate, this Regulation will then be accordingly amended by updating the list of companies benefiting from individual duty rates.
- (94) In order to minimise the risks of circumvention due to the high difference in the duty rates, it is considered that special measures are needed in this case to ensure the proper application of the anti-dumping duty. These special measures include the presentation to the Customs authorities of the Member States of a valid commercial invoice, which shall conform to the requirements set out in the Annex to this Regulation. Imports not accompanied by such an invoice shall be made subject to the anti-dumping duty applicable to 'all other companies'.
- (95) Should the exports by one of the companies benefiting from lower individual duty rates increase significantly in volume after the imposition of the measures concerned, such an increase in volume could be considered as constituting in itself a change in the pattern of trade due to the imposition of measures within the meaning of Article 13(1) of the basic Regulation. In such circumstances and provided the conditions are met an anti-circumvention investigation may be initiated. This investigation may, inter alia, examine the need for the removal of individual duty rates and the consequent imposition of a country-wide duty,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of okoumé plywood, defined as plywood consisting solely of sheets of wood, each ply not exceeding 6 mm thickness, with at least one outer ply of okoumé not coated

by a permanent film of other materials, currently falling within CN code ex 4412 31 10 (TARIC code 4412 31 10 10) and originating in the People's Republic of China.

2. The rate of the anti-dumping duty applicable to the net, free-at-Union frontier price, before duty, for the products described in paragraph 1 and manufactured by the companies listed below shall be as follows:

Manufacturer	Rate of duty (%)	TARIC additional code
Nantong Zongyi Plywood Co. Ltd Xingdong Town, Tongzhou City, Jiangsu Province, People's Republic of China	9,6	A526
Zhejiang Deren Bamboo-Wood Technologies Co. Ltd Linhai Economic Development Zone, Zhejiang, People's Republic of China	23,5	A527
Zhonglin Enterprise (Dangshan) Co. Ltd Xue Lou Miao Pu, Dangshan County, Anhui Province 235323, People's Republic of China	6,5	A528
Jiaxing Jinlin Lumber Co. Ltd North of Ganyao Town, Jiashan, Zhejiang Province, People's Republic of China	17	A529
All other companies	66,7	A999

3. The application of the individual duty rates specified for the companies mentioned in paragraph 2 shall be conditional upon presentation to the customs authorities of the Member States of a valid commercial invoice, which shall conform to the requirements set out in the Annex. If no such invoice is presented, the duty rate applicable to all other companies shall apply.

4. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

The partial interim review in accordance with Article 11(3) of Regulation (EC) No 1225/2009 is hereby terminated.

Article 3

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

⁽¹⁾ European Commission, Directorate-General for Trade, Directorate H, NERV-105, 1049 Bruxelles/Brussel, BELGIUM.

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

Done at Brussels, 31 January 2011.

For the Council
The President
MARTONYI J.

ANNEX

A declaration signed by an official of the entity issuing the commercial invoice, in the following format, must appear on the valid commercial invoice referred to in Article 1(3):

1. The name and function of the official of the entity issuing the commercial invoice.
 2. The following declaration: 'I, the undersigned, certify that the (volume) of [product concerned] sold for export to the European Union covered by this invoice was manufactured by (company name and address) (TARIC additional code) in (country concerned). I declare that the information provided in this invoice is complete and correct.'
 3. Date and signature.
-

COUNCIL IMPLEMENTING REGULATION (EU) No 83/2011**of 31 January 2011****implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Implementing Regulation (EU) No 610/2010**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ⁽¹⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) On 12 July 2010, the Council adopted Implementing Regulation (EU) No 610/2010 implementing Article 2(3) of Regulation (EC) No 2580/2001 ⁽²⁾, establishing an updated list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies.
- (2) The Council has provided all the persons, groups and entities for which it was practically possible with statements of reasons explaining why they were listed in Implementing Regulation (EU) No 610/2010. In the case of one group, an amended statement of reasons was provided in November 2010.
- (3) By way of a notice published in the *Official Journal of the European Union* ⁽³⁾, the Council informed the persons, groups and entities listed in Implementing Regulation (EU) No 610/2010 that it had decided to keep them on the list. The Council also informed the persons, groups and entities concerned that it was possible to request a statement of the Council's reasons for putting them on the list where one had not already been communicated to them. In the case of five groups, an amended statement of reasons was made available in November 2010 ⁽⁴⁾.
- (4) The Council has carried out a complete review of the list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies, as required by Article 2(3) of that Regulation. When doing so it took account of observations submitted to the Council by those concerned.

- (5) Subject to the appeal pending in Case T-348/07, the Council has concluded that the persons, groups and entities listed in the Annex to this Regulation have been involved in terrorist acts within the meaning of Article 1(2) and (3) of Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism ⁽⁵⁾, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that Common Position, and that they should continue to be subject to the specific restrictive measures provided for in Regulation (EC) No 2580/2001.
- (6) Due to the appeal pending in Case T-348/07, the Council has determined that Council Decision 2010/386/CFSP ⁽⁶⁾ should not be repealed with regard to one group. The review in respect of that group is ongoing.
- (7) The list of the persons, groups and entities to which Regulation (EC) No 2580/2001 applies should be updated accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The list provided for in Article 2(3) of Regulation (EC) No 2580/2001 shall be replaced by the list set out in the Annex to this Regulation.

Article 2

Implementing Regulation (EU) No 610/2010 is hereby repealed except in so far as it concerns the group mentioned in entry number 25 in Part 2 of the Annex thereto.

Article 3

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, 31 January 2011.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 344, 28.12.2001, p. 70.

⁽²⁾ OJ L 178, 13.7.2010, p. 1.

⁽³⁾ OJ C 188, 13.7.2010, p. 13.

⁽⁴⁾ OJ C 316, 20.11.2010, p. 11.

⁽⁵⁾ OJ L 344, 28.12.2001, p. 93.

⁽⁶⁾ OJ L 178, 13.7.2010, p. 28.

ANNEX

LIST OF PERSONS, GROUPS AND ENTITIES REFERRED TO IN ARTICLE 1

1. Persons

1. ABOU, Rabah Naami (aka Naami Hamza, aka Mihoubi Faycal, aka Fellah Ahmed, aka Dafri Rème Lahdi), born 1.2.1966 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
2. ABOUD, Maisi (aka The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria), — member of 'al-Takfir' and 'al-Hijra'
3. AL-MUGHASSIL, Ahmad Ibrahim (aka ABU OMRAN, aka AL-MUGHASSIL, Ahmed Ibrahim), born 26.6.1967 in Qatif-Bab al Shamal (Saudi Arabia), citizen of Saudi Arabia
4. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia
5. AL YACOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
6. ARIOUA, Kamel (aka Lamine Kamel), born 18.8.1969 in Costantine (Algeria) — member of 'al-Takfir' and 'al-Hijra'
7. ASLI, Mohamed (aka Dahmane Mohamed), born 13.5.1975 in Ain Taya (Algeria) — member of 'al-Takfir' and 'al-Hijra'
8. ASLI, Rabah, born 13.5.1975 in Ain Taya (Algeria) — member of 'al-Takfir' and 'al-Hijra'
9. ATWA, Ali (aka BOUSLIM, Ammar Mansour, aka SALIM, Hassan Rostom), Lebanon, born 1960 in Lebanon, citizen of Lebanon
10. BOUYERI, Mohammed (aka Abu Zubair, aka Sobiar, aka Abu Zoubair), born 8.3.1978 in Amsterdam (The Netherlands) — member of the 'Hofstadgroep'
11. DARIB, Nouredine (aka Carreto, aka Zitoun Mourad), born 1.2.1972 in Algeria — member of 'al-Takfir' and 'al-Hijra'
12. DJABALI, Abderrahmane (aka Touil), born 1.6.1970 in Algeria — member of 'al-Takfir' and 'al-Hijra'
13. EL FATMI, Nouredine (aka Nouriddin EL FATMI, aka Nouriddine EL FATMI, aka Nouredine EL FATMI, aka Abu AL KA'E KA'E, aka Abu QAE QAE, aka Fouad, aka Fzad, aka Nabil EL FATMI, aka Ben Mohammed, aka Ben Mohand Ben Larbi, aka Ben Driss Muhand Ibn Larbi, aka Abu Tahar, aka Eggie), born 15.8.1982 in Midar (Morocco), passport (Morocco) No N829139 — member of the 'Hofstadgroep'
14. EL-HOORIE, Ali Saed Bin Ali (aka AL-HOURI, Ali Saed Bin Ali, aka EL-HOURI, Ali Saed Bin Ali), born 10.7.1965 or 11.7.1965 in El Dibabiya (Saudi Arabia), citizen of Saudi Arabia
15. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
16. IZZ-AL-DIN, Hasan (aka GARBAYA, Ahmed, aka SA-ID, aka SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
17. MOHAMMED, Khalid Shaikh (aka ALI, Salem, aka BIN KHALID, Fahd Bin Adballah, aka HENIN, Ashraf Refaat Nabith, aka WADOOD, Khalid Adbul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
18. MOKTARI, Fateh (aka Ferdi Omar), born 26.12.1974 in Hussein Dey (Algeria) — member of 'al-Takfir' and 'al-Hijra'
19. NOUARA, Farid, born 25.11.1973 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
20. RESSOUS, Hoari (aka Hallasa Farid), born 11.9.1968 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'

21. SEDKAOUI, Nouredine (aka Nounou), born 23.6.1963 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
22. SELMANI, Abdelghani (aka Gano), born 14.6.1974 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
23. SENOUCI, Sofiane, born 15.4.1971 in Hussein Dey (Algeria) — member of 'al-Takfir' and 'al-Hijra'
24. TINGUALI, Mohammed (aka Mouh di Kouba), born 21.4.1964 in Blida (Algeria) — member of 'al-Takfir' and 'al-Hijra'
25. WALTERS, Jason Theodore James (aka Abdullah, aka David), born 6.3.1985 in Amersfoort (The Netherlands), passport (The Netherlands) No NE8146378 — member of the 'Hofstadgroep'

2. Groups and entities

1. 'Abu Nidal Organisation' — 'ANO' (aka 'Fatah Revolutionary Council', aka 'Arab Revolutionary Brigades', aka 'Black September', aka 'Revolutionary Organisation of Socialist Muslims')
 2. 'Al-Aqsa Martyrs' Brigade'
 3. 'Al-Aqsa e.V.'
 4. 'Al-Takfir' and 'Al-Hijra'
 5. 'Aum Shinrikyo' (aka 'AUM', aka 'Aum Supreme Truth', aka 'Aleph')
 6. 'Babbar Khalsa'
 7. 'Communist Party of the Philippines', including 'New People's Army' — 'NPA', Philippines
 8. 'Gama'a al-Islamiyya' (aka 'Al-Gama'a al-Islamiyya') ('Islamic Group' — 'IG')
 9. 'İslami Büyük Doğu Akıncılar Cephesi' — 'IBDA-C' ('Great Islamic Eastern Warriors Front')
 10. 'Hamas', including 'Hamas-Izz al-Din al-Qassem'
 11. 'Hizbul Mujahideen' — 'HM'
 12. 'Hofstadgroep'
 13. 'Holy Land Foundation for Relief and Development'
 14. 'International Sikh Youth Federation' — 'ISYF'
 15. 'Khalistan Zindabad Force' — 'KZF'
 16. 'Kurdistan Workers' Party' — 'PKK', (aka 'KADEK', aka 'KONGRA-GEL')
 17. 'Liberation Tigers of Tamil Eelam' — 'LTTE'
 18. 'Ejército de Liberación Nacional' ('National Liberation Army')
 19. 'Palestinian Islamic Jihad' — 'PIJ'
 20. 'Popular Front for the Liberation of Palestine' — 'PFLP'
 21. 'Popular Front for the Liberation of Palestine — General Command' (aka 'PFLP — General Command')
 22. 'Fuerzas armadas revolucionarias de Colombia' — 'FARC' ('Revolutionary Armed Forces of Colombia')
 23. 'Devrimci Halk Kurtuluş Partisi-Cephesi' — 'DHKP/C' (aka 'Devrimci Sol' ('Revolutionary Left'), aka 'Dev Sol') ('Revolutionary People's Liberation Army/Front/Party')
 24. 'Sendero Luminoso' — 'SL' ('Shining Path')
 25. 'Teyrbazen Azadiya Kurdistan' — 'TAK' (aka 'Kurdistan Freedom Falcons', aka 'Kurdistan Freedom Hawks')
 26. 'Autodefensas Unidas de Colombia' — 'AUC' ('United Self-Defense Forces/Group of Colombia')
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COUNCIL IMPLEMENTING REGULATION (EU) No 84/2011

of 31 January 2011

amending Regulation (EC) No 765/2006 concerning restrictive measures against President Lukashenko and certain officials of Belarus

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215(1) thereof,

Having regard to Council Decision 2010/639/CFSP of 25 October 2010 concerning restrictive measures against certain officials of Belarus ⁽¹⁾ as amended by Council Decision 2011/69/CFSP of 31 January 2011 ⁽²⁾,

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 Decision 2010/639/CFSP as amended provides for the freezing of funds and economic resources of, inter alia, the persons who are responsible for the violations of international electoral standards in the presidential elections in Belarus on 19 December 2010, and the crackdown on civil society and democratic opposition, as well as of those natural or legal persons, entities or bodies associated with them.
- (2) These measures fall within the scope of the Treaty on the Functioning of the European Union and, therefore, notably with a view to ensuring their uniform application by economic operators in all Member States, regulatory action at the level of the Union is necessary in order to implement them.
- (3) This Regulation 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 and the right to the protection of personal data. This Regulation should be applied in accordance with those rights and principles.
- (4) The power to amend the lists in Annexes I and IA to this Regulation should be exercised by the Council, in view of the specific threat to international peace and security

posed by the situation in Belarus, and to ensure consistency with the process for amending and reviewing the Annex to Decision 2011/69/CFSP.

- (5) The procedure for amending the lists in Annexes I and IA to this Regulation should include providing designated natural or legal persons, entities or bodies with the grounds for their being listed, so as to give them an opportunity to submit observations. Where observations are submitted, or substantial new evidence is presented, the Council should review its decision in light of those observations and inform the person, entity or body concerned accordingly.
- (6) For the implementation of this Regulation, and in order to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources are to be frozen in accordance with this Regulation, should be made public. Any processing of personal data should respect Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽³⁾ and Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽⁴⁾.
- (7) 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

Regulation (EC) No 765/2006 is hereby amended as follows:

- (1) Article 2 is replaced by the following:

'Article 2

1. All funds and economic resources belonging to, owned, held or controlled by the natural or legal persons, entities and bodies listed in Annex I or in Annex IA shall be frozen.

