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V

(Acts adopted from 1 December 2009 under the Treaty on European Union, the Treaty on the Functioning of the European Union and the Euratom Treaty)

ACTS WHOSE PUBLICATION IS OBLIGATORY

COUNCIL REGULATION (EU) No 1283/2009

of 22 December 2009

amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea

THE COUNCIL OF THE EUROPEAN UNION,

regime for the control of exports, transfer, brokering and transit of dual-use items (Recast) ⁽⁴⁾.

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 (1) and (2) thereof,

- (3) Common Position 2009/573/CFSP also provides for the inspection of certain cargoes to and from North Korea and, in the case of aircraft and vessels, for the supply of additional pre-arrival or pre-departure information in respect of goods brought into or out of the Union. This information must be provided in accordance with the provisions on entry and exit summary declarations of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽⁵⁾, and Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁶⁾.

Having regard to Council Common Position 2009/573/CFSP of 27 July 2009 ⁽¹⁾ and Council Decision 2009/1002/CFSP of 22 December 2009 ⁽²⁾ amending Common Position 2006/795/CFSP concerning restrictive measures against the Democratic People's Republic of Korea,

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

- (4) Common Position 2009/573/CFSP also provides for a prohibition on bunkering services or any other services for North Korea's vessels in order to prevent the transport of items whose export is prohibited under Regulation (EC) No 329/2007 ⁽⁷⁾.
- (5) Common Position 2009/573/CFSP also extends measures to freeze funds to other categories of persons and introduces financial vigilance measures in respect of the activities of financial institutions which could contribute to North Korea's nuclear-related, other weapons of mass destruction-related or ballistic missile-related programmes.
- (6) These measures fall within the scope of the Treaty and, notably with a view to ensuring their uniform application by economic operators in all Member States, Union legislation is therefore necessary in order to implement them as far as the Union is concerned.

Whereas:

(1) On 20 November 2006, the Council adopted Common Position 2006/795/CFSP ⁽³⁾ concerning restrictive measures against the Democratic People's Republic of Korea (hereinafter referred to as 'North Korea') and implementing United Nations Security Council Resolution (UNSCR) 1718 (2006).

(2) In accordance with UNSCR 1874 (2009), additional restrictive measures were imposed against North Korea by Common Position 2009/573/CFSP, including notably a prohibition on the supply, sale or transfer of certain items, materials, equipment, goods and technology which could contribute to North Korea's nuclear-related, other weapons of mass destruction-related or ballistic missile-related programmes. Decision 2009/1002/CFSP specifies that this prohibition shall include all dual-use goods and technology listed in Annex I to Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community

⁽¹⁾ OJ L 197, 29.7.2009, p. 111.

⁽²⁾ OJ L 344, 23.12.2009, p. 47.

⁽³⁾ OJ L 322, 22.11.2006, p. 32.

⁽⁴⁾ OJ L 134, 29.5.2009, p. 1.

⁽⁵⁾ OJ L 302, 19.10.1992, p. 1.

⁽⁶⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁷⁾ OJ L 88, 29.3.2007, p. 1.

- (7) Regulation (EC) No 329/2007 should therefore be amended accordingly.
- (8) Any processing of personal data of natural persons under this Regulation 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 ⁽¹⁾ 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 ⁽²⁾.
- (9) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 329/2007 is hereby amended as follows:

1. Article 1(8) shall be replaced by the following:

‘8. “territory of the Union” means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty, including their airspace.’;

2. Article 2 shall be replaced by the following:

‘Article 2

1. It shall be prohibited:

- (a) to sell, supply, transfer or export, directly or indirectly, the goods and technology, including software, listed in Annexes I and Ia, whether or not originating in the Union, to any natural or legal person, entity or body in, or for use in North Korea;
- (b) to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibition referred to in point (a).

2. Annex I shall include all items, materials, equipment, goods and technology, including software, which are dual-use items or technology as defined in Regulation (EC) No 428/2009 ⁽¹⁾.

Annex Ia shall include other items, materials, equipment, goods and technology which could contribute to North Korea’s nuclear-related, other weapons of mass destruction-related or ballistic missile-related programmes.

3. It shall be prohibited to purchase, import or transport the goods and technology listed in Annexes I and Ia from North Korea, whether the item concerned originates or not in North Korea.

⁽¹⁾ OJ L 134, 29.5.2009, p. 1.’;

3. Article 3(1) shall be replaced by the following:

- ‘1. It shall be prohibited:

(a) to provide, directly or indirectly, technical assistance related to goods and technology listed in the EU Common List of Military Equipment or in Annexes I and Ia, and to the provision, manufacture, maintenance and use of goods listed in the EU Common List of Military Equipment or in Annexes I and Ia to any natural or legal person, entity or body in, or for use in, North Korea;

(b) to provide, directly or indirectly, financing or financial assistance related to goods and technology listed in the EU Common List of Military Equipment or in Annexes I and Ia, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of such items, or for any provision of related technical assistance to any natural or legal person, entity or body in, or for use in, North Korea;

(c) to obtain, directly or indirectly, technical assistance related to goods and technology listed in the EU Common List of Military Equipment or in Annexes I and Ia, and to the provision, manufacture, maintenance and use of goods listed in the EU Common List of Military Equipment or in Annexes I and Ia from any natural or legal person, entity or body in, or for use in, North Korea;

(d) to obtain, directly or indirectly, financing or financial assistance related to goods and technology listed in the EU Common List of Military Equipment or in Annexes I and Ia, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of such items, or for any provision of related technical assistance from any natural or legal person, entity or body in, or for use in, North Korea;

(e) to participate, knowingly and intentionally, in activities, the object or effect of which is to circumvent the prohibitions referred to in points (a), (b), (c) and (d).’;

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

⁽²⁾ OJ L 281, 23.11.1995, p. 31.

4. The following Article shall be inserted:

'Article 3a

1. In order to prevent the transfer of goods and technology listed in Annexes I and Ia which could contribute to North Korea's nuclear-related, other weapons of mass destruction-related or ballistic missile-related programmes, or of the luxury goods listed in Annex III, cargo aircraft and merchant vessels to and from North Korea and North Korean vessels shall be required to submit pre-arrival or pre-departure information, for all goods brought into or out of the Union, to the competent customs authorities of the Member State concerned.

The rules governing the obligation to provide pre-arrival or pre-departure information, in particular the time limits to be respected and data to be required, shall be as laid down in the applicable provisions concerning entry and exit summary declarations as well as customs declarations in Regulation (EC) No 648/2005 of the European Parliament and of the Council of 13 April 2005 amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽¹⁾, and Commission Regulation (EC) No 1875/2006 of 18 December 2006 amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽²⁾.

Furthermore, cargo aircraft and merchant vessels to and from North Korea, or their representatives, shall declare whether the goods are covered by this Regulation and, if their export is subject to authorisation, specify the particulars of the export licence granted.

Until 31 December 2010 the entry and exit summary declarations and the required additional elements referred to in this Article may be submitted in written form using commercial, port or transport information, provided that it contains the necessary particulars.

As from 1 January 2011, the required additional elements referred to in this Article shall be submitted either in written form or using the entry and exit summary declarations as appropriate.

2. The provision by nationals of Member States or from the territories of Member States of bunkering or ship supply services, or any other servicing of vessels, to North Korean vessels is prohibited where the providers of the service have information, including from the competent customs authorities on the basis of the pre-arrival and pre-departure information referred to in paragraph 1, that provides reasonable grounds to believe that the vessels carry items whose supply, sale, transfer or export is

prohibited under this Regulation, unless the provision of such services is necessary for humanitarian purposes.

⁽¹⁾ OJ L 117, 4.5.2005, p. 13.

⁽²⁾ OJ L 360, 19.12.2006, p. 64.;

5. Article 6 shall be replaced by the following:

'Article 6

1. All funds and economic resources belonging to, owned, held or controlled by the persons, entities and bodies listed in Annex IV shall be frozen. Annex IV shall include the persons, entities and bodies designated by the Sanctions Committee or the UN Security Council in accordance with paragraph 8(d) of UNSCR 1718 (2006).

2. All funds and economic resources belonging to, owned, held or controlled by the persons, entities and bodies listed in Annex V shall be frozen. Annex V shall include persons, entities and bodies not listed in Annex IV, who, in accordance with points (b) and (c) of Article 4(1) of Common Position 2006/795/CFSP, have been identified by the Council:

- (a) as responsible for North Korean nuclear-related, other weapons of mass destruction-related or ballistic missile-related programmes, as well as persons or bodies acting in their name or on their instructions and entities owned or controlled by them; or
- (b) as providing financial services or the transfer to, through, or from the territory of the Union, or involving nationals of Member States or entities organised under their laws, or persons or financial institutions in the territory of the Union, of any financial or other assets or resources that could contribute to North Korean nuclear-related, other weapons of mass destruction-related or ballistic missile-related programmes, as well as persons or bodies acting in their name or on their instructions and entities owned or controlled by them.

Annex V shall be reviewed at regular intervals and at least every 12 months.

3. Annexes IV and V shall include, where available, information on listed natural persons for the purpose of identifying sufficiently the persons concerned.

Such information may include:

- (a) surname and given names, including alias names and titles, if any;
- (b) date and place of birth;

- (c) nationality;
 - (d) passport and identity card numbers;
 - (e) fiscal and social security numbers;
 - (f) gender;
 - (g) address or other information on whereabouts;
 - (h) function or profession;
 - (i) date of designation.
- (ii) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services; or
 - (iii) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; and
- (b) where the authorisation concerns a person, entity and body listed in Annex IV, the Member State concerned has notified the Sanctions Committee of that determination and its intention to grant an authorisation, and the Sanctions Committee has not objected to that course of action within five working days of notification.

Annexes IV and V shall also include the grounds for listing, such as occupation.

Annexes IV and V may also include information for identification purposes as set out in this paragraph on family members of the persons listed, provided that this information is necessary in a specific case for the sole purpose of verifying the identity of the listed natural person concerned.

4. 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 Annexes IV and V.

5. 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.;

6. Article 7 shall be replaced by the following:

'Article 7

1. By way of derogation from Article 6, the competent authorities of the Member States, as indicated on the websites listed in Annex II, may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources or the making available of certain funds or economic resources, if the following conditions are met:

- (a) the competent authority concerned has determined that the funds or economic resources are:
 - (i) necessary to satisfy the basic needs of persons listed in Annexes IV or V and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;

2. By way of derogation from Article 6, the competent authorities of the Member States, as indicated on the websites listed in Annex II, may authorise the release of certain frozen funds or economic resources or the making available of certain frozen funds or economic resources, after having determined that the funds or economic resources are necessary for extraordinary expenses, provided that

- (a) where the authorisation concerns a person, entity or body listed in Annex IV, the Sanctions Committee has been notified of this determination by the Member State concerned and that the determination has been approved by that Committee, and
- (b) where the authorisation concerns a person, entity or body listed in Annex V, the Member State concerned has notified other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least two weeks prior to the authorisation.

3. The Member State concerned shall inform other Member States and the Commission of any authorisation granted under paragraphs 1 and 2.;

7. Article 8 shall be replaced by the following:

'Article 8

By way of derogation from Article 6, the competent authorities of the Member States, as indicated on the websites listed in Annex II, may authorise the release of certain frozen funds or economic resources, if 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 person, entity or body referred to in Article 6 was designated, or of a judicial, administrative or arbitral judgement 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 judgement, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the lien or judgement is not for the benefit of a person, entity or body listed in Annexes IV or V;
- (d) recognising the lien or judgement is not contrary to public policy in the Member State concerned; and
- (e) the lien or judgement in respect of persons, entities and bodies listed in Annex IV has been notified by the Member State concerned to the Sanctions Committee.;

8. Article 9 shall be replaced by the following:

'Article 9

1. Article 6(4) shall not prevent financial or credit institutions in the Union from crediting frozen accounts where they receive funds transferred by third parties to the account of a listed natural or legal person, entity or body, provided that any additions to such accounts will also be frozen. The financial or credit institution shall inform the competent authorities about such transactions without delay.

2. Article 6(4) 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 the person, entity or body referred to in Article 6 was designated,

provided that any such interest, other earnings and payments are frozen in accordance with Article 6(1) or 6(2).;

9. Article 11 shall be replaced by the following:

'Article 11

1. The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person or entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen or withheld as a result of negligence.

2. The prohibitions set out in point (b) of Article 3(1) and in Article 6(4) shall not give rise to any kind of liability on the part of the natural or legal persons, entities or bodies concerned, if they did not know, and had no reasonable cause to suspect, that their actions would infringe these prohibitions.;

10. The following Article shall be inserted:

'Article 11a

1. Credit and financial institutions which fall within the scope of Article 16 shall, in their activities with credit and financial institutions referred to in paragraph 2, and in order to prevent such activities contributing to North Korea's nuclear-related, other weapons of mass destruction-related or ballistic missile-related programmes:

- (a) exercise continuous vigilance over account activity, particularly by means of their programmes on customer due diligence and obligations relating to the prevention of money-laundering and the financing of terrorism;
- (b) require that in payment instructions all information fields which relate to the originator and beneficiary of the transaction in question be completed and, if that information is not supplied, refuse the transaction;
- (c) maintain all records of transactions for a period of five years and make them available to national authorities on request; and
- (d) if they suspect or have reasonable grounds to suspect that funds are related to proliferation financing, promptly report their suspicions to the financial intelligence unit (FIU) or another competent authority designated by the Member State concerned, as indicated on the websites listed in Annex II, without prejudice to Article 3(1) or Article 6. The FIU or another competent authority shall serve as a national centre for receiving and analysing suspicious transaction reports regarding potential proliferation financing. The FIU or other such competent authority shall have access, directly or indirectly, on a timely basis to the financial, administrative and law enforcement information that it requires in order to properly undertake this function, including the analysis of suspicious transaction reports.

