



Federal Office of Economics and Export Control

**Information Leaflet referring to Foreign
Trade with „Embargo Countries“**

BAFA

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This information leaflet gives an overview of the major embargo regulations in foreign trade. The new edition of 16 September 2003 includes the following amendments as compared to the information leaflet of 01 October 2002:

1. Amendments of the embargo on Angola/UNITA

The Council Regulation (EC) No. 146/2003 of 27 January 2003 (EC Official Journal of 29.01.2003, No. L 24, page 1) repealed Regulation (EC) No. 1705/98 of 28 July 1998 regarding the interruption of certain economic relations with Angola.

The UN arms embargo was lifted by UN Resolution 1448 (2002) of 09 December 2002. The EU arms embargo was lifted by the Common Position 2002/991/CFSP of 19 December 2002 (EC Official Journal of 21.12.2002, No. L 348, page 1).

As a result, there is presently no embargo on Angola/UNITA.

2. Amendments of the embargo on Burma/Myanmar

The Council Common Position 2003/297/CFSP of 28 April 2003 (Official Journal EC of 29.04.2003, No. L 106, page 36 ff.) extended the restrictive measures against Burma/Myanmar. At the same time the Common Position 96/635/CFSP of 28 October 1996 was repealed.

In order to implement the Common Position 2003/297/CFSP the Council of the European Union adopted on 20 June 2003 the decision 2003/461/CFSP (Official Journal EC of 21.06.2003, No. L 154, page 116).

The Regulation (EC) No. 1081/2000 of 22 May 2000 implementing the partial embargo on Burma/Myanmar was amended for the third or fourth time, respectively, by regulations (EC) No. 1070/2003 of 20.06.2003 (EC Official Journal of 21.06.2003, No. L 154, page 61 ff.) and (EC) No. 1211/2003 of 07.07.2003 (EC Official Journal of 08.07.2003, No. L 169, page 24.).

3. Amendments of the embargo on Iraq

The **Council Common Position (2003/495/CFSP)** of 07 July 2003 (OJ. EU No. L 169 of 08.07.2003, page 72 f.) and the **Regulation (EC) No. 1210/2003** of 07 July 2003 concerning certain specific restrictions on the economic and financial relations with Iraq and repealing regulation (EC) No. 2465/1996 (OJ. EU No. L 169 of 08.07.2003, page 6 ff.) settle profound changes in the foreign trade relations with Iraq. A corrigendum of Annex I of Regulation (EC) No. 1210/2003 (OJ. EU No. L 173 of 11.07.2003, page 44) was adopted on 11 July 2003.

With the exception of the arms embargo, the total embargo of EC on Iraq is lifted. At the same time new restrictions were introduced.

The measures were adopted to implement Resolution No. 1483 (2003) of the United Nations Security Council of 22 May 2003. With this resolution the Security Council had

lifted the economic sanctions against Iraq, excluding the arms embargo. Corresponding legal actions were required to lift the European and national embargo regulations directed against Iraq.

The national embargo regulations laid down in sections 52, 69a and 69e of the Foreign Trade and Payments Regulation (AWV) were repealed by the 60th regulation amending the AWV of 21 August 2003, published in the Federal Gazette No. 158 of 26.08.2003, p. 19421.

Independently of the lifting of the total embargo, the Security Council extended the Oil-for-food-Program for six months with essential amendments. New applications within the framework of this programme are no longer possible. The period of six months is only for shipments which were already approved by the Sanctions Committee or OIP and selected by the Secretary-General in coordination with the responsible authorities in Iraq for priority treatment or the special benefit of which is confirmed for the supply of the civil population and the reconstruction of Iraq.