⁽¹⁾ OJ L 280, 26.10.2010, p. 18.

⁽²⁾ See page 40 of this Official Journal.

⁽³⁾ OJ L 8, 12.1.2001, p. 1.

⁽⁴⁾ OJ L 281, 23.11.1995, p. 31.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annex I or in Annex IA.

3. The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent the measures referred to in paragraphs 1 and 2 shall be prohibited.

4. Annex I shall consist of the natural or legal persons, entities and bodies referred to in Article 2(1)(a) of Council Decision 2010/639/CFSP as amended.

5. Annex IA shall consist of the natural or legal persons, entities and bodies referred to in Article 2(1)(b) of Council Decision 2010/639/CFSP as amended.’.

(2) The following Article is inserted:

‘Article 2b

1. Annexes I and IA shall include the grounds for the listing of listed persons, entities and bodies.

2. Annexes I and IA shall also include, where available, information necessary to identify the natural or legal persons, entities and bodies concerned. With regard to natural 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 legal persons, entities and bodies, such information may include names, place and date of registration, registration number and place of business.’.

(3) Article 3 is replaced by the following:

‘Article 3

1. By way of derogation from Article 2, the competent authorities in the Member States, as indicated in the websites listed in Annex II, may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, after having determined that the funds or economic resources are:

(a) necessary to satisfy the basic needs of persons listed in Annex I or in Annex IA and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;

(b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services; or

(c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources.

2. By way of derogation from Article 2, the competent authorities in the Member States, as indicated in the websites listed in Annex II, may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, after having determined that the funds or economic resources are necessary for extraordinary expenses, provided that the Member State concerned has notified the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least 2 weeks before the authorisation.

3. Member States shall inform the other Member States and the Commission of any authorisation granted under paragraph 1 or 2.’.

(4) Article 8 is replaced by the following:

‘Article 8

The Commission shall be empowered to amend Annex II on the basis of information supplied by Member States.’.

(5) The following Article is inserted:

‘Article 8a

1. Where the Council decides to subject a natural or legal person, entity or body to the measures referred to in Article 2(1), it shall amend Annexes I or IA accordingly.

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

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

4. The lists in Annexes I and IA shall be reviewed in regular intervals and at least every 12 months.’

(6) The following Article is inserted:

‘Article 9b

Where there is, in this Regulation, a requirement to notify, inform or otherwise communicate with the Commission, the address and other contact details to be used for such communication shall be those indicated in Annex II.’

(7) Annex I to Regulation (EC) No 765/2006 is replaced by the text set out in Annex I.

(8) The text set out in Annex II is inserted into Regulation (EC) No 765/2006 as Annex IA.

(9) Annex II to Regulation (EC) No 765/2006 is amended as set out in Annex III.

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, 31 January 2011.

For the Council

The President

C. ASHTON

List of natural and legal persons entities or bodies referred to in Article 2(1), 2(2) and 2(4)

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
1.	Lukashenko, Aleksandr Grigorievich (Lukashenka, Alaksandr Ryhoravich)	Лукашенко Аляксандр Рыгоравіч	ЛУКАШЕНКО Александр Григорьевич	30.8.1954	Kopys, Vitebsk district			President
2.	Nevyglas, Gennadi Nikolaevich (Nievyhlas, Hienadz Mikalaevich)	Невыглас Генадзь Мікалаевіч	НЕВЫГЛАС Геннадий Николаевич	11.2.1954	Parahonsk, Pinsk district			Head of President's Administration
3.	Petkevich, Natalya Vladimirovna (Piatkevich, Natallia Uladzimiraina)	Пяткевіч Наталля Уладзіміраўна	ПЕТКЕВИЧ Наталья Владимировна	24.10.1972	Minsk			Former Deputy Head of President's Administration
4.	Rubinov, Anatoli Nikolaevich (Rubinau, Anatol Mikalaevich)	Рубінаў Анатоль Мікалаевіч	РУБИНОВ Анатолий Николаевич	4.4.1939	Mogilev			Deputy Head in charge of Media and Ideology, PA
5.	Proleskovsky, Oleg Vitoldovich (Pralaskouski, Aleh Vitoldavich)	Праляскоўскі Алег Вітольдавіч	ПРОЛЕСКОВСКИЙ Олег Витольдович	1.10.1963	Zagorsk (Sergijev Posad)			Minister of Information
6.	Radkov, Aleksandr Mikhailovich (Radzkou, Alaksandr Mikhailavich)	Радзькоў Аляксандр Міхайлавіч	РАДЬКОВ Александр Михайлович	1.7.1951	Botnia, Вотня Быховского района Могилевской области			Deputy Head of the Administration of the President
7.	Rusakevich, Vladimir Vasilievich (Rusakevich, Uladzimir Vasilievich)	Русакевіч Уладзімір Васільевіч	РУСАКЕВИЧ Владимир Васильевич	13.9.1947	Vygonoshchi, Выгоноши, Брестская область			Former Minister of Information
8.	Golovanov, Viktor Grigoryevich (Halavanau, Viktor Ryhoravich)	Галаванаў Віктар Рыгоравіч	ГОЛОВАНОВ Виктор Григорьевич	1952	Borisov			Minister of Justice
9.	Zimovski, Aleksandr Leonidovich (Zimouski Alaksandr Lianidavich; Zimovsky, Alexander Leonidovich)	Зімоўскі Аляксандр Леанідавіч	ЗИМОВСКИЙ Александр Леонидович	10.1.1961	Germany			Former President of the State television

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
10.	Konopliev, Vladimir Nikolaevich (Knapliou, Uladzimir Mikalaevich)	Канаплёў Уладзімір Мікалаевіч	КОНОПЛЕВ Владимир Николаевич	3.1.1954	Akulintsi, д. Акулинцы Могилевского района			Chairman of the Lower House of the Parliament
11.	Cherginets, Nikolai Ivanovich (Charhiniets, Mikalai Ivanavich)	Чаргінец Мікалай Іванавіч	ЧЕРГИНЕЦ Николай Иванович	17.10.1937	Minsk			Chairman of the Foreign Affairs Committee of the Upper House
12.	Kostian, Sergei Ivanovich (Kastsian, Siarhieï Ivanavich),	Касцян Сяргей Іванавіч	КОСТЯН Сергей Иванович	15.1.1941	Usokhi, Mogilevdistrict, Усохи Кличевского района Могилевской области			Chairman of the Foreign Affairs Committee of the Lower House
13.	Orda, Mikhail Sergeievich (Orda, Mikhail Siarhieievich)	Орда Міхаіл Сяргеевіч	ОРДА Михаил Сергеевич	28.9.1966	Diatlovo, Grodnodistrict, Дятлово Гродненской области			Member of the Upper House, leader of BRSM
14.	Lozovik, Nikolai Ivanovich (Lazavik, Mikalai Ivanavich)	Лазавік Мікалай Іванавіч	ЛОЗОВИК Николай Иванович	18.1.1951	Nevinyany, Minskdistrict, Невиняны Вилейского р-на Минской обл			Secretary, CEC
15.	Miklashevich, Petr Petrovich (Miklashevich, Piotr Piatrovich)	Міклашэвіч Пётр Пятровіч	МИКЛАСHEVICH Петр Петрович	1954	Kosuta, Minskdistrict, Косу́та Минской области			Prosecutor General
16.	Slizhevski, Oleg Leonidovich (Slizheuski, Aleh Leanidavich)	Сліжэўскі Алёг Леанідавіч	СЛИЖЕВСКИЙ Олег Леонидович					Member, CEC
17.	Khariton, Aleksandr (Kharyton, Alaksandr)	Харытон Аляксандр	ХАРИТОН Александр					Consultant of the Division of Social Organisations, Parties and NGOs of the Ministry of Justice
18.	Smirnov, Evgeni Aleksandrovich (Smirnou, Yauhien Alaksandravich)	Смірноў Яўген Аляксандравіч	СМИРНОВ Евгений Александрович	15.3.1949	Riazan district, Russia			First Deputy of the Chairman of the Economic Court
19.	Reutskaa, Nadezhda Zalovna (Ravutskaya, Nadzieja Zalauna)	Равуцкая Надзея Залаўна	РЕУТСКАЯ Надежда Заловна					Judge of the Moscow district of Minsk
20.	Trubnikov, Nikolai Alekseevich (Trubnikau, Mikalai Alakseevich)	Трубнікаў Мікалай Аляксеевіч	ТРУБНИКОВ Николай Алексеевич					Judge of the Partizanskiy district of Minsk

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
21.	Kuprianov, Nikolai Mikhailovich (Kupryianau, Mikalai Mikhailavich)	Купрыянаў Мікалай Міхайлавіч	КУПРИЯНОВ Николай Михайлович					Deputy Prosecutor General
22.	Sukhorenko, Stepan Nikolaevich (Sukharenka, Stsiapan Mikalaevich)	Сухарэнка Сцяпан Мікалаевіч	СУХОРЕНКО Степан Николаевич	27.1.1957	Zdudichi, Gomel district, Здудичи Светлогорского района Гомельской области			Chairman of KGB
23.	Dementei, Vasili Ivanovich (Dzemiantsiei, Vasil Ivanavich)	Дземянцей Васіль Іванавіч	ДЕМЕНТЕЙ Василий Иванович					First deputy, KGB
24.	Kozik, Leonid Petrovich (Kozik, Leanid Piatrovich)	Козік Леанід Пятровіч	КОЗИК Леонид Петрович	13.7.1948	Borisov			Head of the Federation of Trade Unions
25.	Koleda, Aleksandr Mikhailovich (Kalada, Alaksandr Mikhailavich)	Каляда Аляксандр Міхайлавіч	КОЛЕДА Александр Михайлович					Member, CEC
26.	Mikhasev, Vladimir Ilich (Mikhasiou, Uladzimir Ilich)	Міхасёў Уладзімір Ільіч	МИХАСЕВ Владимир Ильич					Chairman of the CEC of the Gomel district
27.	Luchina, Leonid Aleksandrovich	Лучына Леанід Аляксандравіч	ЛУЧИНА Леонид Александрович	18.11.1947	Minsk district			Chairman of the CEC of the Grodno district
28.	Karpenko, Igor Vasilievich (Karpenka, Ihar Vasilievich)	Карпенка Ігар Васільевіч	КАРПЕНКО Игорь Васильевич	28.4.1964	Novokuznetsk, Russia Новокузнецк Кемеровской области, Россия			Head of Regional Election Commission (REC), Minsk City
29.	Kurlovich, Vladimir Anatolievich (Kurlovich, Uladzimir Anatolievich)	Курловіч Уладзімір Анатольевіч	КУРЛОВИЧ Владимир Анатольевич					Chairman of the CEC of the Minsk district
30.	Metelitsa, Nikolai Timofeievich (Miatsielitsa, Mikalai Tsimafeevich)	Мяцеліца Мікалай Цімафеевіч	МЕТЕЛИЦА Николай Тимофеевич					Chairman of the CEC of the Mogilev district
31.	Pishchulenok, Mikhail Vasilievich (Pishchulenak, Mikhail Vasilievich)	Пішчулёнак Міхаіл Васільевіч	ПИЩУЛЕНОК Михаил Васильевич					Chairman of the CEC of the Vitebsk district
32.	Ribakov, Aleksei	Рыбакоў Аляксей	РЫБАКОВ Алексей			Ul. Jesenina 31-1-104, Minsk		Judge of the Minsk Moskovsky District Court

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
33.	Bortnik, Sergei Aleksandrovich	Бортнік Сяргей Аляксандравіч	БОРТНИК Сергей Александрович	28.5.1953	Minsk	Ul. Surganovo 80-263, Minsk	MP0469554	Public Prosecutor
34.	Iasinovich, Leonid Stanislavovich	Ясіновіч Леанід Станіслававіч	ЯСИНОВИЧ Леонид Станиславович	26.11.1961	Buchani, Vitebsk district	Ul. Gorovtsa 4-104, Minsk	MP0515811	Judge of the Minsk Tsentralny District Court
35.	Migun, Andrei Arkadievich	Мігун Андрэй Аркадзевіч	МИГУН Андрей Аркадевич	5.2.1978	Minsk	Ul. Goretskovo Maksima 53-16, Minsk	MP1313262	Public Prosecutor
36.	Sheiman, Victor Vladimirovich		ШЕЙМАН Виктор Владимирович	26.5.1958	Grodno region,			Former Member of the Security Council, actually Special Assistant/Aid to the President
37.	Naumov, Vladimir Vladimirovich		НАУМОВ Владимир Владимирович	7.2.1956	Smolensk			Former Minister of Interior, actually Chairman of the National Hockey Federation
38.	Pavlichenko, Dmitri Valeriyevich (Pavliuchenko, Dmitry)		Павличенко, Дмитрий Валериевич	1966	Vitebsk			Head of the Special Response Group at the ministry of Interior (SOBR)
39.	Ermoshina, Lidia Mikhailovna (Yermoshina Lydia Mihajlovna)		ЕРМОШИНА Лидия Михайловна	29.1.1953	Slutsk (Minsk Region)			Chairwoman of the Central Election Commission of Belarus (CEC)
40.	Podobed, Iuri Nikolaevich (Podobed Yuri Nikolaevich)		Подобед, Юрий Николаевич	5.3.1962	Slutsk (Minsk Region)			Unit for Special Purposes, Ministry of Interior'

ANNEX II

ANNEX IA

List of natural and legal persons, entities or bodies referred to in Article 2(1), 2(2) and 2(5)