2. The measures set out in paragraph 1 shall apply to credit and financial institutions in their activities with:

- (a) credit and financial institutions domiciled in North Korea;
- (b) branches and subsidiaries falling within the scope of Article 16 of credit and financial institutions domiciled in North Korea, as listed in Annex VI;

- (c) branches and subsidiaries falling outside the scope of Article 16 of credit and financial institutions domiciled in North Korea, as listed in Annex VI; and
- (d) credit and financial institutions that are neither domiciled in North Korea nor fall within the scope of Article 16 but are controlled by persons or entities domiciled in North Korea, as listed in Annex VI.;

11. Article 13 shall be replaced by the following:

Article 13

1. The Commission shall be empowered to:
 - (a) amend Annex Ia on the basis of determinations made by either the Sanctions Committee or the UN Security Council and, where appropriate, add the reference numbers taken from the Combined Nomenclature as set out in Annex I to Regulation (EEC) No 2658/87;
 - (b) amend Annex II on the basis of information supplied by Member States;
 - (c) amend Annex III in order to refine or adapt the list of goods included therein, according to any definition or guidelines that may be promulgated by the Sanctions Committee or to add the reference numbers taken from the Combined Nomenclature as set out in Annex I to Regulation (EEC) No 2658/87, if necessary or appropriate;
 - (d) amend Annex IV on the basis of determinations made by either the Sanctions Committee or the UN Security Council; and
 - (e) amend Annexes V and VI in accordance with decisions taken concerning Annexes II, III, IV and V to Common Position 2006/795/CFSP.
2. The Commission shall process personal data in order to carry out the tasks incumbent on it under this Regulation and in accordance with the provisions of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of indi-

viduals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽¹⁾.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.;

12. Article 16 shall be replaced by the following:

Article 16

This Regulation shall apply:

- (a) within the territory of the Union;
- (b) on board any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person inside or outside the territory of the Union who is a national of a Member State;
- (d) to any legal person, entity or body which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.;

13. Annex I shall be replaced by the text in Annex I to this Regulation;

14. Annex IV shall be replaced by the text in Annex II to this Regulation;

15. The text in Annex III to this Regulation shall be added as Annex V;

16. The text in Annex IV to this Regulation shall be added as Annex VI.

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, 22 December 2009.

For the Council
The President
 A. CARLGREN

ANNEX I

'ANNEX I

GOODS AND TECHNOLOGY REFERRED TO IN ARTICLES 2 AND 3

All goods and technology listed in Annex I to Regulation (EC) No 428/2009.

ANNEX Ia

GOODS AND TECHNOLOGY REFERRED TO IN ARTICLES 2 AND 3

Other items, materials, equipment, goods and technology which could contribute to North Korea's nuclear-related, other weapons of mass destruction-related or ballistic missile-related programmes.

1. Unless otherwise stated, reference numbers used in the column entitled "Description" refer to the descriptions of dual use items and technology set out in Annex I to Regulation (EC) No 428/2009.
2. A reference number in the column entitled "Related item from Annex I to Regulation (EC) No 428/2009" means that the characteristics of the item described in the column "Description" lie outside the parameters set out in the description of the dual use entry referred to.
3. Definitions of terms between "single quotation marks" are given in a technical note to the relevant item.
4. Definitions of terms between "double quotation marks" can be found in Annex I to Regulation (EC) No 428/2009.

GENERAL NOTES

1. The object of the prohibitions contained in this Annex should not be defeated by the export of any non-prohibited goods (including plants) containing one or more prohibited components when the prohibited component or components are the principal element of the goods and can feasibly be removed or used for other purposes.

N.B.: In judging whether the prohibited component or components are to be considered the principal element, it is necessary to weigh the factors of quantity, value and technological know-how involved and other special circumstances which might establish the prohibited component or components as the principal element of the goods being procured.

2. Goods specified in this Annex include both new and used goods.

GENERAL TECHNOLOGY NOTE (GTN)

(To be read in conjunction with Part C)

1. The sale, supply, transfer or export of "technology" which is "required" for the "development", "production" or "use" of goods the sale, supply, transfer or export of which is prohibited in Part A (Goods) below, is prohibited in accordance with the provisions of Part B.
2. The "technology" "required" for the "development", "production" or "use" of prohibited goods remains under prohibition even when applicable to non-prohibited goods.
3. Prohibitions do not apply to that "technology" which is the minimum necessary for the installation, operation, maintenance (checking) and repair of those goods which are not prohibited.
4. Prohibitions on "technology" transfer do not apply to information "in the public domain", to "basic scientific research" or to the minimum necessary information for patent applications.

A. GOODS

NUCLEAR MATERIALS, FACILITIES, AND EQUIPMENT

IA0. Goods

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA0.001	Hollow cathode lamps as follows: <ol style="list-style-type: none"> a. Iodine hollow cathode lamps with windows in pure silicon or quartz; b. Uranium hollow cathode lamps. 	

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA0.002	Faraday isolators in the wavelength range 500 nm – 650 nm	
IA0.003	Optical gratings in the wavelength range 500 nm – 650 nm	
IA0.004	Optical fibres in the wavelength range 500 nm – 650 nm coated with anti-reflecting layers in the wavelength range 500 nm – 650 nm and having a core diameter greater than 0,4 mm but not exceeding 2 mm.	
IA0.005	Nuclear reactor vessel components and testing equipment, other than those specified in 0A001, as follows: a. Seals; b. Internal components; c. Sealing, testing and measurement equipment.	0A001
IA0.006	Nuclear detection systems, other than those specified in 0A001.j. or 1A004.c., for detection, identification or quantification of radioactive materials or radiation of nuclear origin and specially designed components thereof. <i>N.B: For personal equipment refer to I.A1.004 below.</i>	0A001.j. 1A004.c.
IA0.007	Bellows-sealed valves other than those specified in 0B001.c.6., 2A226 or 2B350, made of aluminium alloy or stainless steel type 304, 304L or 316L.	0B001.c.6.2A226 2B350
IA0.008	Laser mirrors, other than those specified in 6A005.e., consisting of substrates having a thermal expansion coefficient of 10^{-6} K^{-1} or less at 20 °C (e.g. fused silica or sapphire). <i>Note: This item does not cover optical systems specially designed for astronomical applications, except if the mirrors contain fused silica.</i>	0B001.g.5. 6A005.e.
IA0.009	Laser lenses, other than those specified in 6A005.e.2, consisting of substrates having a thermal expansion coefficient of 10^{-6} K^{-1} or less at 20 °C (e.g. fused silica).	0B001.g. 6A005.e.2.
IA0.010	Pipes, piping, flanges, fittings made of, or lined with nickel, or nickel alloy containing more than 40 % nickel by weight, other than those specified in 2B350.h.1.	2B350
IA0.011	Vacuum pumps other than those specified in 0B002.f.2. or 2B231, as follows: a. Turbo-molecular pumps having a flow-rate equal to or greater than 400 l/s; b. Roots type vacuum roughing pumps having a volumetric aspiration flow-rate greater than 200 m ³ /h; c. Bellows-sealed, scroll, dry compressor, and bellows-sealed, scroll, dry vacuum pumps.	0B002.f.2. 2B231
IA0.012	Shielded enclosures for the manipulation, storage and handling of radioactive substances (hot cells).	0B006

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA0.013	"Natural uranium" or "depleted uranium" or thorium in the form of metal, alloy, chemical compound or concentrate and any other material containing one or more of the foregoing, other than those specified in 0C001.	0C001
IA0.014	Detonation chambers having a capacity of explosion absorption of more than 2,5 kg TNT equivalent.	

SPECIAL MATERIALS AND RELATED EQUIPMENT

I.A1. Goods

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA1.001	Bis(2-ethylhexyl) phosphoric acid (HDEHP or D2HPA) Chemical Abstract Number (CAS): [CAS 298-07-7] solvent in any quantity, with a purity greater than 90 %.	
IA1.002	Fluorine gas CAS: [7782-41-4], with a purity of at least 95 %.	
IA1.003	Ring-shaped seals and gaskets, having an inner diameter of 400 mm or less, made of any of the following materials: <ul style="list-style-type: none"> a. Copolymers of vinylidene fluoride having 75 % or more beta crystalline structure without stretching; b. Fluorinated polyimides containing 10 % by weight or more of combined fluorine; c. Fluorinated phosphazene elastomers containing 30 % by weight or more of combined fluorine; d. Polychlorotrifluoroethylene (PCTFE, e.g. Kel-F ®); e. Fluoro-elastomers (e.g., Viton ®, Tecnoflon ®); f. Polytetrafluoroethylene (PTFE). 	1A001
IA1.004	Personal equipment for detecting radiation of nuclear origin, other than that specified in 1A004.c., including personal dosimeters.	1A004.c.
IA1.005	Electrolytic cells for fluorine production, other than those specified in 1B225, with an output capacity greater than 100 g of fluorine per hour.	1B225
IA1.006	Catalysts, other than those specified in 1A225 or 1B231, containing platinum, palladium or rhodium, usable for promoting the hydrogen isotope exchange reaction between hydrogen and water for the recovery of tritium from heavy water or for the production of heavy water.	1A225 1B231
IA1.007	Aluminium and its alloys, other than those specified in 1C002.b.4. or 1C202.a, in crude or semi-fabricated form having either of the following characteristics: <ul style="list-style-type: none"> a. "Capable of" an ultimate tensile strength of 460 MPa or more at 293 K (20 °C); or b. Having a tensile strength of 415 MPa or more at 298 K (25 °C). <p><i>Technical note:</i></p> <p><i>The phrase alloys "capable of" encompasses alloys before or after heat treatment.</i></p>	1C002.b.4. 1C202.a.

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA1.008	<p>Magnetic metals, of all types and of whatever form, other than those specified in 1C003.a. having an "initial relative permeability" of 120 000 or more and a thickness between 0,05 mm and 0,1 mm.</p> <p><i>Technical note:</i></p> <p><i>Measurement of "initial relative permeability" must be performed on fully annealed materials.</i></p>	1C003.a.
IA1.009	<p>"Fibrous or filamentary materials" or preregs, other than those specified in 1C010.a., 1C010.b., 1C210.a. or 1C210.b. as follows:</p> <p>a. Aramid "fibrous or filamentary materials" having either of the following characteristics:</p> <p>1.A "specific modulus" exceeding 10×10^6 m; or</p> <p>2.A "specific tensile strength" exceeding 17×10^4 m;</p> <p>b. Glass "fibrous or filamentary materials" having either of the following characteristics:</p> <p>1.A "specific modulus" exceeding $3,18 \times 10^6$ m; or</p> <p>2.A "specific tensile strength" exceeding $76,2 \times 10^3$ m;</p> <p>c. Thermoset resin-impregnated continuous "yarns", "rovings", "tows" or "tapes" with a width of 15 mm or less (once preregs), made from glass "fibrous or filamentary materials" other than those specified in IA1.010.a. below.</p> <p>d. Carbon "fibrous or filamentary materials";</p> <p>e. Thermoset resin-impregnated continuous "yarns", "rovings", "tows", or "tapes", made from carbon "fibrous or filamentary materials";</p> <p>f. Polyacrylonitrile (PAN) continuous "yarns", "rovings", "tows" or "tapes".</p> <p>g. Para-aramid "fibrous or filamentary materials" (Kevlar® and other Kevlar®-like fibres).</p>	<p>1C010.a.</p> <p>1C010.b.</p> <p>1C210.a.</p> <p>1C210.b.</p>
IA1.010	<p>Resin-impregnated or pitch-impregnated fibres (preregs), metal or carbon-coated fibres (preforms) or "carbon fibre preforms", as follows:</p> <p>a. Made from "fibrous or filamentary materials" specified in IA1.009 above;</p> <p>b. Epoxy resin "matrix" impregnated carbon "fibrous or filamentary materials" (preregs), specified in 1C010.a., 1C010.b. or 1C010.c., for the repair of aircraft structures or laminates, of which the size of individual sheets does not exceed 50 cm × 90 cm;</p> <p>c. Preregs specified in 1C010.a., 1C010.b. or 1C010.c., when impregnated with phenolic or epoxy resins having a glass transition temperature (T_g) less than 433 K (160 °C) and a cure temperature lower than the glass transition temperature.</p>	<p>1C010</p> <p>1C210</p>
IA1.011	Reinforced silicon carbide ceramic composites usable for nose tips, re-entry vehicles, nozzle flaps, usable in "missiles", other than those specified in 1C107.	1C107
IA1.012	Not used	
IA1.013	<p>Tantalum, tantalum carbide, tungsten, tungsten carbide and alloys thereof, other than those specified in 1C226, having both of the following characteristics:</p> <p>a. In forms having a hollow cylindrical or spherical symmetry (including cylinder segments) with an inside diameter between 50 mm and 300 mm; <i>and</i></p> <p>b. A mass greater than 5 kg.</p>	1C226