4. Amendments of the arms embargo on the DR of Congo

The arms embargo applied by the EU Member States against the Democratic Republic of Congo on the basis of the Council declaration of 07 April 1993 was amended by the Council Common Position 2002/829/CFSP of 21 October 2002 (EC Official Journal of 23.10.2002, No. L 285, page 1 ff.). Thus, the arms embargo complies with the standards in Article 4 para. 2 of Regulation (EC) No. 1334/2000 (EC Dual-Use REG), why the Democratic Republic of Congo is to be considered an embargo country as defined by Art. 4 para. 2 EC Dual-Use REG as a result of this common position. The UN Resolution 1493 (2002) of 28 July 2003 contains statements on the arms embargo imposed by the United Nations on certain groups and militias located in the Democratic Republic of Congo.

5. Amendments of the embargo on Liberia

By adopting Resolution 1478 (2003) of 06 May 2003, the United Nations Security Council decided to extend the restrictive measures against the government of Liberia for another twelve months. With the UN Resolution 1497 (2003) of 01 August 2003 the United Nations Security Council laid down exceptions to the arms embargo imposed by UN Resolution No. 1343 (2001).

To implement these measures the Council of the European Union amended the Common Position 2001/357/CFSP by the Common Position 2003/365/CFSP of 19 May 2003 (EC Official Journal of 20.05.03, No. L 124, page 49 f.) and extended its validity by 07 May 2004 .

The validity of Regulation (EC) No. 1318/2002 of 22 July 2002 concerning restrictive measures against Liberia expired on 08 May 2003. To implement Resolution 1478 (2003) the Council of the European Union adopted on 16 June 2003 the Regulation (EC) No. 1030/2003 (EC Official Journal of 18.06.03, No. L 150, page 1 f.).

6. Amendment of the embargo on Sierra Leone

The validity of Regulation (EC) No. 2290/2002 of 19 December 2002 concerning the import of rough diamonds from Sierra Leone into the Community expired on 05 June 2003.

7. Amendments of the embargo on Zimbabwe

By adopting the Council Common Position 2003/115/CFSP of 18 February 2003 (EC Official Journal of 20.02.2003, No. L 46, page 30 f.) the Council of the European Union partially amended and extended the restrictive measures against Zimbabwe, which were fixed in the Common Position 2002/145/CFSP of 18 February 2002, until 20 February 2004.

Therefore, the Regulation (EC) No. 310/2002 of 18 February 2002, which expired on 20 February 2003, had to be extended. This was taken into account by Regulation (EC) No. 313/2003 of 18 February 2003 (EC Official Journal of 20.02.2003, No. L 46, page 6).

The Regulation (EC) No. 743/2003 of 28 April 2003 (EC Official Journal of 29.04.2003, No. L 106, page 18 f.) concerning the list of competent authorities (Annex III) implemented the fourth amendment of Regulation (EC) No. 310/2002.

8. Amendments of the embargo on Somalia

With its Resolutions No. 1356 (2001) of 19 June 2001 and No. 1425 (2002) of 22 July 2002 the United Nations Security Council amended and extended the UN arms embargo imposed on Somalia in 1992.

The Council of the European Union implemented the arms embargo on Somalia by the Common Position 2002/960/CFSP of 10 December 2002 (EC Official Journal of 11.12.2003, No. L 334, page 1 f.). Further restrictive measures against Somalia are laid down in Regulation (EC) No. 147/2003 of 27 January 2003 (EC Official Journal of 29.01.2003, No. L 24, page 2 f.).

9. Amendments of the restrictive measures against Usama bin Laden, the Al-Qaida network, the Taliban and other international terrorist organisations

The terrorism-relevant legal provisions of the European Union basing on two decisions of the United Nations (UN) Security Council (SC) can be divided into two groups.

By **Regulation (EC) No. 881/2002** of 27 May 2002 the European Union, based on Resolution 1390 (2002) of UNSC, adopted embargo measures against persons and organisations associated with Usama bin Laden, the Al-Qaida network and the Taliban.

The regulation entered into force on 30 May 2002 and was amended in the meantime for the 22nd time. The last amendments were adopted with Regulation (EC) No. 1184/2003 of 02 July 2003 (EC Official Journal of 03.07.2003, No. L 165, page 21 f.), Regulation (EC) No. 1456/2003 of 14 August 2003 (EC Official Journal of 15.08.2003, No. L 206, page 27 f.) and Regulation (EC) No. 1607/2003 of 12 September 2003 (EC Official Journal of 13.09.2003, No. L 229, page 19 ff.).