	Name	Name in Russian	Place and Date of Birth	Position
1.	Lukashenko, Viktor Aleksandrovich	Лукашенко Виктор Александрович	1976	Assistant/Aid to the President in National Security Affairs.
2.	Bazanov, Aleksandr Viktorovich	Базанов Александр Викторович		Director, Information and Analytical Center of the President
3.	Gusev, Aleksei Viktorovich	Гусев Алексей Викторович		1st Deputy Director, Information and Analytical Center of the President
4.	Krishtapovich, Lev Efstafievich	Криштапович Лев Евстафьевич		Deputy Director, Information and Analytical Center of the President
5.	Kolos, Elena Petrovna	Колос Елена Петровна		Deputy Director, Information and Analytical Center of the President
6.	Makei, Vladimir Vladimirovich	МАКЕЙ Владимир Владимирович	August 5, 1958, Grodno region	Head of the President Administration
7.	Ianchevski, Vsevolod Viacheslavovich	ЯНЧЕВСКИЙ Всеволод Вячеславович	April 22, 1976, Borisov	Assistant to the President, Head of the Ideological Department of the President Administration
8.	Maltsev, Leonid Semenovich	МАЛЫЦЕВ Леонид Семенович	August 29, 1949, Vetenevka, Slonim raion, Grodno Region	Secretary of the Security Council
9.	Tiurin, Andrei	Тюрин, Андрей		Head of the Security Detachment of the President
10.	Ipatov, Vadim Dmitrievich	ИПАТОВ Вадим Дмитриевич		Deputy Chairperson, Central Electoral Commission (CEC)
11.	Bushnaia, Natalia Vladimirovna	Бушная, Наталья Владимировна		Member, CEC
12.	Bushchik, Vasili Vasilevich	Бущик, Василий Васильевич		Member, CEC
13.	Katsubo, Svetlana Petrovna	Кацубо, Светлана Петровна		Member, CEC
14.	Kiseleva, Nadezhda Nikolaevna	Киселева, Надежда Николаевна		Member, CEC
15.	Podoliak, Eduard Vasilievich	Подольяк, Эдуард Васильевич		Member, CEC
16.	Rakhmanova, Marina Iurievna	Рахманова, Марина Юрьевна		Member, CEC
17.	Shchurok, Ivan, Antonovich	Щурок, Иван Антонович		Member, CEC
18.	Kiselev, Anatoli Semenovich	Киселев, Анатолий Семенович		Head of Regional Election Commission (REC), Brest Region

	Name	Name in Russian	Place and Date of Birth	Position
19.	Kriukovski, Viacheslav Iefi- movich	Крюковский, Вячеслав Ефимович		Head of Regional Election Commission (REC), Vitebsk Region
20.	Stosh, Nikolai Nikolaievich	Стош, Николай Николаевич		Head of Regional Election Commission (REC), Gomel Region
21.	Savko, Valeri Iosifovich	Савко, Валерий Иосифович		Head of Regional Election Commission (REC), Grodno Region
22.	Vasiliev, Aleksei Aleksandrovich	Васильев, Алексей Александрович		Head of Regional Election Commission (REC), Minsk Region
23.	Berestov, Valeri Vasilevich	Берестов, Валерий Васильевич		Head of Regional Election Commission (REC), Mogilev Region
24.	Vasilievich, Grigoriy Alekseievich	ВАСИЛЕВИЧ Григорий Алексеевич	February 13, 1955	Prosecutor General
25.	Shved, Andrei Ivanovich	Швед Андрей Иванович		Deputy Prosecutor General
26.	Lashin, Aleksandr Mikhailovich	Лашин, Александр Михайлович		Deputy Prosecutor General
27.	Konon, Viktor Aleksandrovich	Конон, Виктор Александрович		Deputy Prosecutor General
28.	Stuk, Aleksei Konstantinovich	Стук, Алексей Константинович		Deputy Prosecutor General
29.	Kuklis, Nikolai Ivanovich	Куклис, Николай Иванович		Deputy Prosecutor General
30.	Khmaruk, Sergei Konstantinovich	Хмарук, Сергей Константинович		Prosecutor of the District of Brest
31.	Dysko, Gennadi Iosifovich	Дыско, Геннадий Иосифович		Prosecutor of the District of Vitebsk
32.	Shaiev, Valentin Petrovich	Шаев, Валентин Петрович		Prosecutor of the District of Gomel
33.	Morozov, Viktor Nikolaievich	Морозов, Виктор Николаевич		Prosecutor of the District of Grodno
34.	Arhipov, Aleksandr Mikhailovich	Архипов, Александр Михайлович		Prosecutor of the District of Minsk
35.	Sienkievich, Eduard Aleksandrovich	Сенькевич, Эдуард Александрович		Prosecutor of the District of Mogilev
36.	Kulik, Nikolai Nikolaievich	Кулик, Николай Николаевич		Prosecutor of the City of Minsk
37.	Dudkin, Anatoli Konstantynovich	Дудкин, Анатолий Константинович		Prosecutor on Transport Issues of the Republic of Belarus
38.	Dranica, Aleksandr Nikolaievich	Драница, Александр Николаевич		General Army Prosecutor

	Name	Name in Russian	Place and Date of Birth	Position
39.	Vileichik, Aleksandr Vladimirovich	ВИЛЕЙЧИК Александр Владимирович	1964	First Deputy Minister of Justice
40.	Lomat, Zenon Kuzmich	Ломать, Зенон Кузьмич	1944, Karabani	Former President of the State Control Committee
41.	Kuleshov, Anatoliy Nilovich	Кулешов Анатолий Нилович	1959	Minister of Interior
42.	Pekarski, Oleg Anatolievich	Пекарский, Олег Анатольевич		First Deputy Minister of Interior
43.	Poludien, Evgeni Evgenievich	Полудень, Евгений Евгеньевич		Deputy Minister of Interior
44.	Evseev, Igor Vladimirovich	Евсеев, Игорь Владимирович		Leader of the OMON operation team
45.	Farmagey, Leonid Konstantinovich	ФАРМАГЕЙ, Леонид Константинович	1962	Militia Commander of the District of Minsk
46.	Lukomsky, Aleksandr Valentinovich	Лукомский, Александр Валентинович		Commander of the Special Regiment of Ministry of Interior of the District of Minsk
47.	Zaicev, Vadim Iurievich	Зайцев, Вадим Юрьевич	1964	Head of the KGB
48.	Dedkov, Leonid Nikolaevich	Депков, Леонид Николаевич		First Deputy Head of the KGB, Head of the KGB of the District of Vitebsk
49.	Bakhmatov, Igor Andreevich	Бахматов, Игорь Андреевич		Deputy Head of the KGB
50.	Tertiel, Ivan Stanislawovich	Тертель Иван Станиславович		Deputy Head of the KGB
51.	Smolenski, Nikolai Zinovievich	Смоленский, Николай Зиновьевич		Deputy Head of the KGB
52.	Vegera, Victor Pavlovich	Вегера Виктор Павлович		Former First Deputy Head of the KGB
53.	Svorob, Nikolai Konstantinovich	Свороб, Николай Константинович		Former Deputy Head of the KGB
54.	Tretiak, Piotr	Третьяк, Петр		Deputy Head of the KGB
55.	Zakharov, Aleksei Ivanovich	Захаров, Алексей Иванович		Head of Counter-intelligence Board of the KGB
56.	Tolstashov, Aleksandr Olegovich	Толсташов Александр Олегович		Head of the KGB Board on Protection of the Constitutional Order and Fight Against Terrorism
57.	Rusak, Viktor	Русак, Виктор		Head of the KGB Board on Economic Security
58.	Yurata, Viktor	Юрата, Виктор		Head of the KGB Board on State Communications

	Name	Name in Russian	Place and Date of Birth	Position
59.	Voropaev, Igor Grigorievich	Воропаев Игорь Григорьевич		Former Head of the KGB Board on State Communications
60.	Kalach, Vladimir Viktorovich	Калач Владимир Викторович		Former Head of the KGB of the District of Minsk
61.	Busko, Igor Evgenievich	Бусько Игорь Евгеньевич		Head of the KGB of the City of Brest
62.	Korzh, Ivan Aleksieevich	Корж Иван Алексеевич		Head of the KGB of the City of Grodno
63.	Sergeenko, Igor Petrovich	Сергеенко Игорь Петрович		Head of the KGB of the City of Mogilev
64.	Gerasimenko, Gennadiy Anatolievich	Герасименко Геннадий Анатольевич		Head of the KGB of the City of Gomel
65.	Leskovski, Ivan Anatolievich	Лесковский Иван Анатольевич		Former Head of the KGB of the City of Gomel
66.	Maslakov, Valeri	Маслаков Валерий		Head of the KGB Board of Intelligence
67.	Volkov, Sergei	Волков Сергей		Former Head of the KGB Board of Intelligence
68.	Zhadobin, Iuri Viktorovich	ЖАДОБИН Юрий Викторович	November 14, 1954	Minister of Defence
69.	Krashevski, Victor	КРАШЕВСКИЙ Виктор		Head of the GRU
70.	Ananich, Lilya Stanislavovich	АНАНИЧ Лилия Станиславовна	1960	First Deputy Minister of Information
71.	Laptienok, Igor Nikolaevich	ЛАПТЕНОК Игорь Николаевич	1961	Deputy Head Minister of Information
72.	Davydko, Gennadi Bronislavovich	Давидко, Геннадий Брониславович		President of the State TV
73.	Koziatko, Iuri Vasilievich	КОЗИЯТКО Юрий Васильевич	1964, Brest	General Director of the „Stolichnoe Televidenie”
74.	Yakubovich, Pavel Izotovitch	ЯКУБОВИЧ Павел Изотович	September 23, 1946	Editor-in-Chief of “Sovietskaia Belarus”
75.	Lemeshenok, Anatoli Ivanovich	ЛЕМЕШЕНОК Анатолий Иванович		Editor-in-Chief of „Republika”
76.	Prokopov, Iuri	Прокопов Юрий		Journalist of the state TV channel “Pervi” (№ 1) with senior and influential position
77.	Mikhalchenko, Aleksei	Михальченко Алексей		Journalist of the state TV channel ONT with senior and influential position
78.	Taranda, Aleksandr Mikhailovich	Таранда Александр Михайлович		Deputy Editor of the paper “Sovietskaia Belarus”
79.	Gordienko, Sergei Aleksandrovich	Гордиенко Сергей Александрович		Deputy Editor of the paper “Sovietskaia Belarus”

	Name	Name in Russian	Place and Date of Birth	Position
80.	Toropetskaia, Galina Mikhailovna	Торопецкая Галина Михайловна		Deputy Editor of the paper "Sovietskaia Belarus"
81.	Shadrina, Anna Stanislavovna	Шадрина Анна Станиславовна		Deputy Editor of the paper "Sovietskaia Belarus"
82.	Zhuk, Dmitri	Жук Дмитрий		Director General (CEO) State News Agency BIELTA
83.	Gigin, Vadim	Гигин Вадим		Editor-in-Chief, „Belorusskaia Dumka” monthly review
84.	Ablameiko, Sergei Vladimirovich	Абламейко, Сергей Владимирович		Rector, Belorussian State University
85.	Sirenko, Victor Ivanovich	Сиренко Виктор Иванович		Chief Surgeon of the Minsk Emergency Hospital
86.	Ananich, Alena Nikolaevna	Ананич Елена Николаевна		Judge at the Pervomaysky Rayon Court of the city of Minsk
87.	Revinskaia, Tatiana Vladimirovna	Ревинская Татьяна Владимировна		Judge at the Pervomaysky Rayon Court of the city of Minsk
88.	Esman, Valeri Aleksandrovich	Есьман Валерий Александрович		Judge at the Central Rayon Court of the city of Minsk
89.	Bychko, Aleksey Viktorovich	Бычко Алексей Викторович		Judge at the Central Rayon Court of Minsk
90.	Hodanevich, Aleksandr Aleksandrovich	Ходаневич Александр Александрович		Judge at the Central Rayon Court of the city of Minsk
91.	Iasenovich, Leonid	Ясенович Леонид		Judge at the Central Rayon Court of the city of Minsk
92.	Baranovski, Andrei Fedorovich	Барановский Андрей Федорович		Judge at the Partisanski Rayon Court of the city of Minsk
93.	Titenkova, Elena Victorovna	Титенкова Елена Викторовна		Judge at the Partisanski Rayon Court of the city of Minsk
94.	Tupik, Vera Mikhalevna	Тупик Вера Михайловна		Judge at the Leninski Rayon Court of the city of Minsk
95.	Nekrasova, Elena Timofeevna	Некрасова Елена Тимофеевна		Judge at the Zavadski Rayon Court of the city of Minsk
96.	Lapteva, Elena Viacheslavovna	Лаптева Елена Вячеславовна		Judge at the Zavadski Rayon Court of Minsk
97.	Bolovnev, Nikolai Vasilevich	Боловнев Николай Васильевич		Judge at the Zavadski Rayon Court of the city of Minsk
98.	Kazak, Victor Vladimirovich	Казак Виктор Владимирович		Judge at the Moskovski Rayon Court of the city of Minsk
99.	Shilko, Elena Nikolaevna	Шилько Елена Николаевна		Judge at the Moskovski Rayon Court of the city of Minsk
100.	Simahina, Liubov Sergeievna	Симахина Любовь Сергеевна		Judge at the Moskovski Rayon Court of the city of Minsk

	Name	Name in Russian	Place and Date of Birth	Position
101.	Kuznietsova, Natalia Anatolievna	Кузнецова Наталья Анатольевна		Judge at the Moskovski Rayon Court of the city of Minsk
102.	Telitsa, Lidia Fedorovna	Телица Лидия Федоровна		Judge at the Moskovski Rayon Court of the city of Minsk
103.	Cherniak, Elena Leonidovna	Черняк Елена Леонидовна		Judge at the Moskovski Rayon Court of the city of Minsk
104.	Shestakov, Iuri Valerievich	Шестаков Юрий Валерьевич		Judge at the Moskovski Rayon Court of the city of Minsk
105.	Motyl, Tatiana Iaroslavovna	Мотыль Татьяна Ярославовна		Judge at the Moskovski Rayon Court of the city of Minsk
106.	Khatkevich, Evgeni Viktorovich	Хаткевич Евгений Викторович		Judge at the Moskovski Rayon Court of the city of Minsk
107.	Gusakova, Olga Arkadievna	Гусакова Ольга Аркадьевна		Judge at the Oktiabrski Rayon Court of Minsk
108.	Shargai, Rita Petrovna	Шаграй Рита Петровна		Judge at the Oktiabrski Rayon Court of the city of Minsk
109.	Mitrakhovich, Irina Alekseevna	Митрахович Ирина Алексеевна		Judge at the Oktiabrski Rayon Court of the city of Minsk
110.	Protosovitskaia, Natalia Vladimirovna	Протосовицкая Наталья Владимировна		Judge at the Oktiabrski Rayon Court of Minsk
111.	Lapko, Maksim Fedorovich	Лапко Максим Федорович		Judge at the Oktiabrski Rayon Court of the city of Minsk
112.	Varenik, Natalia Semenovna	Вареник Наталья Семеновна		Judge at the Frunzenski Rayon Court of the city of Minsk
113.	Zhukovskaia, Zhanna Alekseevna	Жуковская Жанна Алексеевна		Judge at the Frunzenski Rayon Court of the city of Minsk
114.	Samoliuk, Anna Valerievna	Самолук Анна Валерьевна		Judge at the Frunzenski Rayon Court of the city of Minsk
115.	Lukashenko, Dmitri Aleksandrovich	Лукашенко Дмитрий Александрович		Businessman, active participation in financial operations involving the Lukashenko family
116.	Shugaiev, Sergei	Шугаев, Сергей		Deputy Head of the KGB since 15.01.2010
117.	Kuznecov, Igor	Кузнецов, Игорь		Head of State KGB Training Center since 15.01.2010'