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA1.014	<p>“Elemental powders” of cobalt, neodymium or samarium or alloys or mixtures thereof containing at least 20 % by weight of cobalt, neodymium or samarium, with a particle size less than 200 µm.</p> <p><i>Technical note:</i></p> <p>“Elemental powder” means a high purity powder of one element.</p>	
IA1.015	Pure tributyl phosphate (TBP) [CAS No 126-73-8] or any mixture having a TBP content of more than 5 % by weight.	
IA1.016	<p>Maraging steel, other than those specified by 1C116 or 1C216.</p> <p><i>Technical notes:</i></p> <ol style="list-style-type: none"> 1. The phrase maraging steel “capable of” encompasses maraging steel before or after heat treatment. 2. Maraging steels are iron alloys generally characterised by high nickel, very low carbon content and the use of substitutional elements or precipitates to produce strengthening and age-hardening of the alloy. 	<p>1C116</p> <p>1C216</p>
IA1.017	<p>Metals, metal powders and material as follows:</p> <ol style="list-style-type: none"> a. Tungsten and tungsten alloys, other than those specified in 1C117, in the form of uniform spherical or atomized particles of 500 µm (micrometre) diameter or less with a tungsten content of 97 % by weight or more; b. Molybdenum and molybdenum alloys, other than those specified in 1C117, in the form of uniform spherical or atomized particles of 500 µm diameter or less with a molybdenum content of 97 % by weight or more; c. Tungsten materials in the solid form, other than those specified in 1C226 having material compositions as follows: <ol style="list-style-type: none"> 1. Tungsten and alloys containing 97 % by weight or more of tungsten; 2. Copper infiltrated tungsten containing 80 % by weight or more of tungsten; or 3. Silver infiltrated tungsten containing 80 % by weight or more of tungsten. 	<p>1C117</p> <p>1C226</p>
IA1.018	<p>Soft magnetic alloys, other than those specified in 1C003, having a chemical composition as follows:</p> <ol style="list-style-type: none"> a Iron content between 30 % and 60 %; and b Cobalt content between 40 % and 60 %. 	1C003
IA1.019	Not used	
IA1.020	Graphite, other than that specified in 0C004 or 1C107.a, designed or specified for use in Electrical Discharge Machining (EDM) machines	<p>0C004</p> <p>1C107a</p>

MATERIALS PROCESSING

I.A2. Goods

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
I.A2.001	<p>Vibration test systems, equipment and components thereof, other than those specified in 2B116:</p> <p>a. Vibration test systems employing feedback or closed loop techniques and incorporating a digital controller, capable of vibrating a system at an acceleration equal to or greater than 0,1 g rms between 0,1 Hz and 2 kHz and imparting forces equal to or greater than 50 kN, measured "bare table";</p> <p>b. Digital controllers, combined with specially designed vibration test "software", with a "real-time control bandwidth" greater than 5 kHz designed for use with vibration test systems specified in a.;</p> <p><i>Technical note:</i></p> <p>"Real-time control bandwidth" is defined as the maximum rate at which a controller can execute complete cycles of sampling, processing data and transmitting control signals.</p> <p>c. Vibration thrusters (shaker units), with or without associated amplifiers, capable of imparting a force equal to or greater than 50 kN, measured "bare table", and usable in vibration test systems specified in a.;</p> <p>d. Test piece support structures and electronic units designed to combine multiple shaker units in a system capable of providing an effective combined force equal to or greater than 50 kN, measured "bare table", and usable in vibration systems specified in a.</p> <p><i>Technical note:</i></p> <p>"bare table" means a flat table, or surface, with no fixture or fittings.</p>	2B116
I.A2.002	<p>Machine tools, other than those specified in 2B001.c. or 2B201.b., for grinding having positioning accuracies with "all compensations available" equal to or less (better) than 15 µm according to ISO 230/2 (1988) ⁽¹⁾ or national equivalents along any linear axis.</p> <p>⁽¹⁾ Manufacturers calculating positioning accuracy in accordance with ISO 230/2 (1997) should consult the competent authorities of the Member State in which they are established.</p>	2B001.c. 2B201.b.
I.A2.002a	<p>Components and numerical controls, specially designed for machine tools specified in 2B001, 2B201, or I.A2.002 above.</p>	
I.A2.003	<p>Balancing machines and related equipment as follows:</p> <p>a. Balancing machines, designed or modified for dental or other medical equipment, having all the following characteristics:</p> <ol style="list-style-type: none"> 1. Not capable of balancing rotors/assemblies having a mass greater than 3 kg; 2. Capable of balancing rotors/assemblies at speeds greater than 12 500 rpm; 3. Capable of correcting unbalance in two planes or more; <i>and</i> 4. Capable of balancing to a residual specific unbalance of 0,2 g × mm per kg of rotor mass; <p>b. "Indicator heads" designed or modified for use with machines specified in a. above.</p> <p><i>Technical note:</i></p> <p>"Indicator heads" are sometimes known as balancing instrumentation.</p>	2B119

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA2.004	<p>Remote manipulators that can be used to provide remote actions in radiochemical separation operations or hot cells, other than those specified in 2B225, having either of the following characteristics:</p> <p>a. A capability of penetrating a hot cell wall of 0,3 m or more (through the wall operation); or</p> <p>b. A capability of bridging over the top of a hot cell wall with a thickness of 0,3 m or more (over the wall operation).</p> <p><i>Technical note:</i></p> <p><i>Remote manipulators provide translation of human operator actions to a remote operating arm and terminal fixture. They may be of master/slave type or operated by joystick or keypad.</i></p>	2B225
IA2.005	<p>Controlled atmosphere heat treatment furnaces or oxidation furnaces capable of operation at temperatures above 400 °C</p> <p><i>Note: This item does not cover tunnel kilns with roller or car conveyance, tunnel kilns with conveyor belt, pusher type kilns or shuttle kilns, specially designed for the production of glass, tableware ceramics or structural ceramics.</i></p>	2B226 2B227
IA2.006	Not used	
IA2.007	<p>“Pressure transducers”, other than those defined in 2B230, capable of measuring absolute pressures at any point in the range 0 to 200 kPa and having both of the following characteristics:</p> <p>a. Pressure sensing elements made of or protected by “Materials resistant to corrosion by uranium hexafluoride (UF₆)”, and</p> <p>b. Having either of the following characteristics:</p> <ol style="list-style-type: none"> 1. A full scale of less than 200 kPa and an “accuracy” of better than ± 1 % of full scale; or 2. A full scale of 200 kPa or greater and an “accuracy” of better than 2 kPa. <p><i>Technical note:</i></p> <p><i>For the purposes of 2B230, “accuracy” includes non-linearity, hysteresis and repeatability at ambient temperature.</i></p>	2B230
IA2.008	<p>Liquid-liquid contacting equipment (mixer-settlers, pulsed columns, centrifugal contactors); and liquid distributors, vapour distributors or liquid collectors designed for such equipment, where all surfaces that come in direct contact with the chemical(s) being processed are made from any of the following materials:</p> <ol style="list-style-type: none"> a. Alloys with more than 25 % nickel and 20 % chromium by weight; b. Fluoropolymers; c. Glass (including vitrified or enamelled coating or glass lining); d. Graphite or “carbon graphite”; e. Nickel or alloys with more than 40 % nickel by weight; f. Tantalum or tantalum alloys; g. Titanium or titanium alloys; h. Zirconium or zirconium alloys; or i. Stainless steel. 	2B350.e.

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p><i>Technical note:</i></p> <p>“Carbon graphite” is a composition consisting of amorphous carbon and graphite, in which the graphite content is 8 % or more by weight.</p>	
IA2.009	<p>Industrial equipment and components, other than those specified in 2B350.d., as follows:</p> <p>Heat exchangers or condensers with a heat transfer surface area greater than 0,05 m², and less than 30 m²; and tubes, plates, coils or blocks (cores) designed for such heat exchangers or condensers, where all surfaces that come in direct contact with the fluid(s) are made from any of the following materials:</p> <ol style="list-style-type: none"> a. Alloys with more than 25 % nickel and 20 % chromium by weight; b. Fluoropolymers; c. Glass (including vitrified or enamelled coating or glass lining); d. Graphite or “carbon graphite”; e. Nickel or alloys with more than 40 % nickel by weight; f. Tantalum or tantalum alloys; g. Titanium or titanium alloys; h. Zirconium or zirconium alloys; i. Silicon carbide; j. Titanium carbide; or k. Stainless steel. <p><i>Note: This item does not cover vehicle radiators.</i></p> <p><i>Technical note:</i></p> <p><i>The materials used for gaskets and seals and other implementation of sealing functions do not determine the status of control of the heat exchanger.</i></p>	2B350.d.
IA2.010	<p>Multiple-seal, and seal-less pumps, other than those specified in 2B350.i, suitable for corrosive fluids, with manufacturer’s specified maximum flow-rate greater than 0,6 m³/hour, or vacuum pumps with manufacturer’s specified maximum flow-rate greater than 5 m³/hour [measured under standard temperature (273 K or 0 °C) and pressure (101,3 kPa) conditions]; and casings (pump bodies), preformed casing liners, impellers, rotors or jet pump nozzles designed for such pumps, in which all surfaces that come in direct contact with the chemical(s) being processed are made from any of the following materials:</p> <ol style="list-style-type: none"> a. Alloys with more than 25 % nickel and 20 % chromium by weight; b. Ceramics; c. Ferrosilicon; d. Fluoropolymers; e. Glass (including vitrified or enamelled coatings or glass lining); f. Graphite or “carbon graphite”; g. Nickel or alloys with more than 40 % nickel by weight; h. Tantalum or tantalum alloys; 	2B350.i.

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	i. Titanium or titanium alloys; j. Zirconium or zirconium alloys; k. Niobium (columbium) or niobium alloys; l. Stainless Steel; or m. Aluminium Alloys. <i>Technical note:</i> <i>The materials used for gaskets and seals and other implementation of sealing functions do not determine the status of control of the pump.</i>	
IA2.011	"Centrifugal separators", other than those specified in 2B352.c., capable of continuous separation without the propagation of aerosols and manufactured from: a. Alloys with more than 25 % nickel and 20 % chromium by weight; b. Fluoropolymers; c. Glass (including vitrified or enamelled coating or glass lining); d. Nickel or alloys with more than 40 % nickel by weight; e. Tantalum or tantalum alloys; f. Titanium or titanium alloys; or g. Zirconium or zirconium alloys. <i>Technical note:</i> <i>"Centrifugal separators" include decanters.</i>	2B352.c.
IA2.012	Sintered metal filters, other than those specified in 2B352.d., made of nickel or nickel alloy with more than 40 % nickel by weight.	2B352.d.
IA2.013	Spin-forming machines and flow-forming machines, other than those specified by 2B009, 2B109 or 2B209 and specially designed components therefor. <i>Technical note:</i> <i>For the purpose of this item, machines combining the functions of spin-forming and flow-forming are regarded as flow-forming machines.</i>	2B009 2B109 2B209

ELECTRONICS**I.A3. Goods**

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA3.001	High voltage direct current power supplies, other than those specified in 0B001.j.5. or 3A227, having both of the following characteristics: a. Capable of continuously producing, over a time period of eight hours, 10 kV or more, with output power of 5 kW or more with or without sweeping; and b. Current or voltage stability better than 0,1 % over a time period of four hours.	0B001.j.5. 3A227

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA3.002	<p>Mass spectrometers, other than those specified in 0B002.g or 3A233, capable of measuring ions of 200 atomic mass units or more and having a resolution of better than 2 parts in 200, as follows, and ion sources therefore:</p> <p>a. Inductively coupled plasma mass spectrometers (ICP/MS);</p> <p>b. Glow discharge mass spectrometers (GDMS);</p> <p>c. Thermal ionisation mass spectrometers (TIMS);</p> <p>d. Electron bombardment mass spectrometers which have a source chamber constructed from, lined with or plated with "materials resistant to corrosion by uranium hexafluoride UF₆";</p> <p>e. Molecular beam mass spectrometers having either of the following characteristics:</p> <ol style="list-style-type: none"> 1. A source chamber constructed from, lined with or plated with stainless steel or molybdenum and equipped with a cold trap capable of cooling to 193 K (- 80 °C) or less; or 2. A source chamber constructed from, lined with or plated with materials resistant to UF₆; <p>f. Mass spectrometers equipped with a micro-fluorination ion source designed for actinides or actinide fluorides.</p>	<p>0B002.g</p> <p>3A233</p>
IA3.003	<p>Frequency changers or generators, other than those specified by 0B001.b.13 or 3A225, having all of the following characteristics, and specially designed components and software therefore:</p> <p>a. Multiphase output capable of providing a power of 40 W or greater;</p> <p>b. Capable of operating in the frequency range between 600 and 2 000 Hz; and</p> <p>c. Frequency control better (less) than 0,1 %.</p> <p><i>Technical notes:</i></p> <ol style="list-style-type: none"> 1. <i>Frequency changers are also known as converters, inverters, generators, electronic test equipment, AC power supplies, variable speed motor drives or variable frequency drives.</i> 2. <i>The functionality specified in this item may be met by certain equipment marketed as; electronic test equipment, AC power supplies, variable speed motor drives or variable frequency drives.</i> 	<p>0B001.b.13.</p> <p>3A225</p>
IA3.004	<p>Spectrometers and diffractometers, designed for the indicative test or quantitative analysis of the elemental composition of metals or alloys without chemical decomposition of the material.</p>	

SENSORS AND LASERS

IA6. Goods

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA6.001	Yttrium aluminium garnet (YAG) rods.	