The **Regulation (EC) No. 2580/2001** of 27 December 2001 contains specific restrictive measures directed against persons and organisations with a view to combat international terrorism. This regulation is directed against persons, bodies and entities not mentioned in the Regulation (EC) No. 881/2002 (or previous regulations).

The Council of the European Union drafts, reviews and amends unanimously and in accordance with the Common Position 2001/931/CFSP the list of persons, bodies or entities subject to this regulation (Art.2 para. 3 of Regulation No. 2580/2001).

The current list results from Council Decision 2003/646/EC of 12 September 2003 (EC Official Journal of 13.09.2003, No. L 229, page 22 f.).

With Regulation (EC) No. 745/2003 of 28. April 2003 (EC Official Journal of 29.04.2003, No. L 106, page 22 f.) the Annex to Regulation (EC) No. 2580/2001 concerning the list of competent authorities was amended additionally.

The Federal Office of Economics and Export Control (BAFA) provides information on the embargo regulations and other general provisions referring to foreign trade legislation on its homepage (www.bafa.de).

The Deutsche Bundesbank (www.bundesbank.de) informs about the restrictions on capital and payment transactions.

What is an embargo ?

Embargoes are restrictions on the freedom of foreign trade, i. e. they contain basic prohibitions of actions and legal transactions in foreign trade and payments in respect of a specific country of destination-

Depending on the scope of restrictions, there is a „total embargo“, a „partial trade embargo“ (only for certain economic areas) and an „arms embargo“ (only for weapons, ammunition and military equipment).

What should be taken into consideration in foreign trade relations with countries under embargo?

Depending on the scope and country under embargo, it must be checked whether the planned business and/or legal transaction is subject to embargo regulations. Embargo regulations can refer to, inter alia:

- the import,
- the provision,
- the conclusion of a contract
- the sale,
- the supply,
- the satisfying of claims
- the export / transfer
- the transshipment
- the provision of services,
- capital and payment transactions,
- contacts with certain organisations or operative activities for them,
- activities by German nationals abroad
- (immigration) travel restrictions
- air traffic restrictions
- as well as the promotion of legal transactions or activities with the aim to circumvent embargoes.

What else must be observed in addition to embargo regulations?

In addition to the embargo regulations, the general foreign trade regulations must always be observed. Details on the so-called standard export control regulations are contained in BAFA's Brief Outline on Export Control, available from BAFA, or in HADDEX (Handbook of German Export Control published by BAFA). HADDEX explains the existing prohibitions and licensing requirements, the licensing as well as simplified procedures, and contains the most important materials. It can be ordered at Bundesanzeiger Verlagsgesellschaft, Cologne, Tel.: 0221/97668-0. Besides this, an export/transfer may also be subject to authorisation due to other legal provisions (e. g. weapons act, law on the supervision of basic materials, waste disposal law, drug and narcotics law). You can get information on the respective competent licensing authority from your responsible customs office.

General note on this information leaflet

This information leaflet gives a brief overview of the embargoes presently in force. That means it only concentrates on the basic features of the embargo regulations in foreign trade. The details can be obtained from the UN Resolutions, EC Regulations and Decisions, and the Foreign Trade and Payments Regulation. The EC regulations are directly applicable in each Member State (Art. 249 EC Treaty). Violations of embargo regulations may be punished as a statutory offence or, if appropriate, as a criminal offence.

Overview of partial trade embargoes

Afghanistan:

The United Nations Security Council adopted Resolution 1390 (2002) of 16 January 2002 to update the embargo measures. The current embargo provisions are not directed against the territory of Afghanistan, but against individual persons, like **Usama bin Laden**, the **Al-Qaida network** and the **Taliban** independently of where the persons, groups, entities and organisations are established or located. The Security Council imposed an arms embargo on this group of persons; technical advice, assistance or training related to military activities are also prohibited. Furthermore, the Security Council adopted comprehensive financial and economic sanctions.