ANNEX III

Annex II (Websites for information on the competent authorities referred to in Articles 3, 4(2) and 5, and address for notifications to the European Commission) to Regulation (EC) No 765/2006 is amended as follows:

(1) The Annex heading is replaced by the following:

‘Websites for information on the competent authorities referred to in Articles 3, 4(2), and 5, and address for notifications to the European Commission’

BELGIUM

<http://www.diplomatie.be/eusanctions>

BULGARIA

<http://www.mfa.government.bg>

CZECH REPUBLIC

<http://www.mfcr.cz/mezinarodnisankce>

DENMARK

<http://www.um.dk/da/menu/Udenrigspolitik/FredSikkerhedOgInternationalRetsorden/Sanktioner/>

GERMANY

<http://www.bmwi.de/BMWi/Navigation/Aussenwirtschaft/Aussenwirtschaftsrecht/embargos.html>

ESTONIA

http://www.vm.ee/est/kat_622/

IRELAND

<http://www.dfa.ie/home/index.aspx?id=28519>

GREECE

<http://www.mfa.gr/www.mfa.gr/en-US/Policy/Multilateral+Diplomacy/Global+Issues/International+Sanctions/>

SPAIN

http://www.maec.es/es/MenuPpal/Asuntos/Sanciones%20Internacionales/Paginas/Sanciones_%20Internacionales.aspx

FRANCE

<http://www.diplomatie.gouv.fr/autorites-sanctions/>

ITALY

http://www.esteri.it/MAE/IT/Politica_Europea/Deroghe.htm

CYPRUS

<http://www.mfa.gov.cy/sanctions>

LATVIA

<http://www.mfa.gov.lv/en/security/4539>

LITHUANIA

<http://www.urm.lt>

LUXEMBOURG

<http://www.mae.lu/sanctions>

HUNGARY

http://www.kulugyminiszterium.hu/kum/hu/bal/Kulpolitikank/nemzetkozi_szankciok/

MALTA

http://www.doi.gov.mt/EN/bodies/boards/sanctions_monitoring.asp

NETHERLANDS

<http://www.minbuza.nl/sancties>

AUSTRIA

http://www.bmeia.gv.at/view.php3?f_id=12750&LNG=en&version=

POLAND

<http://www.msz.gov.pl>

PORTUGAL

<http://www.min-nestrangeiros.pt>

ROMANIA

<http://www.mae.ro/node/1548>

SLOVENIA

http://www.mzz.gov.si/si/zunanja_politika/mednarodna_varnost/omejevalni_ukrepi/

SLOVAKIA

<http://www.foreign.gov.sk>

FINLAND

<http://formin.finland.fi/kvyhteisty/pakotteet>

SWEDEN

<http://www.ud.se/sanktioner>

UNITED KINGDOM

www.fco.gov.uk/competentauthorities

(2) The section 'Address for notifications to the European Commission' is replaced by the following:

'Address for notifications to or other communication with the European Commission:

European Commission
Foreign Policy Instruments Service
Unit FPIS.2
CHAR 12/106
B-1049 Bruxelles/Brussel
Belgium

E-mail: relex-sanctions@ec.europa.eu
Tel.: (32 2) 295 55 85
Fax: (32 2) 299 08 73'

COUNCIL IMPLEMENTING REGULATION (EU) No 85/2011**of 31 January 2011****implementing Regulation (EC) No 560/2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire**

THE COUNCIL OF THE EUROPEAN UNION

Having regard to Council Regulation (EC) No 560/2005 of 12 April 2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire ⁽¹⁾, and in particular Article 11a(2) thereof,

Whereas:

- (1) On 12 April 2005, the Council adopted Regulation (EC) No 560/2005.
- (2) In view of the gravity of the situation in Côte d'Ivoire, additional persons and entities should be included in the

list of persons and entities subject to restrictive measures that is set out in Annex IA to Regulation (EC) No 560/2005,

HAS ADOPTED THIS REGULATION:

Article 1

The persons and entities mentioned in the Annex to this Regulation shall be added to the list set out in Annex IA to Regulation (EC) No 560/2005.

Article 2

This Regulation shall enter into force on the date 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, 31 January 2011.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 95, 14.4.2005. p. 1.

ANNEX

PERSONS AND ENTITIES REFERRED TO IN ARTICLE 1

	Name (and any aliases)	Identifying information	Grounds for designation
1.	Mr Philippe Henry Dacoury-Tabley		Governor of the BCEAO (Central Bank of West African States); refuses to recognise the authority of the democratically elected President; is helping to fund the illegitimate administration of Mr Laurent Gbagbo
2.	Mr Denis N'Gbé	Born 6 September 1956 in Danane; passport number: PS-AE/094GD07 (expires 26 July 2012)	National Director of the BCEAO for Côte d'Ivoire; refuses to recognise the authority of the democratically elected President; is helping to fund the illegitimate administration of Mr Laurent Gbagbo
3.	Mr Ibrahim Ezzedine	Born 5 February 1968 in Bariche (Lebanon); passport number: 08AB14590 (expires 4 October 2014)	Entrepreneur: is helping to fund the illegitimate administration of Mr Laurent Gbagbo
4.	Mr Roland Dagher	Born 8 May 1952 in Bamako (Mali); passport numbers: PD-AE/075FN01 (expired 16 January 2011); 08AA15167 (expires 1 December 2013)	Entrepreneur, member of the Economic and Social Council: is helping to fund the illegitimate administration of Mr Laurent Gbagbo
5.	Mr Oussou Kouassi	Born 1 January 1956 in Oumé; passport numbers: PD-AE/016EU09 (expired 31 August 2009); 08AA80739 (expires 12 July 2014)	Director-General for Economic Affairs: refuses to recognise the authority of the democratically elected President; is helping to fund the illegitimate administration of Mr Laurent Gbagbo
6.	Mr Ossey Eugène Amonkou	Born 13 July 1960 in Akoupé; passport number: 04LE10026 (expires 19 June 2011)	Director-General of the National Investment Bank (BNI); refuses to recognise the authority of the democratically elected President; is helping to fund the illegitimate administration of Mr Laurent Gbagbo

B. Entities

	Name (and any aliases)	Identifying information	Grounds for designation
1.	Caisse d'Épargne de Côte d'Ivoire (Savings Bank of Côte d'Ivoire)	REGISTERED OFFICE Abidjan-Plateau, SMGL Building, 11 Avenue Joseph Anoma, 01 BP 6889 Abidjan 01 RCI Tel.: +225 20 25 43 00 Fax: +225 20 25 53 11 SWIFT: CNCGCIAB - E-mail: info@ caissepargne.ci	Is helping to fund the illegitimate administration of Mr Laurent Gbagbo
2.	Banque de l'Habitat de Côte d'Ivoire (BHCI) (Housing Bank of Côte d'Ivoire)	22 Avenue Joseph Anoma - 01 BP 2325 Abidjan 01 Côte d'Ivoire Tel.: +225 20 25 39 39 Fax: +225 20 22 58 18	Is helping to fund the illegitimate administration of Mr Laurent Gbagbo

COMMISSION REGULATION (EU) No 86/2011**of 1 February 2011****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 2 February 2011.

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

Done at Brussels, 1 February 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
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	IL	116,3
	JO	78,3
	MA	59,1
	TN	107,6
	TR	107,1
	ZZ	93,7
0707 00 05	JO	78,3
	MA	100,1
	TR	125,4
	ZZ	101,3
0709 90 70	MA	62,5
	TR	133,2
	ZZ	97,9
0709 90 80	EG	82,2
	ZZ	82,2
0805 10 20	AR	41,5
	BR	41,5
	EG	52,6
	MA	55,6
	TN	55,4
	TR	70,3
	ZA	41,5
	ZZ	51,2
0805 20 10	IL	171,2
	MA	66,1
	TR	79,6
	ZZ	105,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	60,4
	IL	99,3
	JM	92,9
	MA	102,5
	PK	51,1
	TR	66,9
	US	79,6
	ZZ	79,0
0805 50 10	AR	45,3
	EG	41,5
	TR	56,3
	UY	45,3
	ZZ	47,1
0808 10 80	BR	55,2
	CA	96,6
	CL	90,0
	CN	86,6
	US	125,2
	ZZ	90,7
0808 20 50	CN	76,0
	US	133,9
	ZA	100,1
	ZZ	103,3

⁽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'.

DIRECTIVES

COMMISSION DIRECTIVE 2011/9/EU

of 1 February 2011

amending Council Directive 91/414/EEC to include dodine as active substance and amending Decision 2008/934/EC

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) Commission Regulations (EC) No 451/2000 ⁽²⁾ and (EC) No 1490/2002 ⁽³⁾ lay down the detailed rules for the implementation of the third stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC and establish a list of active substances to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list included dodine.
- (2) In accordance with Article 11e of Regulation (EC) No 1490/2002 the notifier withdrew its support of the inclusion of that active substance in Annex I to Directive 91/414/EEC within two months from receipt of the draft assessment report. Consequently, Commission Decision 2008/934/EC of 5 December 2008 concerning the non-inclusion of certain active substances in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing these substances ⁽⁴⁾ was adopted on the non-inclusion of dodine.
- (3) Pursuant to Article 6(2) of Directive 91/414/EEC the original notifier (hereinafter 'the applicant') submitted a new application requesting the accelerated procedure to be applied, as provided for in Articles 14 to 19 of Commission Regulation (EC) No 33/2008 of 17 January 2008 laying down detailed rules for the application of Council Directive 91/414/EEC as regards a regular and an accelerated procedure for the assessment

of active substances which were part of the programme of work referred to in Article 8(2) of that Directive but have not been included into its Annex I ⁽⁵⁾.

- (4) The application was submitted to Portugal, which had been designated rapporteur Member State by Regulation (EC) No 451/2000. The time period for the accelerated procedure was respected. The specification of the active substance and the supported uses are the same as were the subject of Decision 2008/934/EC. That application also complies with the remaining substantive and procedural requirements of Article 15 of Regulation (EC) No 33/2008.
- (5) Portugal evaluated the additional data submitted by the applicant and prepared an additional report. It communicated that report to the European Food Safety Authority (hereinafter 'the Authority') and to the Commission on 14 August 2009. The Authority communicated the additional report to the other Member States and the applicant for comments and forwarded the comments it had received to the Commission. In accordance with Article 20(1) of Regulation (EC) No 33/2008 and at the request of the Commission, the Authority presented its conclusion on dodine to the Commission on 28 May 2010 ⁽⁶⁾. The draft assessment report, the additional report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 23 November 2010 in the format of the Commission review report for dodine.
- (6) It has appeared from the various examinations made that plant protection products containing dodine may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the uses which have been examined and detailed in the Commission review report. It is therefore appropriate to include dodine in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing this active substance can be granted in accordance with the provisions of that Directive.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 55, 29.2.2000, p. 25.

⁽³⁾ OJ L 224, 21.8.2002, p. 23.

⁽⁴⁾ OJ L 333, 11.12.2008, p. 11.

⁽⁵⁾ OJ L 15, 18.1.2008, p. 5.

⁽⁶⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance dodine. *EFSA Journal* 2010; 8(6):1631. [54 pp.]. doi:10.2903/j.efsa.2010.1631. Available online: www.efsa.europa.eu

- (7) Without prejudice to that conclusion, it is appropriate to obtain further information on certain specific points. Article 6(1) of Directive 91/414/EEC provides that inclusion of a substance in Annex I may be subject to conditions. Therefore, it is appropriate to require that the applicant submit further information to confirm the long-term risk assessment for birds and mammals and the risk assessment in natural surface water systems where major metabolites have potentially formed.
- (8) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion.
- (9) Without prejudice to the obligations defined by Directive 91/414/EEC as a consequence of including an active substance in Annex I, Member States should be allowed a period of six months after inclusion to review existing authorisations of plant protection products containing dodine to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should vary, replace or withdraw, as appropriate, existing authorisations, in accordance with the provisions of Directive 91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (10) The experience gained from previous inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the Directives which have been adopted until now amending Annex I.
- (11) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (12) Decision 2008/934/EC provides for the non-inclusion of dodine and the withdrawal of authorisations for plant protection products containing that substance by 31 December 2011. It is necessary to delete the line concerning dodine in the Annex to that Decision.
- (13) It is therefore appropriate to amend Decision 2008/934/EC accordingly.
- (14) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,
- HAS ADOPTED THIS DIRECTIVE:
- Article 1*
- Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.
- Article 2*
- The line concerning dodine in the Annex to Decision 2008/934/EC is deleted.
- Article 3*
- Member States shall adopt and publish by 30 November 2011 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.
- They shall apply those provisions from 1 December 2011.
- When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.
- Article 4*
1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing dodine as an active substance by 30 November 2011.
- By that date they shall in particular verify that the conditions in Annex I to that Directive relating to dodine are met, with the exception of those identified in Part B of the entry concerning that active substance, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13 of that Directive.