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA6.002	<p>Optical equipment and components, other than those specified in 6A002 or 6A004.b as follows:</p> <p>Infrared optics in the wavelength range 9 μm – 17 μm and components thereof, including cadmium telluride (CdTe) components.</p>	<p>6A002</p> <p>6A004.b.</p>
IA6.003	<p>Wave front corrector systems, other than mirrors specified in 6A004.a, 6A005.e or 6A005.f., for use with a laser beam having a diameter exceeding 4 mm, and specially designed components thereof, including control systems, phase front sensors and “deformable mirrors” including bimorph mirrors.</p>	<p>6A004.a.</p> <p>6A005.e.</p> <p>6A005.f.</p>
IA6.004	<p>Argon ion “lasers”, other than those specified in 0B001.g.5, 6A005 and or 6A205.a., having an average output power equal to or greater than 5 W.</p>	<p>0B001.g.5.</p> <p>6A005.a.6.</p> <p>6A205.a.</p>
IA6.005	<p>Semiconductor “lasers”, other than those specified in 0B001.g.5., 0B001.h.6. or 6A005.b., and components thereof, as follows:</p> <p>a. Individual semiconductor “lasers” with an output power greater than 200 mW each, in quantities larger than 100;</p> <p>b. Semiconductor “laser” arrays having an output power greater than 20 W.</p> <p>Notes:</p> <p>1. Semiconductor “lasers” are commonly called “laser” diodes.</p> <p>2. This item does not cover “laser” diodes with a wavelength in the range 1,2 μm – 2,0 μm.</p>	<p>0B001.g.5.</p> <p>0B001.h.6.</p> <p>6A005.b.</p>
IA6.006	<p>Tunable semiconductor “lasers” and tunable semiconductor “laser” arrays, other than those specified in 0B001.h.6. or 6A005.b., of a wavelength between 9 μm and 17 μm, as well as array stacks of semiconductor “lasers” containing at least one tunable semiconductor “laser” array of such wavelength.</p> <p>Note:</p> <p>Semiconductor “lasers” are commonly called “laser” diodes.</p>	<p>0B001.h.6.</p> <p>6A005.b.</p>
IA6.007	<p>Solid state “tunable” “lasers”, other than those specified in 0B001.g.5., 0B001.h.6. or 6A005.c.1., and specially designed components thereof as follows:</p> <p>a. Titanium-sapphire lasers,</p> <p>b. Alexandrite lasers.</p>	<p>0B001.g.5.</p> <p>0B001.h.6.</p> <p>6A005.c.1.</p>
IA6.008	<p>Neodymium-doped (other than glass) “lasers”, other than those specified in 6A005.c.2.b., having an output wavelength greater than 1,0 μm but not exceeding 1,1 μm and output energy exceeding 10 J per pulse.</p>	<p>6A005.c.2.b.</p>
IA6.009	<p>Components of acousto-optics, as follows:</p> <p>a. Framing tubes and solid-state imaging devices having a recurrence frequency equal to or exceeding 1 kHz;</p> <p>b. Recurrence frequency supplies;</p> <p>c. Pockels cells.</p>	<p>6A203.b.4.</p>

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA6.010	<p>Radiation-hardened cameras, or lenses thereof, other than those specified in 6A203.c., specially designed, or rated as radiation-hardened, to withstand a total radiation dose greater than 50×10^3 Gy(silicon) (5×10^6 rad (silicon)) without operational degradation.</p> <p><i>Technical note:</i></p> <p><i>The term Gy(silicon) refers to the energy in Joules per kilogram absorbed by an unshielded silicon sample when exposed to ionising radiation.</i></p>	6A203.c.
IA6.011	<p>Tunable pulsed dye laser amplifiers and oscillators, other than those specified in 0B001.g.5, 6A005 and or 6A205.c., having all of the following characteristics:</p> <p>a. Operating at wavelengths between 300 nm and 800 nm;</p> <p>b. An average output power greater than 10 W but not exceeding 30 W;</p> <p>c. A repetition rate greater than 1 kHz; and</p> <p>d. Pulse width less than 100 ns.</p> <p><i>Note:</i></p> <p><i>This item does not cover single mode oscillators.</i></p>	0B001.g.5. 6A005 6A205.c.
IA6.012	<p>Pulsed carbon dioxide "lasers", other than those specified in, 0B001.h.6., 6A005.d. or 6A205.d., having all of the following characteristics:</p> <p>a. Operating at wavelengths between 9, μm and 11 μm;</p> <p>b. A repetition rate greater than 250 Hz;</p> <p>c. An average output power greater than 100 W but not exceeding 500 W; and</p> <p>d. Pulse width less than 200 ns.</p>	0B001.h.6. 6A005.d. 6A205.d.

NAVIGATION AND AVIONICS

IA7. Goods

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA7.001	<p>Inertial navigation systems and specially designed components thereof, as follows:</p> <p>a. Inertial navigation systems which are certified for use on "civil aircraft" by civil authorities of a State participating in the Wassenaar Arrangement, and specially designed components thereof, as follows:</p> <p>1. Inertial navigation systems (INS) (gimballed or strapdown) and inertial equipment designed for "aircraft", land vehicle, vessels (surface or underwater) or "spacecraft" for attitude, guidance or control, having any of the following characteristics, and specially designed components thereof:</p> <p>a. Navigation error (free inertial) subsequent to normal alignment of 0,8 nautical mile per hour (nm/hr) "Circular Error Probable" (CEP) or less (better); or</p> <p>b. Specified to function at linear acceleration levels exceeding 10 g;</p>	7A001 7A003 7A101 7A103

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p>2. Hybrid Inertial Navigation Systems embedded with Global Navigation Satellite Systems(s) (GNSS) or with "Data-Based Referenced Navigation" ("DBRN") System(s) for attitude, guidance or control, subsequent to normal alignment, having an INS navigation position accuracy, after loss of GNSS or "DBRN" for a period of up to four minutes, of less (better) than 10 metres "Circular Error Probable" (CEP);</p> <p>3. Inertial Equipment for Azimuth, Heading, or North Pointing having any of the following characteristics, and specially designed components thereof:</p> <p>a. Designed to have an Azimuth, Heading, or North Pointing accuracy equal to, or less (better) than 6 arc minutes RMS at 45 degrees latitude; or</p> <p>b. Designed to have a non-operating shock level of at least 900 g at a duration of at least 1 msec.</p> <p>b. Theodolite systems incorporating inertial equipment specially designed for civil surveying purposes and designed to have an Azimuth, Heading, or North Pointing accuracy equal to, or less (better) than 6 arc minutes RMS at 45 degrees latitude, and specially designed components thereof.</p> <p>c. Inertial or other equipment using accelerometers specified in 7A001 or 7A101, where such accelerometers are specially designed and developed as MWD (Measurement While Drilling) sensors for use in down-hole well services operations.</p> <p><i>Note: The parameters of a.1. and a.2. are applicable with any of the following environmental conditions:</i></p> <p>1. Input random vibration with an overall magnitude of 7,7 g rms in the first half hour and a total test duration of one and a half hours per axis in each of the three perpendicular axes, when the random vibration meets the following:</p> <p>a. A constant power spectral density (PSD) value of 0,04 g²/Hz over a frequency interval of 15 to 1 000 Hz; and</p> <p>b. The PSD attenuates with a frequency from 0,04 g²/Hz to 0,01 g²/Hz over a frequency interval from 1 000 to 2 000 Hz;</p> <p>2. A roll and yaw rate equal to or greater than +2,62 radian/s (150 deg/s); or</p> <p>3. According to national standards equivalent to 1. or 2. above.</p> <p><i>Technical notes:</i></p> <p>1. a.2. refers to systems in which an INS and other independent navigation aids are built into a single unit (embedded) in order to achieve improved performance.</p> <p>2. "Circular Error Probable" (CEP) – In a circular normal distribution, the radius of the circle containing 50 percent of the individual measurements being made, or the radius of the circle within which there is a 50 percent probability of being located.</p>	

AEROSPACE AND PROPULSION

IA9. Goods

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
IA9.001	Explosive bolts.	

B. SOFTWARE

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
I.B.001	Software required for the development, production or use of the items in Part A. (Goods).	

C. TECHNOLOGY

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
I.C.001	Technology required for the development, production or use of the items in Part A. (Goods).	

ANNEX II

'ANNEX IV

List of persons, entities and bodies referred to in Article 6(1)

A. Natural persons:

- (1) **Han Yu-ro**. Post: Director of Korea Ryongaksan General Trading Corporation. Other information: involved in North Korea's ballistic missile programme. Date of designation: 16.7.2009.
- (2) **Hwang Sok-hwa**. Post: Director of the General Bureau of Atomic Energy (GBAE). Other information: involved in North Korea's nuclear programme as Chief of the Scientific Guidance Bureau in the GBAE, served on the Science Committee in the Joint Institute for Nuclear Research. Date of designation: 16.7.2009.
- (3) **Ri Hong-sop**. Year of birth: 1940. Post: Former director, Yongbyon Nuclear Research Centre. Other information: oversaw three core facilities that assist in the production of weapons-grade plutonium: the Fuel Fabrication Facility, the Nuclear Reactor, and the Reprocessing Plant. Date of designation: 16.7.2009.
- (4) **Ri Je-son** (alias Ri Che-son). Year of birth: 1938. Post: Director of the General Bureau of Atomic Energy (GBAE), chief agency directing North Korea's nuclear programme. Other information: facilitates several nuclear endeavours including GBAE's management of Yongbyon Nuclear Research Centre and Namchongang Trading Corporation. Date of designation: 16.7.2009.
- (5) **Yun Ho-jin** (alias **Yun Ho-chin**). Date of birth: 13.10.1944. Post: Director of Namchongang Trading Corporation. Other information: oversees the import of items needed for the uranium enrichment programme. Date of designation: 16.7.2009.

B. Legal persons, entities and bodies

- (1) **Korea Mining Development Trading Corporation** (aka (a) CHANGGWANG SINYONG CORPORATION; (b) EXTERNAL TECHNOLOGY GENERAL CORPORATION; (c) DPRKN MINING DEVELOPMENT TRADING COOPERATION; (d) "KOMID"). Address: Central District, Pyongyang, DPRK. Other information: Leading arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. Date of designation: 24.4.2009.
- (2) **Korea Ryonbong General Corporation** (aka (a) KOREA YONBONG GENERAL CORPORATION; (b) LYONGAKSAN GENERAL TRADING CORPORATION). Address: Pot'onggang District, Pyongyang, DPRK; Rakwon-dong, Pothonggang District, Pyongyang, DPRK. Other information: Defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales. Date of designation: 24.4.2009.
- (3) **Tanchon Commercial Bank** (aka (a) CHANGGWANG CREDIT BANK; (b) KOREA CHANGGWANG CREDIT BANK). Address: Saemul 1-Dong Pyongchon District, Pyongyang, DPRK. Other information: Main DPRK financial entity for sales of conventional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons. Date of designation: 24.4.2009.
- (4) **General Bureau of Atomic Energy** (GBAE) (aka General Department of Atomic Energy (GDAE)). Address: Haeudong, Pyongchen District, Pyongyang, DPRK. Other information: The GBAE is responsible for North Korea's nuclear programme, which includes the Yongbyon Nuclear Research Centre and its 5-MWe (25-MWt) plutonium production research reactor, as well as its fuel fabrication and reprocessing facilities. The GBAE has held nuclear-related meetings and discussions with the International Atomic Energy Agency. GBAE is the primary North Korean Government agency for overseeing nuclear programmes, including the operation of the Yongbyon Nuclear Research Centre. Date of designation: 16.7.2009.
- (5) **Hong Kong Electronics** (aka Hong Kong Electronics Kish Co.). Address: Sanae St., Kish Island, Iran. Other information: (a) owned or controlled by, or acts or purports to act for or on behalf of Tanchon Commercial Bank and KOMID; (b) Hong Kong Electronics has transferred millions of dollars of proliferation-related funds on behalf of Tanchon Commercial Bank and KOMID (both designated by the UN Sanctions Committee in April 2009) since 2007. Hong Kong Electronics has facilitated the movement of money from Iran to North Korea on behalf of KOMID. Date of designation: 16.7.2009.