Details can be found in this Information Leaflet on page 6 (Amendments of restrictive measures against Usama bin Laden, the Al-Qaida network, the Taliban and other international terrorist organisations) and in the related chapters on pages 15/16.

Burma/Myanmar:

By the Common Position 2003/297/CFSP of 28 April 2003 (EC Official Journal of 29.04.2003, No. L 106, page 36ff.) the Council of the European Union extended and aggravated the measures adopted by the Common Position 96/635/CFSP against Burma/Myanmar and repealed the Common Position 96/635/CFSP.

The sanctions going beyond the arms embargo of the Common Position 2003/297/CFSP are implemented by Regulation (EC) No. 1081/2000 of 22 May 2000 as amended. The latest amendment was adopted by Regulation (EC) No. 1211/2003 of 07 July 2003. The partial embargo on Burma/Myanmar prohibits now the delivery or sale of goods for internal repression or terrorist purposes as well as the provision of technical training or assistance in connection with the supply, production, maintenance or use of armaments and other related materials of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts.

In addition, the funds abroad owned by persons mentioned in Regulation (EC) No. 1081/2000 are frozen. Furthermore, these persons must not be provided directly or indirectly with financial resources.

Details are contained in Regulation (EC) NO. 1081/2000 of 22 May 2000 (published in OJ EC, No. L 122 of 24.05.2000, page 29), last amended by Regulation (EC) No. 1211/2003 of 07 July 2003 (EC Official Journal of 08.07.2003, No. L 169, page 24).

Bosnia and Herzegovina:

Pursuant to the Common Position 96/184/CFSP of the Council of the European Union of 26 February 1996, as amended by the Decision of the European Union Council (1999/481/CFSP) of 19 July 1999, the arms embargo on Bosnia and Herzegovina continues to be in force.

This embargo refers to goods covered by Part I Section A of the Export List and is administered by section 5 AWV. There are exceptions for the export of mine sweeping equipment and the supply of firearms to the police forces in Bosnia and Herzegovina.

Federal Republic of Yugoslavia and Republic of Serbia:

With Resolution 1367 (2001) the UN Security Council decided on 10 September 2001 to lift the UN arms embargo imposed under paragraph 8 of UN Resolution 1160 (1998) on the Federal Republic of Yugoslavia (including Kosovo). The EU arms embargo was lifted with the Common Position 2001/719/CFSP of 08 October 2001 (EC Official Journal of 09.10.2001, No. L 268, page 49).

By Regulation (EC) No. 2156/2001 of 05 November 2001 (EC Official Journal of 06.11.2001, No. L 289, page 5) the Council of the European Union, based on the Common Position 2001/719/CFSP, repealed Regulation (EC) No. 926/98 of 27 April 1998 concerning restrictions on certain economic relations to the Federal Republic of Yugoslavia prohibiting the delivery or sale of equipment that can be used for internal repression or terrorist purposes.

However, Regulation (EC) No. 2488/2000 of 10 November 2000 continues to be in force, freezing all funds of Mr. Milosevic and natural persons associated with him (named in Annex I of the Regulation) outside the territory of the Federal Republic of Yugoslavia. Furthermore, these persons must not be provided directly or indirectly with financial resources (Article 1 paragraphs 1 and 2 of EC REG No. 2488/2000). Annex I of Regulation (EC) No. 2488/2000 was amended by Regulation (EC) No. 1205/2001 of 19 June 2001. Presently Annex I refers to thirteen persons.

In case of any questions in connection with financial sanctions, please contact the competent regional central bank.

The embargo regulations relevant for foreign trade and payments with the Federal Republic of Yugoslavia and the Republic of Serbia are contained in the following publications:

Regulation (EC) 2488/2000	of 10.11.2000	published in OJ. EC No. L 287/19;
Regulation (EC) 1205/2001	of 19.06.2001	published in OJ. EC No. L 156/1;
Common Position 2001/719/CFSP	of 08.10.2001	published in OJ. EC No. L 268/49;
Regulation (EC) 2156/2001	of 05.11.2001	published in OJ. EC No. L 289/5.