⁽¹⁾ OJ L 366, 15.12.1992, p. 10.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing dodine as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 31 May 2011 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive and taking into account Part B of the entry in Annex I to that Directive concerning dodine. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

- (a) in the case of a product containing dodine as the only active substance, where necessary, amend or withdraw the authorisation by 31 May 2015 at the latest; or
- (b) in the case of a product containing dodine as one of several active substances, where necessary, amend or withdraw the

authorisation by 31 May 2015 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Article 5

This Directive shall enter into force on 1 June 2011.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 1 February 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

The following entry shall be added at the end of the table in Annex I to Directive 91/414/EEC:

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
326	Dodine CAS No: 2439-10-3 CIPAC No: 101	1-dodecylguanidinium acetate	≥ 950 g/kg	1 June 2011	31 May 2021	PART A Only uses as fungicide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on dodine, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 23 November 2010 shall be taken into account. In this overall assessment Member States shall pay particular attention to: (a) the potential long-term risk to birds and mammals; (b) the risk to aquatic organisms and ensure that conditions of use impose adequate risk mitigation measures; (c) the risk to non-target plants in the off-field area and ensure that conditions of use impose adequate risk mitigation measures; (d) the monitoring of residue levels in pome fruit. The Member States concerned shall request the submission of confirmatory information as regards: (a) long-term risk assessment for birds and mammals; (b) risk assessment in natural surface water systems where major metabolites have potentially formed. The Member States concerned shall ensure that the applicant submits such confirmatory information to the Commission by 31 May 2013.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

DECISIONS

COUNCIL DECISION 2011/69/CFSP

of 31 January 2011

amending Council Decision 2010/639/CFSP concerning restrictive measures against certain officials of Belarus

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Article 1

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

Decision 2010/639/CFSP is hereby amended as follows:

Whereas:

(1) In Article 1(1), the following point (d) is added:

(1) On 25 October 2010, the Council adopted Decision 2010/639/CFSP concerning restrictive measures against certain officials of Belarus ⁽¹⁾.

‘(d) for the violations of international electoral standards in the presidential elections in Belarus on 19 December 2010, and the crackdown on civil society and democratic opposition, and those persons associated with them, as listed in Annex IIIA.’

(2) Article 2 is replaced by the following:

(2) In view of the fraudulent presidential elections of 19 December 2010 and the violent crackdown on the political opposition, civil society and representatives of independent mass media in Belarus, the suspension of the travel restrictions with regard to the persons referred to in points (b) and (c) of Article 1(1) of Decision 2010/639/CFSP should be terminated.

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by persons who are responsible:

(3) Moreover, the persons responsible for the fraudulent electoral process and for the crackdown on the opposition should be subject to restrictive measures.

(a) for the violations of international electoral standards in the Presidential elections in Belarus on 19 March 2006 and the crackdown on civil society and democratic opposition, and those natural or legal persons, entities or bodies associated with them, as listed in Annex IV;

(4) In addition, the information relating to certain persons on the lists set out in Annexes I, II, III and IV to Decision 2010/639/CFSP should be updated.

(b) for the violations of international electoral standards in the presidential elections in Belarus on 19 December 2010, and the crackdown on civil society and democratic opposition, and those natural or legal persons, entities or bodies associated with them, as listed in Annex IIIA;

(5) The Council will regularly re-examine the situation in Belarus and evaluate any improvements which the Belarusian authorities may have made towards respect for democratic values, human rights and fundamental freedoms, including freedom of expression and of the media, freedom of assembly and political association and the rule of law.

shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of such persons listed in Annexes IIIA or IV’.

(6) Decision 2010/639/CFSP should be amended accordingly,

(3) Article 3(1)(a) is replaced by the following:

‘(a) necessary to satisfy the basic needs of the persons listed in Annexes IIIA or IV and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges.’

⁽¹⁾ OJ L 280, 26.10.2010, p. 18.

(4) Article 3(2) is replaced by the following:

'2. Article 2(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 the date on which those accounts became subject to the provisions of Common Position 2006/276/CFSP or this Decision

and provided that any such interest, other earnings and payments continue to be subject to Article 2(1)(a) and (b) of this Decision.'

(5) Article 4(1) is replaced by the following:

'1. The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall adopt amendments to the lists contained in Annexes I, II, III, IIIA, IV and V as required by political developments in Belarus.'

(6) Article 7(3) is deleted.

(7) Annexes I, II, III and IV to Decision 2010/639/CFSP shall be replaced by the text set out in Annexes I, II, III and IV to this Decision.

(8) The text of Annex V to this Decision shall be added to Decision 2010/639/CFSP as Annex IIIA thereto.

Article 2

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

Done at Brussels, 31 January 2011.

For the Council
The President
C. ASHTON

ANNEX I

‘ANNEX I

List of persons referred to in Article 1(1)(a)

	Name	Name in Russian	Place and Date of Birth	Position
1.	Sheiman, Victor Vladimirovich	ШЕЙМАН Виктор Владимирович	May 26, 1958, Grodno region,	Former Member of the Security Council, actually Special Assistant/Aid to the President
2.	Naumov, Vladimir Vladimirovich	НАУМОВ Владимир Владимирович	February 7, 1956, Smolensk	Former Minister of Interior, actually Chairman of the National Hockey Federation
3.	Sivakov, Iury (Yurij, Yuri) Leonidovich	Сиваков, Юрий Леонидович	August 5, 1946, Sakhalin Region	Former Minister of Tourism
4.	Pavlichenko, Dmitri Valeriyevich (Pavliuchenko, Dmitry)	Павличенко, Дмитрий Валериевич	1966, Vitebsk	Head of the Special Response Group at the ministry of Interior (SOBR)'

ANNEX II

‘ANNEX II

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

	Name	Name in Russian	Place and Date of Birth	Position
1.	Ermoshina, Lidia Mikhailovna (Yermoshina Lydia Mihajlovna)	ЕРМОШИНА Лидия Михайловна	January 29, 1953, Slutsk (Minsk Region)	Chairwoman of the Central Election Commission of Belarus (CEC)
2.	Podobed, Iuri Nikolaevich (Podobed Yuri Nikolaevich)	Подобед, Юрий Николаевич	March 05, 1962, Slutsk (Minsk Region)	Unit for Special Purposes, Ministry of Interior'

List of persons referred to in Article 1(1)(c)

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
1.	Lukashenko, Aleksandr Grigorievich (Lukashenka, Alaksandr Ryhoravich)	Лукашенко Аляксандр Рыгоравіч	ЛУКАШЕНКО Александр Григорьевич	30.8.1954	Kopys, Vitebsk district			President
2.	Nevyglas, Gennadi Nikolaevich (Nievvyhlas, Hienadz Mikalaevich)	Невыглас Генадзь Мікалаевіч	НЕВЫГЛАС Геннадий Николаевич	11.2.1954	Parahonsk, Pinsk district			Head of President's Administration
3.	Petkevich, Natalya Vladimirovna (Piatkevich, Natallia Uladzimirauna)	Пяткевіч Наталля Уладзіміраўна	ПЕТКЕВИЧ Наталья Владимировна	24.10.1972	Minsk			Former Deputy Head of President's Administration
4.	Rubinov, Anatoli Nikolaevich (Rubinau, Anatol Mikalaevich)	Рубінаў Анатоль Мікалаевіч	РУБИНОВ Анатолий Николаевич	4.4.1939	Mogilev			Deputy Head in charge of Media and Ideology, PA
5.	Proleskovsky, Oleg Vitoldovich (Pralaskouski, Aleh Vitoldavich)	Праляскоўскі Алег Вітольдавіч	ПРОЛЕСКОВСКИЙ Олег Витольдович	1.10.1963	Zagorsk (Sergijev Posad)			Minister of Information
6.	Radkov, Aleksandr Mikhailovich (Radzkou, Alaksandr Mikhailavich)	Радзькоў Аляксандр Міхайлавіч	РАДЬКОВ Александр Михайлович	1.7.1951	Botnia, Вотня Быховского района Могилевской области			Deputy Head of the Administration of the President
7.	Rusakevich, Vladimir Vasilievich (Rusakevich, Uladzimir Vasilievich)	Русакевіч Уладзімір Васільевіч	РУСАКЕВИЧ Владимир Васильевич	13.9.1947	Vygonoshchi, Выгонощи, Брестская область			Former Minister of Information
8.	Golovanov, Viktor Grigoryevich (Halavanau, Viktor Ryhoravich)	Галаванаў Віктар Рыгоравіч	ГОЛОВАНОВ Виктор Григорьевич	1952	Borisov			Minister of Justice

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
9.	Zimovski, Aleksandr Leonidovich (Zimouski Alaksandr Lieanidavich; Zimovsky, Alexander Leonidovich)	Зімоўскі Аляксандр Леанідавіч	ЗИМОВСКИЙ Александр Леонидович	10.1.1961	Germany			Former President of the State television
10.	Konopliev, Vladimir Nikolaevich (Kanapliou, Uladzimir Mikalaevich)	Канаплёў Уладзімір Мікалаевіч	КОНОПЛЕВ Владимир Николаевич	3.1.1954	Akulintsi, д. Акулинцы Могилевского района			Chairman of the Lower House of the Parliament
11.	Cherginets, Nikolai Ivanovich (Charhiniets, Mikalai Ivanavich)	Чаргінец Мікалай Іванавіч	ЧЕРГИНЕЦ Николай Иванович	17.10.1937	Minsk			Chairman of the Foreign Affairs Committee of the Upper House
12.	Kostian, Sergei Ivanovich (Kastsian, Siarhieі Ivanavich),	Касцян Сяргей Іванавіч	КОСТЯН Сергей Иванович	15.1.1941	Usokhi, Mogilevdistrict, Усохи Кличевского района Могилевской области			Chairman of the Foreign Affairs Committee of the Lower House
13.	Orda, Mikhail Sergeievich (Orda, Mikhail Siarhieievich)	Орда Міхаіл Сяргеевіч	ОРДА Михаил Сергеевич	28.9.1966	Diatlovo, Grodnodistrict, Дятлово Гродненской области			Member of the Upper House, leader of BRSM
14.	Lozovik, Nikolai Ivanovich (Lazavik, Mikalai Ivanavich)	Лазавік Мікалай Іванавіч	ЛОЗОВИК Николай Иванович	18.1.1951	Nevinyany, Minskdistrict, Невиняны Вилейского р-на Минской обл			Secretary, CEC
15.	Miklashevich, Petr Petrovich (Miklashevich, Piotr Piatrovich)	Міклашэвіч Пётр Пятровіч	МИКЛАШЕВИЧ Петр Петрович	1954	Kosuta, Minskdistrict, Косу́та Минской области			Prosecutor General
16.	Slizhevski, Oleg Leonidovich (Slizheuski, Aleh Leanidavich)	Сліжэўскі Алег Леанідавіч	СЛИЖЕВСКИЙ Олег Леонидович					Member, CEC
17.	Khariton, Aleksandr (Kharyton, Alaksandr)	Харытон Аляксандр	ХАРИТОН Александр					Consultant of the Division of Social Organisations, Parties and NGOs of the Ministry of Justice

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
18.	Smirnov, Evgeni Aleksandrovich (Smirnou, Yauhien Alaksandravich)	Смірноў Яўген Аляксандравіч	СМИРНОВ Евгений Александрович	15.3.1949	Riazan district, Russia			First Deputy of the Chairman of the Economic Court
19.	Reutskaia, Nadezhda Zalovna (Ravutskaya, Nadzieja Zalauna)	Равуцкая Надзея Залаўна	РЕУТСКАЯ Надежда Заловна					Judge of the Moscow district of Minsk
20.	Trubnikov, Nikolai Alekseievich (Trubnikau, Mikalai Alakseievich)	Трубнікаў Мікалай Аляксеевіч	ТРУБНИКОВ Николай Алексеевич					Judge of the Partizanskiy district of Minsk
21.	Kuprianov, Nikolai Mikhailovich (Kupryanau, Mikalai Mikhailavich)	Купрыянаў Мікалай Міхайлавіч	КУПРИЯНОВ Николай Михайлович					Deputy Prosecutor General
22.	Sukhorenko, Stepan Nikolaevich (Sukharenka, Stsiapan Mikalaevich)	Сухарэнка Сцяпан Мікалаевіч	СУХОРЕНКО Степан Николаевич	27.1.1957	Zdudichi, Gomel district, Здудичи Светлогорского района Гомельской области			Chairman of KGB
23.	Dementei, Vasili Ivanovich (Dzemiantsiei, Vasil Ivanavich)	Дземянцей Васіль Іванавіч	ДЕМЕНТЕЙ Василий Иванович					First deputy, KGB
24.	Kozik, Leonid Petrovich (Kozik, Leonid Piatrovich)	Козік Леанід Пятровіч	КОЗИК Леонид Петрович	13.7.1948	Borisov			Head of the Federation of Trade Unions
25.	Koleda, Aleksandr Mikhailovich (Kalada, Alaksandr Mikhailavich)	Каляда Аляксандр Міхайлавіч	КОЛЕДА Александр Михайлович					Member, CEC
26.	Mikhasev, Vladimir Ilich (Mikhasiou, Uladzimir Ilich)	Міхасеў Уладзімір Ільіч	МИХАСЕВ Владимир Ильич					Chairman of the CEC of the Gomel district
27.	Luchina, Leonid Aleksandrovich	Лучына Леанід Аляксандравіч	ЛУЧИНА Леонид Александрович	18.11.1947	Minsk district			Chairman of the CEC of the Grodno district

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
28.	Karpenko, Igor Vasilievich (Karpenka, Ihar Vasilievich)	Карпенка Ігар Васільевіч	КАРПЕНКО Игорь Васильевич	28.4.1964	Novokuznetsk, Russia Новокузнецк Кемеровской области, Россия			Head of Regional Election Commission (REC), Minsk City
29.	Kurlovich, Vladimir Anatolievich (Kurlovich, Uladzimir Anatolievich)	Курловіч Уладзімір Анатольевіч	КУРЛОВИЧ Владимир Анатольевич					Chairman of the CEC of the Minsk district
30.	Metelitsa, Nikolai Timofeievich (Miatsielitsa, Mikalai Tsimafeevich)	Мяцеліца Мікалай Цімафеевіч	МЕТЕЛИЦА Николай Тимофеевич					Chairman of the CEC of the Gomel district
31.	Pishchulenok, Mikhail Vasilievich (Pishchulenak, Mikhail Vasilievich)	Пішчулёнак Міхаіл Васільевіч	ПИЩУЛЕНОК Михаил Васильевич					Chairman of the CEC of the Vitebsk district
32.	Ribakov, Aleksei	Рыбакоў Аляксей	РЫБАКОВ Алексей			Ul. Jesenina 31-1-104, Minsk		Judge of the Minsk Moskovsky District Court
33.	Bortnik, Sergei Aleksandrovich	Бортнік Сяргей Аляксандравіч	БОРТНИК Сергей Александрович	28.5.1953	Minsk	Ul. Surganovo 80-263, Minsk	MP0469554	Public Prosecutor
34.	Iasinovich, Leonid Stanislavovich	Ясіновіч Леанід Станіслававіч	ЯСИНОВИЧ Леонид Станиславович	26.11.1961	Buchani, Vitebsk district	Ul. Gorovtsa 4-104, Minsk	MP0515811	Judge of the Minsk Tsen- tralny District Court
35.	Migun, Andrei Arkadievich	Мігун Андрэй Аркадзевіч	МИГУН Андрей Аркадевич	5.2.1978	Minsk	Ul. Goretskovo Maksima 53-16, Minsk	MP1313262	Public Prosecutor'