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- (6) **Korea Hyoksin Trading Corporation** (aka Korea Hyoksin Export And Import Corporation). Address: Rakwon-dong, Pothonggang District, Pyongyang, DPRK. Other information: (a) located in Pyongyang, DPRK; (b) subordinate to Korea Ryonbong General Corporation (designated by the UN Sanctions Committee in April 2009) and is involved in the development of weapons of mass destruction. Date of designation: 16.7.2009.
- (7) **Korean Tangun Trading Corporation**. Other information: (a) located in Pyongyang, DPRK; (b) Korea Tangun Trading Corporation is subordinate to the DPRK's Second Academy of Natural Sciences and is primarily responsible for the procurement of commodities and technologies to support North Korea's defence research and development programmes, including, but not limited to, weapons of mass destruction and delivery system programmes and procurement, including materials that are controlled or prohibited under relevant multilateral control regimes. Date of designation: 16.7.2009.
- (8) **Namchongang Trading Corporation** (aka (a) NCG, (b) Namchongang Trading, (c) Nam Chon Gang Corporation, (d) Nomchongang Trading Co., (e) Nam Chong Gan Trading Corporation). Other information: (a) located in Pyongyang, DPRK; (b) Namchongang is a North Korean trading company subordinate to the GBAE. Namchongang has been involved in the procurement of Japanese-origin vacuum pumps that were identified at a North Korean nuclear facility, as well as nuclear-related procurement associated with a German individual. It has further been involved in the purchase of aluminium tubes and other equipment specifically suitable for a uranium enrichment programme from the late 1990s. Its representative is a former diplomat who served as North Korea's representative for the IAEA inspection of the Yongbyon nuclear facilities in 2007. Namchongang's proliferation activities are of grave concern given North Korea's past proliferation activities. Date of designation: 16.7.2009'
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ANNEX III

'ANNEX V

LIST OF PERSONS, ENTITIES AND BODIES REFERRED TO IN ARTICLE 6(2)

A. Persons

#	Name (and possible aliases)	Identifying information	Reasons
1.	CHANG Song-taek (alias JANG Song-Taek)	Date of birth: 2.2.1946 or 06.02.1946 or 23.02.1946 (North Hamgyong province) Passport number (as of 2006): PS 736420617	Member of the National Defence Commission. Director of the Administrative Department of the Korean Workers' Party.
2.	CHON Chi Bu		Member of the General Bureau of Atomic Energy, former technical director of Yongbyon.
3.	CHU Kyu-Chang (alias JU Kyu-Chang)	Date of birth: between 1928 and 1933	First Deputy Director of the Defence Industry Department (ballistics programme), Korean Workers' Party, Member of the National Defence Commission.
4.	HYON Chol-hae	Year of birth: 1934 (Manchuria, China)	Deputy Director of the General Political Department of the People's Armed Forces (military adviser to Kim Jong Il).
5.	JON Pyong-ho	Year of birth: 1926	Secretary of the Central Committee of the Korean Workers' Party, Head of the Central Committee's Military Supplies Industry Department controlling the Second Economic Committee of the Central Committee, member of the National Defence Commission.
6.	KIM Tong-un	Year of birth: 1936 Passport number: 554410660	Director of "Office 39" of the Central Committee of the Workers' Party, which is involved in proliferation financing.
7.	KIM-Yong-chun (alias Young-chun)	Date of birth: 04.03.1935	Deputy Chairman of the National Defence Commission, Minister for the People's Armed Forces, special adviser to Kim Jong Il on nuclear strategy.
8.	O Kuk-Ryol	Year of birth: 1931 (Jilin Province, China)	Deputy Chairman of the National Defence Commission, supervising the acquisition abroad of advanced technology for nuclear and ballistics programmes.
9.	PAEK Se-bong	Year of birth: 1946	Chairman of the Second Economic Committee (responsible for the ballistics programme) of the Central Committee of the Korean Workers' Party. Member of the National Defence Commission.
10.	PAK Jae-gyong (alias Chae-Kyong)	Year of birth: 1933 Passport number: 554410661	Deputy Director of the General Political Department of the People's Armed Forces and Deputy Director of the Logistics Bureau of the People's Armed Forces (military adviser to Kim Jong Il).

#	Name (and possible aliases)	Identifying information	Reasons
11.	PYON Yong Rip (alias Yong-Nip)	Date of birth: 20.09.1929 Passport number: 645310121 (issued on 13.09.2005)	President of the Academy of Science, involved in WMD-related biological research.
12.	RYOM Yong		Director of the General Bureau of Atomic Energy (entity designated by the United Nations), in charge of international relations.
13.	SO Sang-kuk	Year of birth: between 1932 and 1938	Head of the Department of Nuclear Physics, Kim Il Sung University.

B. Entities and bodies

#	Name (and possible aliases)	Identifying information	Reasons
1.	Yongbyon Nuclear Research Centre		Research centre which has taken part in the production of military-grade plutonium. Centre maintained by the General Bureau of Atomic Energy (entity designated by the United Nations, 16.07.2009).
2.	Korea Pugang Mining and Machinery Corporation Ltd		Subsidiary of Korea Ryongbong General Corporation (entity designated by the United Nations, 24.04.2009); operates facilities for the production of aluminium powder, which can be used in missiles.
3.	Korean Ryengwang Trading Corporation		Subsidiary of Korea Ryongbong General Corporation (entity designated by the United Nations, 24.04.2009).
4.	Sobaeku United Corp. (alias Sobaeksu United Corp.)		State-owned company, involved in research into, and the acquisition of, sensitive products and equipment. It possesses several deposits of natural graphite, which provide raw material for two processing facilities which, inter alia, produce graphite blocks that can be used in missiles.'

ANNEX IV

'ANNEX VI

**LIST OF CREDIT AND FINANCIAL INSTITUTIONS, BRANCHES AND SUBSIDIARIES REFERRED TO IN
ARTICLE 11A'**

COUNCIL REGULATION (EU) No 1284/2009

of 22 December 2009

imposing certain specific restrictive measures in respect of the Republic of Guinea

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215(1) and (2) thereof,

Having regard to Council Common Position 2009/788/CFSP of 27 October 2009 concerning restrictive measures against the Republic of Guinea⁽¹⁾, as amended by Council Decision 2009/1003/CFSP of 22 December 2009,

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

Whereas:

- (1) Common Position 2009/788/CFSP provides for certain restrictive measures concerning members of the National Council for Democracy and Development (NCDD) and individuals associated with them, responsible for the violent repression of 28 September 2009 or the political stalemate in the country.
- (2) Those measures include the freezing of funds and economic resources of the natural or legal persons, entities and bodies listed in the Annex to the Common Position, as well as a prohibition on the provision of technical and financial assistance and other services related to military equipments to any natural or legal person, entity or body in, or for use in, the Republic of Guinea. The measures also include a prohibition on the sale, supply, transfer or export of equipment to the Republic of Guinea which could be used for internal repression.
- (3) Those measures fall within the scope of the Treaty and, therefore, notably with a view to ensuring their uniform application by economic operators in all Member States, legislation at the level of the Union is necessary in order to implement them as far as the Union is concerned.
- (4) Any processing of personal data of natural persons under this Regulation should observe 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⁽²⁾ 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⁽³⁾.

- (5) 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

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'equipment which might be used for internal repression' means the goods listed in Annex I;
- (b) 'technical assistance' means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services; including verbal forms of assistance;
- (c) 'brokering services' means the activities of persons, entities and partnerships acting as intermediaries by buying, selling or arranging the transfer of goods and technology, or negotiating or arranging transactions that involve the transfer of goods or technology;
- (d) 'funds' means financial assets and benefits of every kind, including but not limited to:
 - (i) cash, cheques, claims on money, drafts, money orders and other payment instruments;
 - (ii) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
 - (iii) publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
 - (iv) interest, dividends or other income on or value accruing from or generated by assets;

⁽¹⁾ OJ L 281, 28.10.2009, p. 7.

⁽²⁾ OJ L 8, 12.1.2001, p. 1.

⁽³⁾ OJ L 281, 23.11.1995, p. 31.

- (v) credit, right of set-off, guarantees, performance bonds or other financial commitments;
- (vi) letters of credit, bills of lading, bills of sale;
- (vii) documents evidencing an interest in funds or financial resources;
- (e) 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
- (f) 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but may be used to obtain funds, goods or services;
- (g) 'freezing of economic resources' means preventing their use to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them;
- (h) 'territory of the Union' means the territories to which the Treaty is applicable, under the conditions laid down in the Treaty.

Article 2

It shall be prohibited:

- (a) to sell, supply, transfer or export, directly or indirectly, equipment which might be used for internal repression, whether or not originating in the Union, to any natural or legal person, entity or body in, or for use in, the Republic of Guinea;
- (b) to provide, directly or indirectly, technical assistance or brokering services related to the equipment referred to in point (a), to any natural or legal person, entity or body in, or for use in, the Republic of Guinea;
- (c) to provide, directly or indirectly, financing or financial assistance related to the equipment referred to in point (a), to any natural or legal person, entity or body in, or for use in, the Republic of Guinea.
- (d) to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in points (a), (b) or (c).

Article 3

It shall be prohibited:

- (a) to provide, directly or indirectly, technical assistance or brokering services related to goods and technology listed in the Common Military List of the European Union ⁽¹⁾, or related to the provision, manufacture, maintenance and use of goods included in that list to any natural or legal person, entity or body in, or for use in, the Republic of Guinea;
- (b) to provide, directly or indirectly, financing or financial assistance related to goods and technology listed in the Common Military List of the European Union including, in particular, grants, loans and export credit insurance, for any sale, supply, transfer or export of such items, or for any provision of related technical assistance to any natural or legal person, entity or body in, or for use in, the Republic of Guinea;
- (c) to participate, knowingly and intentionally, in activities, the object or effect of which is to circumvent the prohibitions referred to in points (a) and (b).

Article 4

1. By way of derogation from Articles 2 and 3, the competent authorities of the Member States as indicated in the websites listed in Annex III, may authorise:

- (a) the sale, supply, transfer or export of equipment which might be used for internal repression, provided it is intended solely for humanitarian or protective use, or for institution-building programmes of the United Nations (UN), the European Union, or for European Union and UN crisis management operations;
- (b) the provision of financing, financial assistance, technical assistance, brokering services and other services related to equipment or to programmes and operations referred to in point (a);
- (c) the provision of financing, financial assistance, technical assistance, brokering services and other services related to non-lethal military equipment intended solely for humanitarian or protective use, for institution-building programmes of the UN and the Union, or for European Union and UN crisis management operations.
- (d) the provision of financing, financial assistance, technical assistance, brokering services and other services related to non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use of personnel of the European Union and its Member States in the Republic of Guinea.

⁽¹⁾ OJ C 65, 19.3.2009, p. 1.

2. No authorisations shall be granted for activities that have already taken place.

Article 5

Articles 2 and 3 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to the Republic of Guinea by UN personnel, personnel of the European Union or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

Article 6

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

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 II.

3. Annex II shall consist of natural or legal persons, entities or bodies who, in accordance with Article 3a of Common Position 2009/788/CFSP, have been identified by the Council as being individual members of the National Council for Democracy and Development (NCDD) or natural or legal persons, entities or bodies associated with them.

4. 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.

Article 7

The prohibitions set out in point (b) of Article 3 and in Article 6(2) shall not give rise to any liability of any kind on the part of the natural and legal persons, entities or bodies who made funds or economic resources available if they did not know, and had no reasonable cause to suspect, that their actions would infringe the prohibition in question.

Article 8

1. By way of derogation from Article 6, the competent authorities of the Member States as indicated in the websites listed in Annex III 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 II, 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 reimbursement of incurred expenses associated with the provision of legal services;

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

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

2. The relevant Member State shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

Article 9

1. By way of derogation from Article 6, the competent authorities of the Member States as indicated in the websites listed in Annex III may authorise the release of certain frozen funds or economic resources, if the following conditions are met:

(a) the funds or economic resources in question are the subject of a judicial, administrative or arbitral lien established prior to the date on which the person, entity or body referred to in Article 6 was included in Annex II, or of a judicial, administrative or arbitral judgment rendered prior to that date;

(b) the funds or economic resources in question 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 person, entity or body listed in Annex II; and

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

2. The relevant Member State shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

Article 10

1. Article 6(2) shall not prevent financial or credit institutions in the Union from crediting frozen accounts where they receive funds transferred to the account of a listed natural or legal person, entity or body, provided that any additions to such accounts will also be frozen. The financial or credit institution shall inform the relevant competent authority about any such transaction without delay.

2. Article 6(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 before the date on which the natural or legal person, entity or body referred to in Article 3 has been included in Annex II,

provided that any such interest, other earnings, payments or financial instruments are frozen in accordance with Article 6(1).

Article 11

The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person or entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen or withheld as a result of negligence.

Article 12

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy, natural and legal persons, entities or bodies shall:

- (a) supply immediately any information which would facilitate compliance with this Regulation, such as accounts and amounts frozen in accordance with Article 6, to the competent authorities of Member States as indicated in the websites listed in Annex III for the country where they are resident or located and shall transmit such information, directly or through the competent authority as indicated in the websites listed in Annex III, to the Commission; and
- (b) cooperate with that competent authority in any verification of this information.

2. Any additional information directly received by the Commission shall be made available to the Member State concerned.

3. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

Article 13

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

Article 14

Annex II shall include, where available, information on listed natural persons for the purpose of identifying sufficiently the persons concerned.

Such information may include:

- (a) surname and given names, including alias names and titles, if any;
- (b) date and place of birth;
- (c) nationality;
- (d) passport and identity card numbers;
- (e) fiscal and social security numbers;
- (f) gender;
- (g) address or other information on whereabouts;
- (h) function or profession;
- (i) date of designation.

Annex II may also include information for identification purposes as set out above for family members of the persons listed, provided that this information is necessary in a specific case for the sole purpose of verifying the identity of the listed natural person in question.

Annex II shall also include the grounds for listing, such as occupation.

Article 15

1. The Commission shall be empowered to:

- (a) amend Annex II on the basis of decisions taken in respect of the Annex to Common Position 2009/788/CFSP; and
- (b) amend Annex III on the basis of information supplied by Member States.

2. The Commission shall state individual and specific reasons for the decisions taken pursuant to point (a) of paragraph 1, providing the individual, entity or body concerned with an opportunity to express his, her or its view on the matter.

3. The Commission shall process personal data in order to carry out its tasks under this Regulation and in accordance with the provisions of Regulation (EC) No 45/2001.

Article 16

1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

2. Member States shall notify the Commission of those rules without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment.

Article 17

1. Member States shall designate the competent authorities referred to in this Regulation and identify them in, or through, the websites listed in Annex III.

2. Member States shall notify the Commission of their competent authorities without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment.

3. 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 III.

Article 18

This Regulation shall apply:

- (a) within the territory of the Union, including its airspace;
- (b) on board any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person inside or outside the territory of the Union who is a national of a Member State;
- (d) to any legal person, entity or body which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.