Please take note of the restrictions concerning the immigration of certain persons (Common Position 2000/696/CFSP of 10 November 2000, as amended by the Common Position 2001/155/CFSP of 26 February 2001). The supervision of the refusal of entry, however, is outside BAFA's responsibility.

Furthermore, the other general provisions of foreign trade legislation have to be observed in foreign trade relations with the Federal Republic of Yugoslavia.

Since both, the UN and EU arms embargoes on the FR Yugoslavia were lifted, the shipment of items not listed in Annex I does no longer fall under the restrictions of Art. 4 para. 2 EC REG No. 1334/2000 (authorisation requirement for conventional military end-use).

Iraq:

The Regulation (EC) No. 1210/2003 of 07 July 2003 concerning certain specific restrictions on economic and financial relations with Iraq and repealing Regulation (EC) No. 2465/1996 (OJ. EU No. L 169 of 08.07.2003, page 6 ff.) contains as the most drastic measure in Article 17 the repeal of Regulation (EC) No. 2465/96 concerning the interruption of economic and financial relations between the European Community and Iraq. The repeal of the regulation shall apply from 23 May 2003.

The national embargo provisions of sections 52, 69a and 69e Foreign Trade and Payments Regulation (AWV) were repealed with the 60th regulation amending the AWV of 21 August 2003, published in the Federal Gazette No. 158 of 26.08.2003, p. 19421.

After the lifting of the total embargo, the following restrictions on trade with Iraq (export/import) have to be observed:

- the arms embargo,
- satisfying of claims is prohibited
- the restrictions under Regulation (EC) No. 1210/2003 and
- the general restrictions.

Apart from the lifting of the total embargo, Regulation (EC) No. 1210/2003 contains provisions referring to

- the deposit of proceeds from all export sales of petroleum, petroleum products and natural gas from Iraq into the Development Fund for Iraq;
- the import, export, transfer of and trade in stolen goods belonging to Iraq's cultural heritage;
- all funds and economic resources belonging to the previous government of Iraq, the public bodies, corporations and companies as well as former Iraqi President Saddam Hussein and senior officials of his regime, immediate members of their families and entities controlled by them;
- immunity from legal proceedings, attachment, garnishment and execution concerning petroleum, petroleum products and natural gas from Iraq, the proceeds and obligations

from the sale of these goods, the economic resources and funds frozen in accordance with Article 4, and the Development Fund managed by the Central Bank of Iraq.

In addition to BAFA's Information Leaflet „**Latest information on foreign trade with Iraq**“ you get further details on BAFA's Homepage www.bafa.de and the Homepage of the Office of the Iraq Programme Oil-for-Food (OIP) www.un.org/Depts/oip.

Liberia:

UN Resolution No. 788 of 19 November 1992 imposed an arms embargo on Liberia that was confirmed by UN Resolution No. 1343 of 07. March 2001. At the same time UN Resolution No. 1343 contains further restrictive measures against Liberia which were extended by the UN Resolutions No. 1408 of 07 May 2002 and No. 1478 of 06 May 2003. With UN Resolution 1497 (2003) of 01 August 2003 the Security Council of the United Nations fixed exceptions to the UN arms embargo.

To implement these measures the Council of the European Union amended the Common Position 2001/357/CFSP last amended by the Common Position 2003/365/CFSP of 19 May 2003 (EC Official Journal of 20.05.03, No. L 124, page 49 f.) and extended it until 07 May 2004. The Regulation (EC) No. 1318/2002 of 22 July 2002, based on it, concerning restrictive measures against Liberia expired on 8 May 2003.