List of persons referred to in Article 2(1)(a)

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
1.	Lukashenko, Aleksandr Grigorievich (Lukashenka, Alaksandr Ryhoravich)	Лукашенка Аляксандр Рыгоравіч	ЛУКАШЕНКО Александр Григорьевич	30.8.1954	Kopys, Vitebsk district			President
2.	Nevyglas, Gennadi Nikolaevich (Nievyhlas, Hienadz Mikalaevich)	Невыглас Генадзь Мікалаевіч	НЕВЫГЛАС Геннадий Николаевич	11.2.1954	Parahonsk, Pinsk district			Head of President's Administration
3.	Petkevich, Natalya Vladimirovna (Piatkevich, Natallia Uladzimiraua)	Пяткевіч Наталля Уладзіміраўна	ПЕТКЕВИЧ Наталья Владимировна	24.10.1972	Minsk			Former Deputy Head of President's Administration
4.	Rubinov, Anatoli Nikolaevich (Rubinau, Anatol Mikalaevich)	Рубінаў Анатоль Мікалаевіч	РУБИНОВ Анатолий Николаевич	4.4.1939	Mogilev			Deputy Head in charge of Media and Ideology, PA
5.	Proleskovsky, Oleg Vitoldovich (Pralaskouski, Aleh Vitoldavich)	Праляскоўскі Алег Вітольдавіч	ПРОЛЕСКОВСКИЙ Олег Витольдович	1.10.1963	Zagorsk (Sergijev Posad)			Minister of Information
6.	Radkov, Aleksandr Mikhailovich (Radzkou, Alaksandr Mikhailavich)	Радзькоў Аляксандр Міхайлавіч	РАДЬКОВ Александр Михайлович	1.7.1951	Botnia, Вотня Быховского района Могилевской области			Deputy Head of the Administration of the President
7.	Rusakevich, Vladimir Vasilievich (Rusakevich, Uladzimir Vasilievich)	Русакевіч Уладзімір Васільевіч	РУСАКЕВИЧ Владимир Васильевич	13.9.1947	Vygonoshchi, Выгоноши, Брестская область			Former Minister of Information
8.	Golovanov, Viktor Grigoryevich (Halavanau, Viktor Ryhoravich)	Галаванаў Віктар Рыгоравіч	ГОЛОВАНОВ Виктор Григорьевич	1952	Borisov			Minister of Justice
9.	Zimovski, Aleksandr Leonidovich (Zimouski Alaksandr Lieanidavich; Zimovsky, Alexander Leonidovich)	Зімоўскі Аляксандр Леанідавіч	ЗИМОВСКИЙ Александр Леонидович	10.1.1961	Germany			Former President of the State television

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
10.	Konopliev, Vladimir Nikolaevich (Kanapliou, Uladzimir Mikalaevich)	Канаплёў Уладзімір Мікалаевіч	КОНОПЛЁВ Владимир Николаевич	3.1.1954	Akulintsi, д. Акулинцы Могилевского района			Chairman of the Lower House of the Parliament
11.	Cherginets, Nikolai Ivanovich (Charhiniets, Mikalai Ivanavich)	Чаргінец Мікалай Іванавіч	ЧЕРГИНЕЦ Николай Иванович	17.10.1937	Minsk			Chairman of the Foreign Affairs Committee of the Upper House
12.	Kostian, Sergei Ivanovich (Kastsian, Siarhieі Ivanavich),	Касцян Сяргей Іванавіч	КОСТЯН Сергей Иванович	15.1.1941	Usokhi, Mogilevdistrict, Усохи Кличевского района Могилевской области			Chairman of the Foreign Affairs Committee of the Lower House
13.	Orda, Mikhail Sergeievich (Orda, Mikhail Siarhieievich)	Орда Міхаіл Сяргеевіч	ОРДА Михаил Сергеевич	28.9.1966	Diatlovo, Grodnodistrict, Дятлово Гродненской области			Member of the Upper House, leader of BRSM
14.	Lozovik, Nikolai Ivanovich (Lazavik, Mikalai Ivanavich)	Лазавік Мікалай Іванавіч	ЛОЗОВИК Николай Иванович	18.1.1951	Nevinyany, Minskdistrict, Невиняны Вилейского р-на Минской обл			Secretary, CEC
15.	Miklashevich, Petr Petrovich (Miklashevich, Piotr Piatrovich)	Міклашэвіч Пётр Пятровіч	МИКЛАШЕВИЧ Петр Петрович	1954	Kosuta, Minskdistrict, Косу́та Минской области			Prosecutor General
16.	Slizhevski, Oleg Leonidovich (Slizheuski, Aleh Leanidavich)	Сліжэўскі Алег Леанідавіч	СПИЖЕВСКИЙ Олег Леонидович					Member, CEC
17.	Khariton, Aleksandr (Kharyton, Alaksandr)	Харытон Аляксандр	ХАРИТОН Александр					Consultant of the Division of Social Organisations, Parties and NGOs of the Ministry of Justice
18.	Smirnov, Evgeni Aleksandrovich (Smirnou, Yauhien Alaksandravich)	Смірноў Яўген Аляксандравіч	СМИРНОВ Евгений Александрович	15.3.1949	Riazan district, Russia			First Deputy of the Chairman of the Economic Court
19.	Reutskaia, Nadezhda Zalovna (Ravutskaya, Nadzieja Zalauna)	Равуцкая Надзея Залаўна	РЕУТСКАЯ Надежда Заловна					Judge of the Moscow district of Minsk
20.	Trubnikov, Nikolai Alekseevich (Trubnikau, Mikalai Alakseevich)	Трубнікаў Мікалай Аляксеевіч	ТРУБНИКОВ Николай Алексеевич					Judge of the Partizanskiy district of Minsk

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
21.	Kuprianov, Nikolai Mikhailovich (Kupryianau, Mikalai Mikhailavich)	Купрыянаў Мікалай Міхайлавіч	КУПРИЯНОВ Николай Михайлович					Deputy Prosecutor General
22.	Sukhorenko, Stepan Nikolaevich (Sukharenka, Stsiapan Mikalaevich)	Сухарэнка Сцяпан Мікалаевіч	СУХОРЕНКО Степан Николаевич	27.1.1957	Zdudichi, Gomel district, Здудичи Светлогорского района Гомельской области			Chairman of KGB
23.	Dementei, Vasili Ivanovich (Dzemiantsei, Vasil Ivanavich)	Дземянцэй Васіль Іванавіч	ДЕМЕНТЕЙ Василий Иванович					First deputy, KGB
24.	Kozik, Leonid Petrovich (Kozik, Leanid Piatrovich)	Козік Леанід Пятровіч	КОЗИК Леонид Петрович	13.7.1948	Borisov			Head of the Federation of Trade Unions
25.	Koleda, Aleksandr Mikhailovich (Kalada, Alaksandr Mikhailavich)	Каляда Аляксандр Міхайлавіч	КОЛЕДА Александр Михайлович					Member, CEC
26.	Mikhasev, Vladimir Ilich (Mikhasiou, Uladzimir Iliich)	Міхасёў Уладзімір Ільіч	МИХАСЕВ Владимир Ильич					Chairman of the CEC of the Gomel district
27.	Luchina, Leonid Aleksandrovich	Лучына Леанід Аляксандравіч	ЛУЧИНА Леонид Александрович	18.11.1947	Minsk district			Chairman of the CEC of the Grodno district
28.	Karpenko, Igor Vasilievich (Karpenka, Ihar Vasilievich)	Карпенка Ігар Васільевіч	КАРПЕНКО Игорь Васильевич	28.4.1964	Novokuznetsk, Russia Новокузнецк Кемеровской области, Россия			Head of Regional Election Commission (REC), Minsk City
29.	Kurlovich, Vladimir Anatolievich (Kurlovich, Uladzimir Anatolievich)	Курловіч Уладзімір Анатольевіч	КУРЛОВИЧ Владимир Анатольевич					Chairman of the CEC of the Minsk district
30.	Metelitsa, Nikolai Timofeievich (Miatsielitsa, Mikalai Tsimafeevich)	Мяцеліца Мікалай Цімафеевіч	МЕТЕЛИЦА Николай Тимофеевич					Chairman of the CEC of the Mogilev district
31.	Pishchulenok, Mikhail Vasilievich (Pishchulenak, Mikhail Vasilievich)	Пішчулёнак Міхаіл Васільевіч	ПИЩУЛЕНОК Михаил Васильевич					Chairman of the CEC of the Vitebsk district

	Names (English transcription)	Names (Belarusian spelling)	Names (Russian spelling)	Date of birth	Place of birth	Address	Passport number	Position
32.	Ribakov, Aleksei	Рыбакоў Аляксей	РЫБАКОВ Алексей			Ul. Jesenina 31-1-104, Minsk		Judge of the Minsk Moskovsky District Court
33.	Bortnik, Sergei Aleksandrovich	Бортнік Сяргей Аляксандравіч	БОРТНИК Сергей Александрович	28.5.1953	Minsk	Ul. Surganovo 80-263, Minsk	MP0469554	Public Prosecutor
34.	Iasinovich, Leonid Stanislavovich	Ясіновіч Леанід Станіслававіч	ЯСИНОВИЧ Леонид Станиславович	26.11.1961	Buchani, Vitebsk district	Ul. Gorovtsa 4-104, Minsk	MP0515811	Judge of the Minsk Tsen-tralny District Court
35.	Migun, Andrei Arkadievich	Мігун Андрэй Аркадзевіч	МИГУН Андрей Аркадевич	5.2.1978	Minsk	Ul. Goretskovo Maksima 53-16, Minsk	MP1313262	Public Prosecutor
36.	Sheiman, Victor Vladimirovich		ШЕЙМАН Виктор Владимирович	26.5.1958	Grodno region,			Former Member of the Security Council, actually Special Assistant/Aid to the President
37.	Naumov, Vladimir Vladimirovich		НАУМОВ Владимир Владимирович	7.2.1956	Smolensk			Former Minister of Interior, actually Chairman of the National Hockey Federation
38.	Pavlichenko, Dmitri Valeriyevich (Pavliuchenko, Dmitry)		Павличенко, Дмитрий Валериевич	1966	Vitebsk			Head of the Special Response Group at the ministry of Interior (SOBR)
39.	Ermoshina, Lidia Mikhailovna (Yermoshina Lydia Mihajlovna)		ЕРМОШИНА Лидия Михайловна	29.1.1953	Slutsk (Minsk Region)			Chairwoman of the Central Election Commission of Belarus (CEC)
40.	Podobed, Iuri Nikolaevich (Podobed Yuri Nikolaevich)		Подобед, Юрий Николаевич	5.3.1962	Slutsk (Minsk Region)			Unit for Special Purposes, Ministry of Interior'

ANNEX V

ANNEX IIIA

List of persons referred to in Article 1(1)(d) and Article 2(1)(b)

	Name	Name in Russian	Place and Date of Birth	Position
1.	Lukashenko, Viktor Aleksandrovich	Лукашенко Виктор Александрович	1976	Assistant/Aid to the President in National Security Affairs.
2.	Bazanov, Aleksandr Viktorovich	Базанов Александр Викторович		Director, Information and Analytical Center of the President
3.	Gusev, Aleksei Viktorovich	Гусев Алексей Викторович		1st Deputy Director, Information and Analytical Center of the President
4.	Krishtapovich, Lev Efstafievich	Криштапович Лев Евстафьевич		Deputy Director, Information and Analytical Center of the President
5.	Kolos, Elena Petrovna	Колос Елена Петровна		Deputy Director, Information and Analytical Center of the President
6.	Makei, Vladimir Vladimirovich	МАКЕЙ Владимир Владимирович	August 5, 1958, Grodno region	Head of the President Administration
7.	Ianchevski, Vsevolod Viacheslavovich	ЯНЧЕВСКИЙ Всеволод Вячеславович	April 22, 1976, Borisov	Assistant to the President, Head of the Ideological Department of the President Administration
8.	Maltsev, Leonid Semenovich	МАЛЫЦЕВ Леонид Семенович	August 29, 1949, Vetenevka, Slonim raion, Grodno Region	Secretary of the Security Council
9.	Tiurin, Andrei	Тюрин, Андрей		Head of the Security Detachment of the President
10.	Ipatov, Vadim Dmitrievich	ИПАТОВ Вадим Дмитриевич		Deputy Chairperson, Central Electoral Commission (CEC)
11.	Bushnaia, Natalia Vladimirovna	Бушная, Наталья Владимировна		Member, CEC
12.	Bushchik, Vasili Vasilevich	Бущик, Василий Васильевич		Member, CEC
13.	Katsubo, Svetlana Petrovna	Кацубо, Светлана Петровна		Member, CEC
14.	Kiseleva, Nadezhda Nikolaevna	Киселева, Надежда Николаевна		Member, CEC
15.	Podoliak, Eduard Vasilievich	Подольяк, Эдуард Васильевич		Member, CEC
16.	Rakhmanova, Marina Iurievna	Рахманова, Марина Юрьевна		Member, CEC
17.	Shchurok, Ivan, Antonovich	Щурок, Иван Антонович		Member, CEC