Article 19

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, 22 December 2009.

For the Council
The President
A. CARLGREN

ANNEX I

LIST OF EQUIPMENT WHICH MIGHT BE USED FOR INTERNAL REPRESSION REFERRED TO IN ARTICLES 1(A) AND 2(A)

1. Firearms, ammunition and related accessories therefor, as follows:
 - 1.1. Firearms not controlled by ML 1 and ML 2 of the EU Common Military List;
 - 1.2. Ammunition specially designed for the firearms listed in item 1.1 and specially designed components therefor;
 - 1.3. Weapon-sights not controlled by the EU Common Military List.
2. Bombs and grenades not controlled by the EU Common Military List.
3. Vehicles as follows:
 - 3.1. Vehicles equipped with a water cannon, specially designed or modified for the purpose of riot control;
 - 3.2. Vehicles specially designed or modified to be electrified to repel boarders;
 - 3.3. Vehicles specially designed or modified to remove barricades, including construction equipment with ballistic protection;
 - 3.4. Vehicles specially designed for the transport or transfer of prisoners and/or detainees;
 - 3.5. Vehicles specially designed to deploy mobile barriers;
 - 3.6. Components for the vehicles specified in items 3.1 to 3.5 specially designed for the purposes of riot control.

Note 1 This item does not control vehicles specially designed for the purposes of fire-fighting.

Note 2 For the purposes of item 3.5 the term 'vehicles' includes trailers.
4. Explosive substances and related equipment as follows:
 - 4.1. Equipment and devices specially designed to initiate explosions by electrical or non-electrical means, including firing sets, detonators, igniters, boosters and detonating cord, and specially designed components therefor; except those specially designed for a specific commercial use consisting of the actuation or operation by explosive means of other equipment or devices the function of which is not the creation of explosions (e.g., car airbag inflators, electric-surge arresters or fire sprinkler actuators);
 - 4.2. Linear cutting explosive charges not controlled by the EU Common Military List;
 - 4.3. Other explosives not controlled by the EU Common Military List and related substances as follows:
 - (a) amatol;
 - (b) nitrocellulose (containing more than 12,5 % nitrogen);
 - (c) nitroglycol;
 - (d) pentaerythritol tetranitrate (PETN);
 - (e) picryl chloride;
 - (f) 2,4,6-trinitrotoluene (TNT).
5. Protective equipment not controlled by ML 13 of the EU Common Military List as follows:
 - 5.1. Body armour providing ballistic and/or stabbing protection;

5.2. Helmets providing ballistic and/or fragmentation protection, anti-riot helmets, anti-riot shields and ballistic shields.

Note. This item does not control:

- equipment specially designed for sports activities,
- equipment specially designed for work safety requirements.

6. Simulators, other than those controlled by ML 14 of the EU Common Military List, for training in the use of firearms, and specially designed software therefor.

7. Night vision, thermal imaging equipment and image intensifier tubes, other than those controlled by the EU Common Military List.

8. Razor barbed wire.

9. Military knives, combat knives and bayonets with blade lengths in excess of 10 cm.

10. Production equipment specially designed for the items specified in this list.

11. Specific technology for the development, production or use of the items specified in this list.

ANNEX II

NATURAL AND LEGAL PERSONS, ENTITIES OR BODIES REFERRED TO IN ARTICLE 6

	Name (and possible aliases)	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport (Pass.)/ID card number, etc.)	Reasons
1.	Captain Moussa Dadis CAMARA	d.o.b: 01/01/64 or 29/12/68 Pass: R0001318	President of the CNDD
2.	Major-General Mamadouba (alias Mamadou) Toto CAMARA	d.o.b: 01/01/46 Pass: R00009392	Minister for Security and Civil Protection
3.	General Sékouba KONATÉ	d.o.b: 01/01/64 Pass: R0003405/R0002505	Minister for Defence
4.	Colonel Mathurin BANGOURA	d.o.b: 15/11/62 Pass: R0003491	Minister for Telecommunications and New Information Technologies
5.	Lieutenant Colonel Aboubacar Sidiki (alias Idi Amin) CAMARA	d.o.b: 22/10/1979 Pass: R0017873	Minister and Permanent Secretary of the CNDD (discharged from the army on 26/01/09)
6.	Commandant Oumar BALDÉ	d.o.b: 26/12/64 Pass: R0003076	Member of the CNDD
7.	Commandant Mamadi (alias Mamady) MARA	d.o.b: 01/01/54 Pass: R0001343	Member of the CNDD
8.	Commandant Almamy CAMARA	d.o.b: 17/10/75 Pass: R0023013	Member of the CNDD
9.	Lieutenant Col. Mamadou Bhoeye DIALLO	d.o.b: 01/01/56 Pass: R0001855	Member of the CNDD
10.	Captain Koulako BÉAVOGUI		Member of the CNDD
11.	Police Lieutenant Colonel Kandia (alias Kandja) MARA	Pass: R0178636	Member of the CNDD Regional Director of Security in Labé
12.	Colonel Sékou MARA	d.o.b: 1957	Member of the CNDD Deputy Director of National Police
13.	Morciré CAMARA	d.o.b: 01/01/49 Pass: R0003216	Member of the CNDD
14.	Alpha Yaya DIALLO		Member of the CNDD National Director of Customs
15.	Colonel Mamadou Korkea DIALLO	d.o.b: 19/02/62	Minister for Trade, Industry and SMEs
16.	Commandant Kelitigui FARO	d.o.b: 03/08/72 Pass: R0003410	Minister and Secretary-General to the Presidency of the Republic
17.	Colonel Fodeba TOURÉ	d.o.b: 07/06/61 Pass: R0003417/R0002132	Governor of Kindia (former Minister for Youth, dismissed as Minister on 07/05/09)
18.	Commandant Cheick Sékou (alias Ahmed) Tidiane CAMARA	d.o.b: 12/05/66	Member of the CNDD
19.	Colonel Sékou (alias Sékouba) SAKO		Member of the CNDD
20.	Lieutenant Jean-Claude alias COPLAN PIVI	d.o.b: 01/01/60	Member of the CNDD Minister with responsibility for presidential security

	Name (and possible aliases)	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport (Pass.)/ID card number, etc.)	Reasons
21.	Captain Saa Alphonse TOURÉ	d.o.b: 03/06/70	Member of the CNDD
22.	Colonel Moussa KEITA	d.o.b: 01/01/66	Member of the CNDD Minister and Permanent Secretary of the CNDD with responsibility for relations with Republican Institutions
23.	Lt. Col. Aïdor (alias Aëdor) BAH		Member of the CNDD
24.	Commandant Bamou LAMA		Member of the CNDD
25.	Mr Mohamed Lamine KABA		Member of the CNDD
26.	Captain Daman (alias Dama) CONDÉ		Member of the CNDD
27.	Commandant Aboubacar Amadou DOUMBOUYA		Member of the CNDD
28.	Commandant Moussa Tiégboro CAMARA	d.o.b: 01/01/68 Pass: 7190	Member of the CNDD Minister attached to the Presidency with responsibility for special anti-drug services and organised crime
29.	Captain Issa CAMARA	d.o.b: 1954	Member of the CNDD Governor of Mamou
30.	Colonel Dr. Abdoulaye Chérif DIABY	d.o.b: 26/02/57 Pass: 13683	Member of the CNDD Minister for Health and Sanitation,
31.	Mamady CONDÉ	d.o.b: 28/11/52 Pass: R0003212	Member of the CNDD
32.	S-Lt. Cheikh Ahmed TOURÉ		Member of the CNDD
33.	Lt. Colonel Aboubacar Biro CONDÉ	d.o.b: 15/10/62 Pass: 2443/R0004700	Member of the CNDD
34.	Bouna KEITA		Member of the CNDD
35.	Idrissa CHERIF	d.o.b: 13/11/67 Pass: R0105758	Minister with responsibility for Communication attached to the Presidency and the Ministry of Defence
36.	Mamoudou (alias Mamadou) CONDÉ	d.o.b: 09/12/60 Pass: R0020803	State Secretary, official representative, with responsibility for Strategic Issues and Sustainable Development
37.	Lieutenant Aboubacar Chérif (alias Toumba) DIAKITÉ		Presidential aide-de-camp
38.	Ibrahima Khalil DIAWARA	d.o.b: 01/01/76 Pass: R0000968	Special adviser to Aboubacar Chérif 'Toumba' Diakité
39.	S-Lt Marcel KOIVOGUI		Deputy to Aboubacar Chérif 'Toumba' Diakité
40.	Mr Papa Koly KOUROUMA	d.o.b: 03/11/62 Pass: R11914/R001534	Minister for the Environment and Sustainable Development
41.	Commandant Nouhou THIAM	d.o.b: 1960 Pass: 5180	Inspector-General of the armed forces CNDD spokesman
42.	Police Captain Théodore (alias Siba) KOUROUMA	d.o.b: 13/05/71 Pass: Service R0001204	Attaché in the presidential private office

	Name (and possible aliases)	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport (Pass./ID card number, etc.)	Reasons
43.	Mr Kabinet (alias Kabiné) KOMARA	d.o.b: 08/03/50 Pass: R0001747	Prime Minister
44.	Captain Mamadou SANDÉ	d.o.b: 12/12/69 Pass: R0003465	Minister attached to the Presidency with responsibility for the economy and finances
45.	Mr Alhassane (alias Al-Hassane) Siba ONIPOGUI	d.o.b: 31/12/61 Pass: 5938/R00003488	Minister attached to the Presidency with responsibility for State control
46.	Mr Joseph KANDUNO		Minister with responsibility for audits, transparency and good governance
47.	Mr Fodéba (alias Isto) KÉIRA	d.o.b: 04/06/61 Pass: R0001767	Minister for Youth, Sport and the Promotion of Youth Employment
48.	Colonel Siba LOHALAMOU	d.o.b: 01/08/62 Pass: R0001376	Minister for Justice and Keeper of the Seals
49.	Dr. Frédéric KOLIÉ	d.o.b: 01/01/60 Pass: R0001714	Minister for Territorial Administration and Political Affairs
50.	Mr Alexandre Cécé LOUA	d.o.b: 01/01/56 Pass: R0001757 / Diplomatic passport: R 0000027	Minister for Foreign Affairs and Guineans Abroad
51.	Mr Mamoudou (alias Mahmoud) THIAM	d.o.b: 04/10/68 Pass: R0001758	Minister for Mines and Energy
52.	Mr Boubacar BARRY	d.o.b: 28/05/64 Pass: R0003408	Minister of State attached to the Presidency with responsibility for construction, planning and public buildings
53.	Demba FADIGA	d.o.b: 01/01/52 Pass: residence permit FR365845/365857	Member of the CNDD Ambassador Extraordinary and Plenipotentiary with responsibility for relations between the CNDD and the Government
54.	Mr Mohamed DIOP	d.o.b: 01/01/63 Pass: R0001798	Member of the CNDD Governor of Conakry
55.	Sgt Mohamed (alias Tigre) CAMARA		Member of the security forces attached to the Koundara Presidential Guard camp
56.	Mr Habib HANN	d.o.b: 15/12/50 Pass: 341442	Audit and Surveillance Committee for Strategic Sectors of the State
57.	Mr Ousmane KABA		Audit and Surveillance Committee for Strategic Sectors of the State
58.	Mr Alfred MATHOS		Audit and Surveillance Committee for Strategic Sectors of the State
59.	Capt. Mandiou DIOUBATÉ	d.o.b: 01/01/60 Pass: R0003622	Director of the Presidency press office CNDD spokesman
60.	Cheik Sydia DIABATÉ	d.o.b: 23/04/68 Pass: R0004490	Member of the armed forces Director of the Intelligence and Investigation Services at the Ministry of Defence
61.	Mr Ibrahima Ahmed BARRY	d.o.b: 11/11/61 Pass: R0048243	Director General of Radio Télévision Guinéenne

	Name (and possible aliases)	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport (Pass./ID card number, etc.)	Reasons
62.	Mr Alhassane BARRY	d.o.b: 15/11/62 Pass: R0003484	Governor of the Central Bank
63.	Mr Roda Namatala FAWAZ	d.o.b: 06/07/47 Pass: R0001977	Businessman connected to the CNDD who has given the CNDD financial support
64.	Dioulde DIALLO		Businessman connected to the CNDD who has given the CNDD financial support
65.	Kerfalla CAMARA KPC		CEO of Guicopress Businessman connected to the CNDD who has given the CNDD financial support
66.	Dr. Moustapha ZABATT	d.o.b: 06/02/65	Doctor and personal adviser to the President
67.	Aly MANET		'Dadis Doit Rester' (Dadis Must Stay) movement
68.	Louis M'bemba SOUMAH		Minister for Employment, Administrative Reform and the Civil Service
69.	Cheik Fantamady CONDÉ		Minister for Information and Culture
70.	Boureima CONDÉ		Minister for Agriculture and Stock Farming
71.	Mariame SYLLA		Minister for Decentralisation and Local Government

ANNEX III

Websites for information on the competent authorities referred to in Articles 4, 8, 9, 10(1), 12 and 17 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/un_eu_restrictive_measures_ireland/competent_authorities

GREECE

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

SPAIN

www.mae.es/es/MenuPpal/Asuntos/Sanciones+Internacionales

FRANCE

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

ITALY

<http://www.esteri.it/UE/deroghe.html>

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/felelos_illetekes_hatosagok.htm

MALTA

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

NETHERLANDS

www.minbuza.nl/nl/Onderwerpen/Internationale_rechtsorde/Internationale_Sancties/Bevoegde_instanties_algemeen

AUSTRIA

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

POLAND

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

PORTUGAL

<http://www.mne.gov.pt/mne/pt/AutMedidasRestritivas.htm>

ROMANIA

<http://www.mae.ro/index.php?unde=doc&id=32311&idlnk=1&cat=3>

SLOVENIA

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

SLOVAKIA

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

FINLAND

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

SWEDEN

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

UNITED KINGDOM

<http://www.fco.gov.uk/competentauthorities>

Address for notifications to the European Commission:

European Commission
Directorate-General for External Relations
Directorate A. Crisis Platform and Policy Coordination in CFSP
Unit A.2. Crisis Management and Peace Building
CHAR 12/108
B-1049 Brussels
Belgium
Tel.: (+32-2) 296 61 33 / 295 55 85
Fax: (+32-2) 299 08 73

COUNCIL IMPLEMENTING REGULATION (EU) No 1285/2009

of 22 December 2009

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 Regulation (EC) No 501/2009

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 15 June 2009 the Council adopted Regulation (EC) No 501/2009 implementing Article 2(3) of Regulation (EC) No 2580/2001 ⁽²⁾, establishing an updated list of persons, groups and entities to which that Regulation 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 Regulation (EC) No 501/2009. In the case of one group, an amended statement of reasons was provided in October 2009.
- (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 Regulation (EC) No 501/2009 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 eight groups, an amended statement of reasons was made available in October 2009 ⁽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) Following the judgment of the Court of First Instance of 30 September 2009 in Case T-341/07, one person has not been included in the list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies.
- (6) The Council has also concluded that the entry concerning one group in the list should be amended.
- (7) The Council has concluded that with the exception of the person referred to in recital (5), the other 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.
- (8) 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

Regulation (EC) No 501/2009 is hereby repealed.