To implement the restrictive measures of Resolution 1478 (2003) the Council of the European Union therefore adopted on 16 June 2003 the Regulation (EC) No. 1030/2003 (EC Official Journal of 18.06.03, No. L 150, page 1 f.). In addition to the prohibition of technical training or assistance related to the provision, manufacture, maintenance or use of arms and related material of all types, it prohibits the import of all rough diamonds, round logs and timber products (Art. 2 of EC REG No. 1030/2003).

Libya:

On 05.04.1999, the UN Security Council suspended the financial sanctions imposed by Resolutions No. 748/92 and 883/93 on Libya and the restrictions on air traffic and petrol/natural gas extraction. Therefore, the corresponding special restrictions against Libya in AWV are not effective.

The arms embargo imposed by EU in 1986 is still valid. It was reaffirmed by the Council Common Position of 16.04.1999 (1999/261/CFSP). According to it, export licences cannot be granted for weapons and other military equipment as defined by Part I Section A of the Export List in connection with section 5 AWV.

The Regulation (EC) No. 3275/93 (Official Journal EC of 30.11.1993 No. L 295, p. 4) prohibiting the satisfying of claims continues to be in effect. This regulation is to prevent Libya from getting a compensation for the negative consequences of the embargo. However, such is not the case if, based on contractual agreements before the introduction of sanctions, goods are delivered to Libya (this is possible now after the suspension on EC level).

Sierra Leone:

Based on the UN Security Council Resolutions No. 1132 of 08.10.1997 and No. 1171 of 04.06.1998 as well as the Common Position 98/409/CFSP of the European Union Council of 29.06.1998 (EC Official Journal of 01.07.1999, No. L 187, p. 1 f.) special restrictions were imposed on Sierra Leone in section 69 g AWV (as amended with the 45th regulation amending the AWV).

To implement the arms embargo section 69 g AWV prohibits the sale and supply of weapons, ammunition, arms material, military vehicles and equipment. This embargo covers the goods controlled by Part I Section A of the Export List. In addition, the sale and supply of paramilitary equipment and goods of all types, and spare parts that could be in connection with military equipment are prohibited. Goods in connection with military equipment are those that could be brought in connection with military equipment by the consignee or user and with the use of military equipment. Since section 69 g AWV speaks of “supply” or “sale” instead of “export”, not only the export but already the conclusion of contracts is prohibited.

There are exemptions for sales and supplies to the government of Sierra Leone, or to military observers of the Economic Community of West African States and representatives of the United Nations. In any case, an authorisation is required.

The validity of Regulation (EC) No. 2290/2002 of 19 December 2002 (EC Official Journal of 21.12.2002, No. L 348, page 56 f.), prohibiting the import into the Community of certain rough diamonds from Sierra Leone expires on 05 June 2003.

Zimbabwe:

The Common Position 2002/145/CFSP of the Council of the European Union of 18 February 2002 concerning restrictive measures against Zimbabwe - as amended and extended by the Common Position 2003/115/CFSP of 18 February 2003 (EC Official Journal of 20.02.2003, No. L 46, page 30 f.) - imposed i. a. an arms embargo. The supply or sale of armaments and any type of military equipment to Zimbabwe is prohibited. In addition, the provision of technical training or assistance in connection with the provision, the production, maintenance of use of goods referred to in Article 1, paragraph 1 is forbidden.

The above-mentioned prohibitions, however, do not apply to the delivery of non-lethal military equipment, intended exclusively for humanitarian or protective purposes, to related technical assistance or training and to protective clothes exported temporarily to Zimbabwe by certain authorised persons for their own use.

At the same time, the Common Position 2002/145/CFSP, as amended, contains further restrictive measures implemented by Resolution (EC) No. 310/2002 of 18.02.2002. It includes extensive financial sanctions as well as the prohibition to sell, supply, export or dispatch equipment listed in Annex II of the Regulation, which can be used for internal repression to persons, organisations and entities in Zimbabwe.

Excluded therefrom is the supply of non-lethal military equipment intended exclusively for humanitarian or protective purposes, for related technical assistance or training and protective clothing exported temporarily to Zimbabwe by certain authorised persons for their own use.