	Name	Name in Russian	Place and Date of Birth	Position
18.	Kiselev, Anatoli Semenovich	Киселев, Анатолий Семенович		Head of Regional Election Commission (REC), Brest Region
19.	Kriukovski, Viacheslav Iefimovich	Крюковский, Вячеслав Ефимович		Head of Regional Election Commission (REC), Vitebsk Region
20.	Stosh, Nikolai Nikolaievich	Стош, Николай Николаевич		Head of Regional Election Commission (REC), Gomel Region
21.	Savko, Valeri Iosifovich	Савко, Валерий Иосифович		Head of Regional Election Commission (REC), Grodno Region
22.	Vasiliev, Aleksei Aleksandrovich	Васильев, Алексей Александрович		Head of Regional Election Commission (REC), Minsk Region
23.	Berestov, Valeri Vasilevich	Берестов, Валерий Васильевич		Head of Regional Election Commission (REC), Mogilev Region
24.	Vasilievich, Grigoriy Alekseevich	ВАСИЛЕВИЧ Григорий Алексеевич	February 13, 1955	Prosecutor General
25.	Shved, Andrei Ivanovich	Швед Андрей Иванович		Deputy Prosecutor General
26.	Lashin, Aleksandr Mikhailovich	Лашин, Александр Михайлович		Deputy Prosecutor General
27.	Konon, Viktor Aleksandrovich	Конон, Виктор Александрович		Deputy Prosecutor General
28.	Stuk, Aleksei Konstantinovich	Стук, Алексей Константинович		Deputy Prosecutor General
29.	Kuklis, Nikolai Ivanovich	Куклис, Николай Иванович		Deputy Prosecutor General
30.	Khmaruk, Sergei Konstantinovich	Хмарук, Сергей Константинович		Prosecutor of the District of Brest
31.	Dysko, Gennadi Iosifovich	Дыско, Геннадий Иосифович		Prosecutor of the District of Vitebsk
32.	Shaiev, Valentin Petrovich	Шаев, Валентин Петрович		Prosecutor of the District of Gomel
33.	Morozov, Viktor Nikolaievich	Морозов, Виктор Николаевич		Prosecutor of the District of Grodno
34.	Arkhipov, Aleksandr Mikhailovich	Архипов, Александр Михайлович		Prosecutor of the District of Minsk
35.	Sienkievich, Eduard Aleksandrovich	Сенькевич, Эдуард Александрович		Prosecutor of the District of Mogilev
36.	Kulik, Nikolai Nikolaievich	Кулик, Николай Николаевич		Prosecutor of the City of Minsk
37.	Dudkin, Anatoli Konstantynovich	Дудкин, Анатолий Константинович		Prosecutor on Transport Issues of the Republic of Belarus

	Name	Name in Russian	Place and Date of Birth	Position
38.	Dranica, Aleksandr Niko-laievich	Драница, Александр Николаевич		General Army Prosecutor
39.	Vileichik, Aleksandr Vladimirovich	ВИЛЕЙЧИК Александр Владимирович	1964	First Deputy Minister of Justice
40.	Lomat, Zenon Kuzmich	Ломать, Зенон Кузьмич	1944, Karabani	Former President of the State Control Committee
41.	Kuleshov, Anatoliy Nilovich	Кулешов Анатолий Нилович	1959	Minister of Interior
42.	Pekarski, Oleg Anatolievich	Пекарский, Олег Анатольевич		First Deputy Minister of Interior
43.	Poludien, Evgeni Evgenievich	Полудень, Евгений Евгеньевич		Deputy Minister of Interior
44.	Evseev, Igor Vladimirovich	Евсеев, Игорь Владимирович		Leader of the OMON operation team
45.	Farmagey, Leonid Konstantinovich	ФАРМАГЕЙ, Леонид Константинович	1962	Militia Commander of the District of Minsk
46.	Lukomsky, Aleksandr Valentinovich	Лукомский, Александр Валентинович		Commander of the Special Regiment of Ministry of Interior of the District of Minsk
47.	Zaicev, Vadim Iurievich	Зайцев, Вадим Юрьевич	1964	Head of the KGB
48.	Dedkov, Leonid Nikolaevich	Дедков, Леонид Николаевич		First Deputy Head of the KGB, Head of the KGB of the District of Vitebsk
49.	Bakhmatov, Igor Andreevich	Бахматов, Игорь Андреевич		Deputy Head of the KGB
50.	Tertiel, Ivan Stanislawovich	Тертель Иван Станиславович		Deputy Head of the KGB
51.	Smolenski, Nikolai Zinovievich	Смоленский, Николай Зиновьевич		Deputy Head of the KGB
52.	Vegera, Victor Pavlovich	Вегера Виктор Павлович		Former First Deputy Head of the KGB
53.	Svorob, Nikolai Konstantinovich	Свороб, Николай Константинович		Former Deputy Head of the KGB
54.	Tretiak, Piotr	Третьяк, Петр		Deputy Head of the KGB
55.	Zakharov, Aleksei Ivanovich	Захаров, Алексей Иванович		Head of Counter-intelligence Board of the KGB
56.	Tolstashov, Aleksandr Olegovich	Толсташов Александр Олегович		Head of the KGB Board on Protection of the Constitutional Order and Fight Against Terrorism
57.	Rusak, Viktor	Русак, Виктор		Head of the KGB Board on Economic Security
58.	Yurata, Viktor	Юрата, Виктор		Head of the KGB Board on State Communications

	Name	Name in Russian	Place and Date of Birth	Position
59.	Voropaev, Igor Grigorievich	Воропаев Игорь Григорьевич		Former Head of the KGB Board on State Communications
60.	Kalach, Vladimir Viktorovich	Калач Владимир Викторович		Former Head of the KGB of the District of Minsk
61.	Busko, Igor Evgenievich	Бусько Игорь Евгеньевич		Head of the KGB of the City of Brest
62.	Korzh, Ivan Aleksieevich	Корж Иван Алексеевич		Head of the KGB of the City of Grodno
63.	Sergeenko, Igor Petrovich	Сергеенко Игорь Петрович		Head of the KGB of the City of Mogilev
64.	Gerasimenko, Gennadiy Anatolievich	Герасименко Геннадий Анатольевич		Head of the KGB of the City of Gomel
65.	Leskovski, Ivan Anatolievich	Лесковский Иван Анатольевич		Former Head of the KGB of the City of Gomel
66.	Maslakov, Valeri	Маслаков Валерий		Head of the KGB Board of Intelligence
67.	Volkov, Sergei	Волков Сергей		Former Head of the KGB Board of Intelligence
68.	Zhadobin, Iuri Viktorovich	ЖАДОБИН Юрий Викторович	November 14, 1954	Minister of Defence
69.	Krashevski, Victor	КРАШЕВСКИЙ Виктор		Head of the GRU
70.	Ananich, Lilya Stanislavovich	АНАНИЧ Лилия Станиславовна	1960	First Deputy Minister of Information
71.	Laptienok, Igor Nikolaevich	ЛАПТЕНОК Игорь Николаевич	1961	Deputy Head Minister of Information
72.	Davydko, Gennadi Bronislavovich	Давидко, Геннадий Брониславович		President of the State TV
73.	Koziatko, Iuri Vasilievich	КОЗИЯТКО Юрий Васильевич	1964, Brest	General Director of the „Stolichnoe Televidenie”
74.	Yakubovich, Pavel Izotovitch	ЯКУБОВИЧ Павел Изотович	September 23, 1946	Editor-in-Chief of “Sovietskaia Belarus”
75.	Lemeshenok, Anatoli Ivanovich	ЛЕМЕШЕНОК Анатолий Иванович		Editor-in-Chief of „Republika”
76.	Prokopov, Iuri	Прокопов Юрий		Journalist of the state TV channel “Pervi” (№ 1) with senior and influential position
77.	Mikhalchenko, Aleksei	Михальченко Алексей		Journalist of the state TV channel ONT with senior and influential position
78.	Taranda, Aleksandr Mikhailovich	Таранда Александр Михайлович		Deputy Editor of the paper “Sovietskaia Belarus”
79.	Gordienko, Sergei Aleksandrovich	Гордиенко Сергей Александрович		Deputy Editor of the paper “Sovietskaia Belarus”

	Name	Name in Russian	Place and Date of Birth	Position
80.	Toropetskaia, Galina Mikhailovna	Торопецкая Галина Михайловна		Deputy Editor of the paper "Sovietskaia Belarus"
81.	Shadrina, Anna Stanislavovna	Шадрина Анна Станиславовна		Deputy Editor of the paper "Sovietskaia Belarus"
82.	Zhuk, Dmitri	Жук Дмитрий		Director General (CEO) State News Agency BIELTA
83.	Gigin, Vadim	Гигин Вадим		Editor-in-Chief, „Belorusskaia Dumka” monthly review
84.	Ablameiko, Sergei Vladimirovich	Абламейко, Сергей Владимирович		Rector, Belorussian State University
85.	Sirenko, Victor Ivanovich	Сиренко Виктор Иванович		Chief Surgeon of the Minsk Emergency Hospital
86.	Ananich, Alena Nikolaevna	Ананич Елена Николаевна		Judge at the Pervomaysky Rayon Court of the city of Minsk
87.	Revinskaia, Tatiana Vladimirovna	Ревинская Татьяна Владимировна		Judge at the Pervomaysky Rayon Court of the city of Minsk
88.	Esman, Valeri Aleksandrovich	Есьман Валерий Александрович		Judge at the Central Rayon Court of the city of Minsk
89.	Bychko, Aleksey Viktorovich	Бычко Алексей Викторович		Judge at the Central Rayon Court of Minsk
90.	Hodanevich, Aleksandr Aleksandrovich	Ходаневич Александр Александрович		Judge at the Central Rayon Court of the city of Minsk
91.	Iasenovich, Leonid	Ясенович Леонид		Judge at the Central Rayon Court of the city of Minsk
92.	Baranovski, Andrei Fedorovich	Барановский Андрей Федорович		Judge at the Partisanski Rayon Court of the city of Minsk
93.	Titenkova, Elena Victorovna	Титенкова Елена Викторовна		Judge at the Partisanski Rayon Court of the city of Minsk
94.	Tupik, Vera Mikhalevna	Тупик Вера Михайловна		Judge at the Leninski Rayon Court of the city of Minsk
95.	Nekrasova, Elena Timofeevna	Некрасова Елена Тимофеевна		Judge at the Zavadski Rayon Court of the city of Minsk
96.	Lapteva, Elena Viacheslavovna	Лаптева Елена Вячеславовна		Judge at the Zavadski Rayon Court of Minsk
97.	Bolovnev, Nikolai Vasilevich	Боловнев Николай Васильевич		Judge at the Zavadski Rayon Court of the city of Minsk
98.	Kazak, Victor Vladimirovich	Казак Виктор Владимирович		Judge at the Moskovski Rayon Court of the city of Minsk
99.	Shilko, Elena Nikolaevna	Шилько Елена Николаевна		Judge at the Moskovski Rayon Court of the city of Minsk
100.	Simahina, Liubov Sergeievna	Симахина Любовь Сергеевна		Judge at the Moskovski Rayon Court of the city of Minsk
101.	Kuznietsova, Natalia Anatolievna	Кузнецова Наталья Анатольевна		Judge at the Moskovski Rayon Court of the city of Minsk

	Name	Name in Russian	Place and Date of Birth	Position
102.	Telitsa, Lidia Fedorovna	Телица Лидия Федоровна		Judge at the Moskovski Rayon Court of the city of Minsk
103.	Cherniak, Elena Leonidovna	Черняк Елена Леонидовна		Judge at the Moskovski Rayon Court of the city of Minsk
104.	Shestakov, Iuri Valerievich	Шестаков Юрий Валерьевич		Judge at the Moskovski Rayon Court of the city of Minsk
105.	Motyl, Tatiana Iaroslavovna	Мотыль Татьяна Ярославовна		Judge at the Moskovski Rayon Court of the city of Minsk
106.	Khatkevich, Evgeni Viktorovich	Хаткевич Евгений Викторович		Judge at the Moskovski Rayon Court of the city of Minsk
107.	Gusakova, Olga Arkadievna	Гусакова Ольга Аркадьевна		Judge at the Oktiabrski Rayon Court of Minsk
108.	Shargai, Rita Petrovna	Шаграй Рита Петровна		Judge at the Oktiabrski Rayon Court of the city of Minsk
109.	Mitrakhovich, Irina Alekseevna	Митрахович Ирина Алексеевна		Judge at the Oktiabrski Rayon Court of the city of Minsk
110.	Protosovitskaia, Natalia Vladimirovna	Протосовицкая Наталья Владимировна		Judge at the Oktiabrski Rayon Court of Minsk
111.	Lapko, Maksim Fedorovich	Лапко Максим Федорович		Judge at the Oktiabrski Rayon Court of the city of Minsk
112.	Varenik, Natalia Semenovna	Вареник Наталья Семеновна		Judge at the Frunzenski Rayon Court of the city of Minsk
113.	Zhukovskaia, Zhanna Alekseevna	Жуковская Жанна Алексеевна		Judge at the Frunzenski Rayon Court of the city of Minsk
114.	Samoliuk, Anna Valerievna	Самолук Анна Валерьевна		Judge at the Frunzenski Rayon Court of the city of Minsk
115.	Lukashenko, Dmitri Aleksandrovich	Лукашенко Дмитрий Александрович		Businessman, active participation in financial operations involving the Lukashenko family
116.	Shugaiev, Sergei	Шугаев, Сергей		Deputy Head of the KGB since 15.01.2010
117.	Kuznecov, Igor	Кузнецов, Игорь		Head of State KGB Training Center since 15.01.2010'

COUNCIL DECISION 2011/70/CFSP**of 31 January 2011****updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 27 December 2001, the Council adopted Common Position 2001/931/CFSP on the application of specific measures to combat terrorism ⁽¹⁾.
- (2) On 12 July 2010, the Council adopted Decision 2010/386/CFSP updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP ⁽²⁾.
- (3) In accordance with Article 1(6) of Common Position 2001/931/CFSP, it is necessary to carry out a complete review of the list of persons, groups and entities to which Decision 2010/386/CFSP applies.
- (4) This Decision sets out the result of the review that the Council has carried out in respect of the persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply.
- (5) Subject to the appeal pending in Case T-348/07, the Council has concluded that the persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply have been involved in terrorist acts within the meaning of Article 1(2) and (3) of Common Position 2001/931/CFSP, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that Common Position, and that they should continue to be subject to the specific restrictive measures provided for therein.

(6) Due to the appeal pending in Case T-348/07, the Council has determined that Decision 2010/386/CFSP should not be repealed with regard to one group. The review in respect of that group is ongoing.

(7) The list of the persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply should be updated accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The list of persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply shall be that set out in the Annex to this Decision.

Article 2

Decision 2010/386/CFSP is hereby repealed except in so far as it concerns the group mentioned in entry number 25 in Part 2 of the Annex thereto.