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, 22 December 2009.

For the Council
The President
A. CARLGREN

⁽¹⁾ OJ L 344, 28.12.2001, p. 70.

⁽²⁾ OJ L 151, 16.6.2009, p. 14.

⁽³⁾ OJ C 136, 16.6.2009, p. 35.

⁽⁴⁾ OJ C 261, 31.10.2009, p. 26.

⁽⁵⁾ OJ L 344, 28.12.2001, p. 93.

ANNEX

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

1. PERSONS

1. ABOU, Rabah Naami (a.k.a. Naami Hamza, a.k.a. Mihoubi Faycal, a.k.a. Fellah Ahmed, a.k.a. Dafri Rème Lahdi), born 1.2.1966 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
2. ABOUD, Maisi (a.k.a. The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria), – member of ‘al-Takfir’ and ‘al-Hijra’
3. AL-MUGHASSIL, Ahmad Ibrahim (a.k.a. ABU OMRAN, a.k.a. 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 (a.k.a. Lamine Kamel), born 18.8.1969 in Costantine (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
7. ASLI, Mohamed (a.k.a. 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 (a.k.a. BOUSLIM, Ammar Mansour, a.k.a. SALIM, Hassan Rostom), Lebanon, born 1960 in Lebanon, citizen of Lebanon
10. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR, a.k.a. SOBIAR, a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands) – member of the ‘Hofstadgroep’
11. DARIB, Noureddine (a.k.a. Carreto, a.k.a. Zitoun Mourad), born 1.2.1972 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
12. DJABALI, Abderrahmane (a.k.a. Touil), born 1.6.1970 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
13. EL FATMI, Nouredine (a.k.a. Nouriddin EL FATMI, a.k.a. Nouriddine EL FATMI, a.k.a. Nouredine EL FATMI, a.k.a. Abu AL KA’E KA’E, a.k.a. Abu QAE QAE, a.k.a. FOUAD, a.k.a. FZAD, a.k.a. Nabil EL FATMI, a.k.a. Ben MOHAMMED, a.k.a. Ben Mohand BEN LARBI, a.k.a. Ben Driss Muhand IBN LARBI, a.k.a. Abu TAHAR, a.k.a. EGGIE), born 15.8.1982 in Midar (Morocco), passport (Morocco) No. N829139 – member of the ‘Hofstadgroep’
14. EL-HOORIE, Ali Saed Bin Ali (a.k.a. AL-HOURI, Ali Saed Bin Ali, a.k.a. 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 (a.k.a. GARBAYA, Ahmed, a.k.a. SA-ID, a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
17. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem, a.k.a. BIN KHALID, Fahd Bin Adballah, a.k.a. HENIN, Ashraf Refaat Nabith, a.k.a. WADOOD, Khalid Adbul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
18. MOKTARI, Fateh (a.k.a. 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 (a.k.a. Hallasa Farid), born 11.9.1968 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
21. SEDKAOUI, Noureddine (a.k.a. Nounou), born 23.6.1963 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
22. SELMANI, Abdelghani (a.k.a. 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 (a.k.a. Mouh di Kouba), born 21.4.1964 in Blida (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
25. WALTERS, Jason Theodore James (a.k.a. Abdullah, a.k.a. 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' (a.k.a. 'Fatah Revolutionary Council', a.k.a. 'Arab Revolutionary Brigades', a.k.a. 'Black September', a.k.a. 'Revolutionary Organisation of Socialist Muslims')
 2. 'Al-Aqsa Martyrs' Brigade'
 3. 'Al-Aqsa e.V.'
 4. 'Al-Takfir' and 'Al-Hijra'
 5. 'Aum Shinrikyo' (a.k.a. 'AUM', a.k.a. 'Aum Supreme Truth', a.k.a. 'Aleph')
 6. 'Babbar Khalsa'
 7. 'Communist Party of the Philippines', including 'New People's Army' – 'NPA', Philippines
 8. 'Gama'a al-Islamiyya' (a.k.a. '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. 'Kahane Chai' (a.k.a. 'Kach')
 16. 'Khalistan Zindabad Force' – 'KZF'
 17. 'Kurdistan Workers' Party' – 'PKK', (a.k.a. 'KADEK', a.k.a. 'KONGRA-GEL')
 18. 'Liberation Tigers of Tamil Eelam' – 'LTTE'
 19. 'Ejército de Liberación Nacional' ('National Liberation Army')
 20. 'Palestine Liberation Front' – 'PLF'
 21. 'Palestinian Islamic Jihad' – 'PIJ'
 22. 'Popular Front for the Liberation of Palestine' – 'PFLP'
 23. 'Popular Front for the Liberation of Palestine – General Command' (a.k.a. 'PFLP – General Command')
 24. 'Fuerzas armadas revolucionarias de Colombia' – 'FARC' ('Revolutionary Armed Forces of Colombia')
 25. 'Devrimci Halk Kurtuluş Partisi-Cephesi' – 'DHKP/C' (a.k.a. 'Devrimci Sol' ('Revolutionary Left'), a.k.a. 'Dev Sol') ('Revolutionary People's Liberation Army/Front/Party')
 26. 'Sendero Luminoso' – 'SL' ('Shining Path')
 27. 'Stichting Al Aqsa' (a.k.a. 'Stichting Al Aqsa Nederland', a.k.a. 'Al Aqsa Nederland')
 28. 'Teyrbazen Azadiya Kurdistan' – 'TAK' (a.k.a. 'Kurdistan Freedom Falcons', a.k.a. 'Kurdistan Freedom Hawks')
 29. 'Autodefensas Unidas de Colombia' – 'AUC' ('United Self-Defense Forces/Group of Colombia')
-

COUNCIL REGULATION (EU) No 1286/2009

of 22 December 2009

amending Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215(2) thereof,

Having regard to Council Common Position 2002/402/CFSP of 27 May 2002 concerning restrictive measures against Usama bin Laden, members of the Al-Qaida organisation and the Taliban and other individuals, groups, undertakings and entities associated with them ⁽¹⁾,

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

Whereas:

- (1) Common Position 2002/402/CFSP provides, *inter alia*, that the European Community is to take certain restrictive measures, including the freezing of funds and economic resources, in accordance with Resolutions 1267 (1999), 1333 (2000) and 1390 (2002) of the Security Council of the United Nations.
- (2) The freezing of funds and economic resources has been implemented by means of Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban ⁽²⁾.
- (3) An article providing for certain exceptions was inserted in that Regulation by means of Council Regulation (EC) No 561/2003 of 27 March 2003 ⁽³⁾. The non-objection period referred to in that Article should be brought in line with UN Security Council Resolution 1735 of 22 December 2006.
- (4) Following the judgment of the Court of Justice of the European Communities of 3 September 2008 in Joined Cases C-402/05 P and C-415/05 P: Judgment of the Court (Grand Chamber) of 3 September 2008 — Yassin Abdullah Kadi, Al Barakaat International Foundation v Council of the European Union, Commission of the European Communities, United Kingdom of Great Britain and Northern Ireland, Regulation (EC) No

881/2002 should be amended to provide for a listing procedure ensuring that the fundamental rights of the defence and in particular the right to be heard are respected.

- (5) The revised procedure should include providing to the listed person, entity, body or group the reasons for listing as transmitted by the UN Al Qaida and Taliban Sanctions Committee, so as to give the listed person, entity, body or group an opportunity to express his, her or its views on those reasons. The purpose of Regulation (EC) No 881/2002 is to freeze the funds and economic resources of persons, entities, bodies and groups included in the Al Qaida and Taliban list drawn up by the UN. As the relevant UN Security Council Resolutions provide that such freezing has to take place 'without delay', such a measure must, by its very nature, take advantage of a surprise effect.

Therefore, the Commission should be able to take a decision before informing the person, entity, body or group concerned of the reasons for listing. The reasons for listing should, however, be notified to that person, entity, body or group without delay, after that decision has been published, to give the person, entity, body or group concerned an opportunity to make effectively his, her or its point of view known.

- (6) While the Commission should endeavour to notify the reasons for listing directly to the person, entity, body or group concerned, such notification may not be possible in some cases due to incomplete contact details or the complete absence thereof. In such cases, a notice should be published in the *Official Journal* to inform those concerned of the applicable procedures.
- (7) Where observations are submitted, the Commission should review its decision in the light of those observations and in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁴⁾. The review should be carried out following the regulatory procedure, considering the important political responsibilities involved and the sensitive nature of the international efforts in countering terrorism.

⁽¹⁾ OJ L 139, 29.5.2002, p. 4.

⁽²⁾ OJ L 139, 29.5.2002, p. 9.

⁽³⁾ OJ L 82, 29.3.2003, p. 1.

⁽⁴⁾ OJ L 184, 17.7.1999, p. 23.

- (8) The same procedure should apply as regards persons, entities, bodies and groups listed before 3 September 2008, in order to respect their rights of defence and in particular their right to be heard.
- (9) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union ⁽¹⁾ and notably the right to an effective remedy and to a fair trial, the right to property and the right to the protection of personal data. This Regulation should be applied in accordance with those rights and principles.
- (10) This Regulation also fully respects the obligations of Member States under the Charter of the United Nations and the legally binding nature of UN Security Council Resolutions.
- (11) The purpose of Regulation (EC) No 881/2002 is to prevent terrorist crimes, including terrorist financing, in order to maintain international peace and security. In order to create maximum legal certainty within the Union, the names and other relevant data for identifying natural or legal persons, entities, bodies or groups, whose funds must be frozen in accordance with Regulation (EC) No 881/2002 should be made publicly known.
- (12) Any processing of personal data of natural persons under this Regulation should observe 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 ⁽²⁾ 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 ⁽³⁾.
- (13) It is appropriate to clarify the meaning of certain words and to align certain parts of Regulation (EC) No 881/2002 with more recent standard wording for Regulations on restrictive measures.
- (14) Regulation (EC) No 881/2002 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 881/2002 is hereby amended as follows:

⁽¹⁾ OJ C 364, 18.12.2000, p. 1.

⁽²⁾ OJ L 8, 12.1.2001, p. 1.

⁽³⁾ OJ L 281, 23.11.1995, p. 31.

1. In Article 1:

(a) Point 3 shall be replaced by the following:

‘3. “freezing of funds” means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;’;

(b) The following points are added:

‘5. “Sanctions Committee” means the Committee of the UN Security Council established pursuant to UN Security Council Resolution 1267 (1999) concerning Al Qaida and the Taliban;

6. “Statement of reasons” means the publicly releasable portion of the statement of case as provided by the Sanctions Committee and/or, where applicable, the narrative summary of reasons for listing as provided by the Sanctions Committee;’;

2. Article 2 is replaced by the following:

‘Article 2

1. All funds and economic resources belonging to, owned, held or controlled by a natural or legal person, entity, body or group listed in Annex I, 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, entities, bodies or groups listed in Annex I.

3. Annex I shall consist of natural and legal persons, entities, bodies and groups designated by the UN Security Council or by the Sanctions Committee as being associated with Usama bin Laden, the Al-Qaida network and the Taliban.