Regulation (EC) No. 310/2002 was last extended by Regulation (EC) No. 313/2003 of 18 February 2003 by 20 February 2004 and amended by the Regulation (EC) No. 743/2003 of 28 April 2003 concerning the competent authorities referred to in Annex III.

Details can be derived from Regulation (EC) No. 310/2002 of 18 February 2002 (EC Official Journal of 21.02.2002, No. L 50, p. 4 ff.) as amended.

Somalia:

The United Nations Security Council adopted Resolutions No. 1356 (2001) of 19 June 2001 and No. 1425 (2002) of 22 July 2002 to amend and extend the UN arms embargo that has been effective against Somalia since 1992.

The Council of the European Union implements the arms embargo on Somalia by the Common Position 2002/960/CFSP of 10 December 2002 (EC Official Journal of 11.12.2003, No. L 334, page 1 f.).

The restrictive measures going beyond the arms embargo were laid down in Regulation (EC) No. 147/2003 of 27 January 2003 (EC Official Journal of 29.01.2003, No. L 24, page 2 f.). The sanctions prohibit to provide funds or financial assistance (in particular grants, loans and export credit insurance) as well as to grant, sell, supply or transfer technical ad-

vice, assistance or training related to military activities (Art. 1 para. 1 and 2 of Regulation (EC) No. 147/2003). Exemptions are laid down in Art. 3 of the above regulation.

Restrictive measures against Usama bin Laden, the Al Qaida network, the Taliban and other international terrorist organisations:

By adopting Resolution 1390 (2002) of 16 January 2002, the United Nations Security Council updated the embargo measures against Usama bin Laden, the Al-Qaida network and the Taliban. The Security Council imposed an arms embargo and sanctions concerning technical advice, assistance and training related to military activities on these persons. In addition, the Security Council decided on extensive financial and economic sanctions.

The EU implemented the arms embargo in the Council Common Position 2002/402/CFSP of 27 May 2002 (EC Official Journal of 29.05.2002, No. L 139, page 4), amended by the Common Position 2003/140/CFSP of 27.02.2003 (EC Official Journal of 28.02.2003, No. L 53, page 62). The arms embargo only refers to goods controlled by Part I Section A of the Export List and is implemented administratively by section 5 AWW.

The prohibition of technical advice, assistance or training related to military activities (Art. 2, para. 1) contained in the Common Position became legally binding by Art. 3 of Regulation (EC) No. 881/2002 of 27 May 2002.

The Regulation (EC) No. 881/2002 contains additional sanctions against the persons, groups, entities and organisations referred to in Annex I of the Regulation and in a list of the United Nations Sanction Committee (www.un.org/Docs/sc/committees/1267/1267ListEng.htm) because they are associated with the Al-Qaida network or the Taliban. The prohibitions concern i. a. the freeze and provision of funds, i. e. financial assets or economic benefits of every kind and financial resources. The prohibition also refers to direct or indirect deliveries of goods.

Regulation (EC) No. 1607/2003 of 12 September 2003 was the 22nd amendment of Regulation (EC) No. 881/2002.

By Regulation (EC) No. 2580/2001 of 27 December 2001 the European Community complies with the Resolution of the Security Council 1373 (2001) of 28 September 2002 according to which all states are called upon to freeze funds, other financial assets or economic resources of persons attempting to perpetrate, committing, facilitating or participating in terrorist acts. Furthermore, the Regulation prohibits to make available funds, other financial assets or economic resources for the benefit of those persons, and to provide financial services or other related services for the benefit of these individuals.

Details can be derived from Regulation (EC) No. 2580/2001 of 27 December 2001 (EC Official Journal of 28.12.2001, No. L 344, page 70), amended by Regulation (EC) No. 745/2003 of 28.04.2003 concerning the competent authorities referred to in the Annex to this Regulation, and the Common Position (2001/931/CFSP) of 27 December 2001 (EC Official Journal of 28.12.2001, No. L 344, page 93).