Article 3

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

Done at Brussels, 31 January 2011.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 344, 28.12.2001, p. 93.

⁽²⁾ OJ L 178, 13.7.2010, p. 28.

ANNEX

LIST OF PERSONS, GROUPS AND ENTITIES REFERRED TO IN ARTICLE 1, TO WHICH ARTICLES 2, 3 AND 4 OF COMMON POSITION 2001/931/CFSP APPLY**1. Persons**

1. ABOU, Rabah Naami (aka Naami Hamza, aka Mihoubi Faycal, aka Fellah Ahmed, aka Dafri Rème Lahdi), born 1.2.1966 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
2. ABOUD, Maisi (aka The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria), — member of 'al-Takfir' and 'al-Hijra'
3. AL-MUGHASSIL, Ahmad Ibrahim (aka ABU OMRAN, aka AL-MUGHASSIL, Ahmed Ibrahim), born 26.6.1967 in Qatif-Bab al Shamal (Saudi Arabia), citizen of Saudi Arabia
4. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia
5. AL YACOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
6. ARIOUA, Kamel (aka Lamine Kamel), born 18.8.1969 in Costantine (Algeria) — member of 'al-Takfir' and 'al-Hijra'
7. ASLI, Mohamed (aka Dahmane Mohamed), born 13.5.1975 in Ain Taya (Algeria) — member of 'al-Takfir' and 'al-Hijra'
8. ASLI, Rabah, born 13.5.1975 in Ain Taya (Algeria) — member of 'al-Takfir' and 'al-Hijra'
9. ATWA, Ali (aka BOUSLIM, Ammar Mansour, aka SALIM, Hassan Rostom), Lebanon, born 1960 in Lebanon, citizen of Lebanon
10. BOUYERI, Mohammed (aka Abu Zubair, aka Sobiar, aka Abu Zoubair), born 8.3.1978 in Amsterdam (The Netherlands) — member of the 'Hofstadgroep'
11. DARIB, Noureddine (aka Carreto, aka Zitoun Mourad), born 1.2.1972 in Algeria — member of 'al-Takfir' and 'al-Hijra'
12. DJABALI, Abderrahmane (aka Touil), born 1.6.1970 in Algeria — member of 'al-Takfir' and 'al-Hijra'
13. EL FATMI, Nouredine (aka Nouriddin EL FATMI, aka Nouriddine EL FATMI, aka Nouredine EL FATMI, aka Abu AL KA'E KA'E, aka Abu QAE QAE, aka Fouad, aka Fzad, aka Nabil EL FATMI, aka Ben Mohammed, aka Ben Mohand Ben Larbi, aka Ben Driss Muhand Ibn Larbi, aka Abu Tahar, aka Eggie), born 15.8.1982 in Midar (Morocco), passport (Morocco) No N829139 — member of the 'Hofstadgroep'
14. EL-HOORIE, Ali Saed Bin Ali (aka AL-HOURI, Ali Saed Bin Ali, aka EL-HOURI, Ali Saed Bin Ali), born 10.7.1965 or 11.7.1965 in El Dibabiya (Saudi Arabia), citizen of Saudi Arabia
15. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
16. IZZ-AL-DIN, Hasan (aka GARBAYA, Ahmed, aka SA-ID, aka SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
17. MOHAMMED, Khalid Shaikh (aka ALI, Salem, aka BIN KHALID, Fahd Bin Adballah, aka HENIN, Ashraf Refaat Nabith, aka WADOOD, Khalid Adbul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
18. MOKTARI, Fateh (aka Ferdi Omar), born 26.12.1974 in Hussein Dey (Algeria) — member of 'al-Takfir' and 'al-Hijra'
19. NOUARA, Farid, born 25.11.1973 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
20. RESSOUS, Hoari (aka Hallasa Farid), born 11.9.1968 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
21. SEDKAOUI, Noureddine (aka Nounou), born 23.6.1963 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'
22. SELMANI, Abdelghani (aka Gano), born 14.6.1974 in Algiers (Algeria) — member of 'al-Takfir' and 'al-Hijra'

23. SENOUCI, Sofiane, born 15.4.1971 in Hussein Dey (Algeria) — member of 'al-Takfir' and 'al-Hijra'
24. TINGUALI, Mohammed (aka Mouh di Kouba), born 21.4.1964 in Blida (Algeria) — member of 'al-Takfir' and 'al-Hijra'
25. WALTERS, Jason Theodore James (aka Abdullah, aka David), born 6.3.1985 in Amersfoort (The Netherlands), passport (The Netherlands) No NE8146378 — member of the 'Hofstadgroep'

2. Groups and entities

1. 'Abu Nidal Organisation' — 'ANO' (aka 'Fatah Revolutionary Council', aka 'Arab Revolutionary Brigades', aka 'Black September', aka 'Revolutionary Organisation of Socialist Muslims')
 2. 'Al-Aqsa Martyrs' Brigade'
 3. 'Al-Aqsa e.V.'
 4. 'Al-Takfir' and 'Al-Hijra'
 5. 'Aum Shinrikyo' (aka 'AUM', aka 'Aum Supreme Truth', aka 'Aleph')
 6. 'Babbar Khalsa'
 7. 'Communist Party of the Philippines', including 'New People's Army' — 'NPA', Philippines
 8. 'Gama'a al-Islamiyya' (aka 'Al-Gama'a al-Islamiyya') ('Islamic Group' — 'IG')
 9. 'İslami Büyük Doğu Akıncılar Cephesi' — 'IBDA-C' ('Great Islamic Eastern Warriors Front')
 10. 'Hamas', including 'Hamas-Izz al-Din al-Qassem'
 11. 'Hizbul Mujahideen' — 'HM'
 12. 'Hofstadgroep'
 13. 'Holy Land Foundation for Relief and Development'
 14. 'International Sikh Youth Federation' — 'ISYF'
 15. 'Khalistan Zindabad Force' — 'KZF'
 16. 'Kurdistan Workers' Party' — 'PKK', (aka 'KADEK', aka 'KONGRA-GEL')
 17. 'Liberation Tigers of Tamil Eelam' — 'LTTE'
 18. 'Ejército de Liberación Nacional' ('National Liberation Army')
 19. 'Palestinian Islamic Jihad' — 'PIJ'
 20. 'Popular Front for the Liberation of Palestine' — 'PFLP'
 21. 'Popular Front for the Liberation of Palestine — General Command' (aka 'PFLP — General Command')
 22. 'Fuerzas armadas revolucionarias de Colombia' — 'FARC' ('Revolutionary Armed Forces of Colombia')
 23. 'Devrimci Halk Kurtuluş Partisi-Cephesi' — 'DHKP/C' (aka 'Devrimci Sol' ('Revolutionary Left'), aka 'Dev Sol') ('Revolutionary People's Liberation Army/Front/Party')
 24. 'Sendero Luminoso' — 'SL' ('Shining Path')
 25. 'Teyrbazen Azadiya Kurdistan' — 'TAK' (aka 'Kurdistan Freedom Falcons', aka 'Kurdistan Freedom Hawks')
 26. 'Autodefensas Unidas de Colombia' — 'AUC' ('United Self-Defense Forces/Group of Colombia')
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COUNCIL DECISION 2011/71/CFSP**of 31 January 2011****amending 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) In view of the seriousness of the situation in Côte d'Ivoire, other persons and entities should be included in the list set out in Annex II to Council Decision 2010/656/CFSP of persons and entities subject to restrictive measures,

HAS ADOPTED THIS DECISION:

Article 1

Article 7(2) of Decision 2010/656/CFSP is hereby replaced by the following:

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

Article 2

The persons and entities appearing in the Annex to this Decision shall be added to the list set out in Annex II to Decision 2010/656/CFSP.

Article 3

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

Done at Brussels, 31 January 2011.

For the Council

The President

C. ASHTON

⁽¹⁾ OJ L 285, 30.10.2010, p. 28.

ANNEX

PERSONS AND ENTITIES REFERRED TO IN ARTICLE 2

	Name (and any aliases)	Identifying information	Grounds for designation
1.	Mr Philippe Henry Dacoury-Tabley		Governor of the BCEAO (Central Bank of West African States); refuses to recognise the authority of the democratically elected President; is helping to fund the illegitimate administration of Mr Laurent Gbagbo
2.	Mr Denis N'Gbé	Born 6 September 1956 in Danane; passport number: PS-AE/094GD07 (expires 26 July 2012)	National Director of the BCEAO for Côte d'Ivoire; refuses to recognise the authority of the democratically elected President; is helping to fund the illegitimate administration of Mr Laurent Gbagbo
3.	Mr Ibrahim Ezzedine	Born 5 February 1968 in Bariche (Lebanon); passport number: 08AB14590 (expires 4 October 2014)	Entrepreneur: is helping to fund the illegitimate administration of Mr Laurent Gbagbo
4.	Mr Roland Dagher	Born 8 May 1952 in Bamako (Mali); passport numbers: PD-AE/075FN01 (expired 16 January 2011); 08AA15167 (expires 1 December 2013)	Entrepreneur, member of the Economic and Social Council: is helping to fund the illegitimate administration of Mr Laurent Gbagbo
5.	Mr Oussou Kouassi	Born 1 January 1956 in Oumé; passport numbers: PD-AE/016EU09 (expired 31 August 2009); 08AA80739 (expires 12 July 2014)	Director-General for Economic Affairs: refuses to recognise the authority of the democratically elected President; is helping to fund the illegitimate administration of Mr Laurent Gbagbo
6.	Mr Ossey Eugène Amonkou	Born 13 July 1960 in Akoupé; passport number: 04LE10026 (expires 19 June 2011)	Director-General of the National Investment Bank (BNI); refuses to recognise the authority of the democratically elected President; is helping to fund the illegitimate administration of Mr Laurent Gbagbo

B. Entities

	Name (and any aliases)	Identifying information	Grounds for designation
1.	Caisse d'Épargne de Côte d'Ivoire (Savings Bank of Côte d'Ivoire)	REGISTERED OFFICE Abidjan-Plateau, SMGL Building, 11 Avenue Joseph Anoma, 01 BP 6889 Abidjan 01 RCI Tel.: +225 20 25 43 00 Fax: +225 20 25 53 11 SWIFT: CNCGCIAB - E-mail: info@ caissepargne.ci	Is helping to fund the illegitimate administration of Mr Laurent Gbagbo
2.	Banque de l'Habitat de Côte d'Ivoire (BHCI) (Housing Bank of Côte d'Ivoire)	22 Avenue Joseph Anoma - 01 BP 2325 Abidjan 01 Côte d'Ivoire Tel.: +225 20 25 39 39 - Fax.: +225 20 22 58 18	Is helping to fund the illegitimate administration of Mr Laurent Gbagbo

COUNCIL DECISION 2011/72/CFSP**of 31 January 2011****concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 31 January 2011, the Council reaffirmed its full solidarity and support with Tunisia and its people in their efforts to establish a stable democracy, the rule of law, democratic pluralism and full respect for human rights and fundamental freedoms.
- (2) The Council further decided to adopt restrictive measures against persons responsible for misappropriation of Tunisian State funds and who are thus depriving the Tunisian people of the benefits of the sustainable development of their economy and society and undermining the development of democracy in the country.
- (3) Further action by the Union is needed in order to implement certain measures,

HAS ADOPTED THIS DECISION:

Article 1

1. All funds and economic resources belonging to, owned, held or controlled by persons responsible for misappropriation of Tunisian State funds, and natural or legal persons or entities associated with them, as listed in the Annex, shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to, or for the benefit of, natural or legal persons or entities listed in the Annex.

3. The competent authority of a Member State may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as it deems appropriate, after having determined that the funds or economic resources concerned are:

- (a) necessary to satisfy the basic needs of the persons listed in the Annex and their dependent family members, including

payments 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;

- (c) intended exclusively for the payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources; or

- (d) necessary for extraordinary expenses, provided that the competent authority has notified the competent authority of the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least 2 weeks prior to the authorisation.

A Member State shall inform the other Member States and the Commission of any authorisation it grants under this paragraph.

4. By way of derogation from paragraph 1, the competent authorities of a Member State may authorise the release of certain frozen funds or economic resources, provided that the following conditions are met:

- (a) the funds or economic resources are the subject of a judicial, administrative or arbitral lien established prior to the date on which the natural or legal person, entity or body referred to in Article 1(1) was included in the Annex, or of a judicial, administrative or arbitral judgment rendered prior to that date;

- (b) the funds or economic resources will be used exclusively to satisfy claims secured by such a lien or recognised as valid in such a judgment, within the limits set by applicable laws and regulations governing the rights of persons having such claims;

- (c) the lien or judgment is not for the benefit of a natural or legal person, entity or body listed in the Annex; and

- (d) recognising the lien or judgment is not contrary to public policy in the Member State concerned.

A Member State shall inform the other Member States and the Commission of any authorisation granted under this paragraph.

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 the date on which those accounts became subject to this Decision,

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

Article 2

1. The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall establish and amend the list in the Annex.

2. The Council shall communicate its decision, including the grounds for the 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.

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

Article 3

1. The Annex shall include the grounds for listing the persons and entities.

2. The Annex shall also contain, where available, the information necessary to identify the persons or entities concerned. 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.

Article 4

In order to maximise the impact of the abovementioned measures, the Union shall encourage third States to adopt restrictive measures similar to those contained in this Decision.

Article 5

This Decision shall apply for a period of 12 months. It shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.

Article 6

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

Done at Brussels, 31 January 2011.

For the Council

The President

C. ASHTON

ANNEX

LIST OF PERSONS AND ENTITIES REFERRED TO IN ARTICLE 1

	Name	Identifying information	Grounds
1.	Mr Zine el-Abidine Ben Hamda Ben Ali	born 3 September 1936, passports No D005686, expiring 24 December 2011, and No D012100, expiring 15 January 2014	Person subject to judicial investigation by the Tunisian authorities in respect of the misappropriation of property real and movable, the opening of bank accounts and the holding of assets in several countries as part of money-laundering operations.
2.	Mrs Leïla Bent Mohammed Trabelsi, (married to) Ben Ali	born 24 October 1956, passports No D005687, expiring 24 December 2011, and No D012101, expiring 15 January 2014	Person subject to judicial investigation by the Tunisian authorities in respect of the misappropriation of property real and movable, the opening of bank accounts and the holding of assets in several countries as part of money-laundering operations.

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