The list of persons, groups and entities subject to financial sanctions was last adjusted by Council Decision 2003/646/EC of 12 September 2003 (EC Official Journal of 28.06.2003, No. L 160, page 81 f.) to implement Article 2 paragraph 3 of Regulation (EC) No. 2580/2001 imposing certain specific restrictive measures directed against certain persons and entities to combat terrorism.

The Regulation (EC) No. 2580/2001 imposing certain specific restrictive measures on certain persons, entities and organisations to combat terrorism is directed against persons, entities and organisations not mentioned in Regulation (EC) No. 881/2002 (embargo measures against Usama bin Laden, the Al-Qaida network and the Taliban).

Further information can be taken from the „Information Leaflet on Embargo Measures to Combat Terrorism“.

Overview of arms embargoes

Arms embargoes concern goods of Part I Section A of the Export List. Some embargoes go beyond this. The details may be obtained from the respective regulations, decisions and common positions. Based on decisions of international organisations (United Nations, EU, OSCE) no licences are granted for the export of weapons, ammunitions and military equipment to the following countries:

- **Armenia**
- **Azerbaijan**
- **Bosnia-Herzegovina**
- **China ***
- **Democratic Republic of Congo (former Zaire)**
- **Iraq**
- **Liberia**
- **Libya**
- **Myanmar (former name: Birma/Burma)**
- **Rwanda**
- **Sierra Leone**
- **Somalia**
- **Sudan**
- **Zimbabwe**

***No embargo country as defined by Art. 4 para. 2 of Regulation (EC) No. 1334/2000 of 22 June 2000 (EC Dual-Use Regulation)**

Embargo provisions independently of countries, relating to specific persons were not taken into consideration.

Information and Addresses

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(i. a. excerpt from AWG, AWV, Export List, EC Dual-Use REG, General Licences,
Specimen of application forms, Information Leaflets)

Federal Ministry of Economics and Labour, Division V B 2,
Tel. 030/2014-0; Fax: 030/2014-5358

Questions of payment transactions: regional central bank (Headquarter of German
Federal Bank)

EC Official Journal in Internet: europa.eu.int/eur-lex

UN Resolutions in the Internet:

In German: www.un.org/Depts/german/index.html

In English: www.un.org/Docs/sc.html

Other comments

This Information Leaflet is only an overview. It reflects the state of affairs of 16.09.2003. It does not claim to be complete nor is it legally binding

Annex

Overview of all present embargo countries – status 16.09.2003

Overview of embargo countries

Status: 16.09.2003

<u>Country</u>	<u>Embargo measures</u>
Armenia	Arms embargo
Azerbaijan	Arms embargo
Bosnia-Herzegovina	Arms embargo
Serbia/Montenegro*	Financial sector, satisfying of claims prohibited
China *	Arms embargo
Democrat. Rep. Congo (former Zaire)	Arms embargo
Haiti *	Satisfying of claims prohibited after total embargo
Iraq	Arms embargo, financial sector, cultural heritage of Iraq, satisfying of claims prohibited
Liberia	Arms- and partial embargo (Technical assistance i. c. w. military activities, import of rough diamonds, round logs and timber products)
Libya	Arms embargo, satisfying of claims prohibited
Myanmar (former Birma/Burma)	Arms- and partial embargo (Goods for internal repression, technical assistance i. c. w. military activities, financial sector)
Rwanda	Arms embargo
Sierra Leone	Arms- and partial embargo (Paramilitary equipment, goods related to armaments)
Somalia	Arms- and partial embargo (Technical assistance and financial sanctions i. c. w. military activities)
Sudan	Arms embargo
Zimbabwe	Arms- and partial embargo (Goods for internal repression, technical assistance i. c. w. military activities, financial sector)

* No embargo countries within the meaning of Art. 4, para. 2 of Regulation (EC) No. 1334/2000 of 22. June 2000 (EC Dual-Use Regulation) as amended.

This overview does not consider the embargo regulations to combat international terrorism irrespective of country (i. a Regulation (EC) No. 881/2002 of 27 May 2002 and No. 2580/2001 of 27. December 2001).