4. The prohibition set out in paragraph 2 shall not give rise to liability of any kind on the part of the natural or legal persons, entities, bodies or groups concerned, if they did not know, and had no reasonable cause to suspect, that their actions would infringe these prohibitions;’;

3. In Article 2a(1), point (c) is replaced by the following:

- ‘(c) (i) in the case of a determination under point (a)(i), (ii) or (iii), the Sanctions Committee has not objected to the determination within three working days of notification; or
- (ii) in the case of a determination under point (a) (iv), the Sanctions Committee has approved the determination.’;

4. The following Article is inserted:

‘Article 2b

Article 2(2) shall not prevent financial or credit institutions in the Union from crediting frozen accounts where they receive funds transferred to the account of a listed natural or legal person, entity, body or group, provided that any additions to such accounts will also be frozen. The financial or credit institution shall inform the competent authorities about such transactions without delay.’;

5. Article 3 is replaced by the following:

‘Article 3

Without prejudice to the powers of Member States in the exercise of their public authority, it shall be prohibited to provide, directly or indirectly, technical advice, assistance or training related to military activities, including in particular training and assistance related to the manufacture, maintenance and use of arms and related materiel of all types, to any natural or legal person, entity, body or group listed in Annex I.’;

6. The second subparagraph of Article 5(1)(a) is replaced by the following:

‘In particular, available information in respect of funds or economic resources owned or controlled by persons designated by the United Nations Security Council or the Sanctions Committee and listed in Annex I during the period of six months before the entry into force of this Regulation shall be provided.’;

7. Article 6 is replaced by the following:

‘Article 6

The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person, entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen, or not made available, as a result of negligence.’;

8. In Article 7, paragraph 1 is replaced by the following:

‘1. The Commission shall be empowered to:

- (a) amend Annex I, where necessary in accordance with the procedure referred to in Article 7b(2), and
- (b) amend Annex II on the basis of information supplied by Member States.’;

9. The following Articles shall be inserted:

‘Article 7a

1. Where the United Nations Security Council or the Sanctions Committee decides to list a natural or legal person, entity, body or group for the first time, the Commission shall, as soon as a statement of reasons has been provided by the Sanctions Committee, take a decision to include such person, entity, body or group in Annex I.

2. Once the decision referred to in paragraph 1 has been taken, the Commission shall without delay communicate the statement of reasons provided by the Sanctions Committee, to the person, entity, body or group concerned, either directly, if the address is known, or following the publication of a notice, providing him, her or it an opportunity to express his, her or its views on the matter.

3. Where observations are submitted, the Commission shall review its decision referred to in paragraph 1 in the light of those observations and after following the procedure referred to in Article 7b(2). Those observations shall be forwarded to the Sanctions Committee. The Commission shall communicate the result of its review to the person, entity, body or group concerned. The result of the review shall also be forwarded to the Sanctions Committee.

4. If a further request is made, based on substantial new evidence, to remove a person, entity, body or group from Annex I, the Commission shall conduct a further review in accordance with paragraph 3 and after following the procedure referred to in Article 7b(2).

5. Where the United Nations decide to de-list a person, entity, body or group, or to amend the identifying data of a listed person, entity, body or group, the Commission shall amend Annex I accordingly.

Article 7b

1. The Commission shall be assisted by a committee.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

Article 7c

1. Persons, entities, bodies and groups which were included in Annex I before 3 September 2008 and continue to be listed, may present to the Commission a request for a statement of reasons. The request shall be submitted in writing in an official language of the Union.

2. As soon as the requested statement of reasons is provided by the Sanctions Committee, the Commission shall communicate it to the person, entity, body or group concerned, providing him, her or it an opportunity to express his, her or its views on the matter.

3. Where observations are submitted, the Commission shall review the decision to include the person, entity, body or group concerned in Annex I, in the light of those observations and after following the procedure referred to in Article 7b(2). Those observations shall be forwarded to the Sanctions Committee. The Commission shall communicate the result of its review to the person, entity, body or group concerned. The result of the review shall also be forwarded to the Sanctions Committee.

4. If a further request is made, based on substantial new evidence, to remove a person, entity, body or group from Annex I, the Commission shall conduct a further review in accordance with paragraph 3 and after following the procedure referred to in Article 7b(2).

Article 7d

1. The Commission shall process personal data in order to carry out its tasks under this Regulation and in accordance with the provisions of 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 (*).

2. Annex I shall include, where available, information on listed natural persons that is provided by the United Nations Security Council or by the Sanctions Committee and that is necessary for the purpose of identifying the persons concerned. Such information may include:

(a) surname and given names, including alias names and titles, if any;

(b) date and place of birth;

(c) nationality;

(d) passport and ID card numbers;

(e) fiscal and social security numbers;

(f) gender;

(g) address or other information on whereabouts;

(h) function or profession;

(i) the date of designation referred to in Article 2(3).

Article 7e

Annex I shall include, where available, information on legal persons and entities that is provided by the United Nations Security Council or by the Sanctions Committee and that is necessary for the purpose of identifying the person or entity concerned. Such information may include:

(a) name;

(b) place and date of registration;

(c) registration number;

(d) principal place of business or other information on the whereabouts;

(e) date of designation referred to in Article 2(3).

(*) OJ L 8, 12.1.2001, p. 1.;

10. Article 11 shall be replaced by the following:

Article 11

This Regulation shall apply:

(a) within the territory of the Union, including its airspace;

(b) on board any aircraft or any vessel under the jurisdiction of a Member State;

(c) to any natural person inside or outside the territory of the Union who is a national of a Member State;

(e) to any natural or legal person, entity, body or group in respect of any business done in whole or in part within the Union.;

(d) to any legal person, entity or body which is incorporated or constituted under the law of a Member State;

Article 2

This Regulation shall enter into force on the third day following 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, 22 December 2009.

For the Council
The President
A. CARLGREN

COUNCIL DECISION 2009/1002/CFSP

of 22 December 2009

amending Common Position 2006/795/CFSP concerning restrictive measures against the Democratic People's Republic of Korea

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

(1) On 20 November 2006, the Council of the European Union adopted Common Position 2006/795/CFSP concerning restrictive measures against the Democratic People's Republic of Korea (DPRK) ⁽¹⁾; this Common Position was amended by Common Position 2009/573/CFSP ⁽²⁾ which implemented United Nations Security Council Resolution 1874 (2009)

(2) The prohibition on the direct and indirect supply, sale or transfer to the DPRK of certain items, materials, equipment, goods and technology should include all dual-use goods and technology listed in Annex I to Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items ⁽³⁾.

(3) The Council has identified persons and entities that fulfil the criteria set out in Articles 3(1)(b) and 4(1)(b) and Articles 3(1)(c) and 4(1)(c) of Common Position 2006/795/CFSP. These persons and entities should therefore be listed in Annexes II and III to that Common Position.

(4) Common Position 2006/795/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Common Position 2006/795/CFSP is hereby amended as follows:

1. in Article 1(1), point (c) shall be replaced by the following:

'(c) certain other items, materials, equipment, goods and technology which could contribute to DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes or which could contribute to its military activities, which shall include all dual-use goods and technology listed in Annex I to Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (*). The European Union shall take the necessary measures in order to determine the relevant items to be covered by this provision.

(*) OJ L 134, 29.5.2009, p. 1.'

2. In Article 4, paragraphs 3 and 4 shall be replaced by the following:

'3. Exemptions may be made for funds and economic resources which are:

(a) necessary to satisfy basic needs, including payment 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, in accordance with national laws, for routine holding or maintenance of frozen funds and economic resources,

after notification by the Member State concerned to the Committee, for persons and entities listed in Annex I, of the intention to authorise, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within five working days of such notification.

4. Exemptions may also be made for funds and economic resources which are:

(a) necessary for extraordinary expenses, after notification by the Member State concerned to and approval by the Committee for persons and entities listed in Annex I; or

⁽¹⁾ OJ L 322, 22.11.2006, p. 32.

⁽²⁾ OJ L 197, 29.7.2009, p. 111.

⁽³⁾ OJ L 134, 29.5.2009, p. 1.

(b) the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds and economic resources may be used to satisfy that lien or judgment, provided that the lien or judgment was entered prior to the date on which the person or entity referred to in paragraph 1 has been designated by the Sanctions Committee, the Security Council or by the Council, and is not for the benefit of a person or entity referred to in paragraph 1, after notification by the Member State concerned to the Committee for persons and entities listed in Annex I.'

Article 2

Annexes II and III to Common Position 2006/795/CFSP shall be replaced by the text appearing in the Annex to this Decision.

Article 3

This Decision shall take effect on the date of its adoption.

Article 4

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 22 December 2009.

For the Council

The President

A. CARLGREN

ANNEX

'ANNEX II

A. List of persons and entities referred to in Articles 3(1)(b) and 4(1)(b)

#	Name (and possible aliases)	Identifying information	Reasons
1.	CHANG Song-taek (alias JANG Song Taek)	Date of birth: 2.2.1946 or 6.2.1946 or 23.2.1946 (North Hamgyong province) Passport number (as of 2006): PS 736420617	Member of the National Defence Commission. Director of the Administrative Department of the Korean Workers' Party.
2.	CHON Chi Bu		Member of the General Bureau of Atomic Energy, former technical director of Yongbyon.
3.	CHU Kyu-Chang (alias JU Kyu-Chang)	Date of birth: between 1928 and 1933	First Deputy Director of the Defence Industry Department (ballistics programme), Korean Workers' Party, Member of the National Defence Commission.
4.	HYON Chol-hae	Year of birth: 1934 (Manchuria, China)	Deputy Director of the General Political Department of the People's Armed Forces (military adviser to Kim Jong Il).
5.	JON Pyong-ho	Year of birth: 1926	Secretary of the Central Committee of the Korean Workers' Party, Head of the Central Committee's Military Supplies Industry Department controlling the Second Economic Committee of the Central Committee, member of the National Defence Commission.
6.	KIM Yong-chun (alias Young-chun)	Date of birth: 4.3.1935 Passport number: 554410660	Deputy Chairman of the National Defence Commission, Minister for the People's Armed Forces, special adviser to Kim Jong Il on nuclear strategy.
7.	O Kuk-Ryol	Year of birth: 1931 (Jilin Province, China)	Deputy Chairman of the National Defence Commission, supervising the acquisition abroad of advanced technology for nuclear and ballistic programmes
8.	PAEK Se-bong	Year of birth: 1946	Chairman of the Second Economic Committee (responsible for the ballistics programme) of the Central Committee of the Korean Workers' Party. Member of the National Defence Commission.
9.	PAK Jae-gyong (alias Chae-Kyong)	Year of birth: 1933 Passport number: 554410661	Deputy Director of the General Political Department of the People's Armed Forces and Deputy Director of the Logistics Bureau of the People's Armed Forces (military adviser to Kim Jong Il).
10.	PYON Yong Rip (alias Yong-Nip)	Date of birth: 20.9.1929 Passport number: 645310121 (issued on 13.9.2005)	President of the Academy of Science, involved in WMD-related biological research.
11.	RYOM Yong		Director of the General Bureau of Atomic Energy (entity designated by the United Nations), in charge of international relations.
12.	SO Sang-kuk	Date of birth: between 1932 and 1938	Head of the Department of Nuclear Physics, Kim Il Sung University.

B. List of entities referred to in Article 4(1)(b)

#	Name (and possible aliases)	Identifying information	Reasons
1.	Yongbyon Nuclear Research Centre		Research centre which has taken part in the production of military-grade plutonium. Centre maintained by the General Bureau of Atomic Energy (entity designated by the United Nations, 16.7.2009).
2.	Korea Pugang mining and Machinery Corporation ltd		Subsidiary of of Korea Ryongbong General Corporation (entity designated by the United Nations, 24.4.2009); operates facilities for the production of aluminium powder, which can be used in missiles.
3.	Korean Ryengwang Trading Corporation	Rakwon-dong, Pothonggang District, Pyongyang, North Korea	Subsidiary of Korea Ryongbong General Corporation (entity designated by the United Nations, 24.4.2009).
4.	Sobaeku United Corp. (alias Sobaeksu United Corp.)		State-owned company, involved in research into, and the acquisition, of sensitive products and equipment. It possesses several deposits of natural graphite, which provide raw material for two processing facilities, which, inter alia, produce graphite blocks that can be used in missiles.

ANNEX III

A. List of persons referred to in Articles 3(1)(c) and 4(1)(c)

1.	KIM Tong-un		Director of "Office 39" of the Central Committee of the Workers' Party, which is involved in proliferation financing.'
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COUNCIL DECISION 2009/1003/CFSP**of 22 December 2009****amending Common Position 2009/788/CFSP concerning restrictive measures against the Republic of Guinea**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 27 October 2009, the Council adopted Common Position 2009/788/CFSP concerning restrictive measures against the Republic of Guinea ⁽¹⁾, in response to the violent crackdown by security forces on political demonstrators in Conakry on 28 September 2009.
- (2) In view of the seriousness of the situation in the Republic of Guinea, additional restrictive measures should be imposed against the individual members of the National Council for Democracy and Development (NCDD) and natural or legal persons, entities or bodies associated with them, responsible for the violent repression or the political stalemate in the country.
- (3) Moreover, additional natural or legal persons, entities or bodies associated with the NCDD, should be included on the list of persons subject to the restrictive measures set out in the Annex to Common Position 2009/788/CFSP.
- (4) Further action by the Union is needed to implement certain measures,

HAS ADOPTED THIS DECISION:

Article 1

Common Position 2009/788/CFSP is hereby amended as follows:

1. Article 1 shall be replaced by the following:

'Article 1

1. The sale, supply, transfer or export of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, as well as equipment which might be used for internal repression, to the Republic of Guinea by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.

2. It shall be prohibited:

- (a) to provide, directly or indirectly, technical assistance, brokering services or other services related to the items referred to in paragraph 1 or related to the provision, manufacture, maintenance and use of such items, to any natural or legal person, entity or body in, or for use in, the Republic of Guinea;
- (b) to provide, directly or indirectly, financing or financial assistance related to the items referred to in paragraph 1, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of such items, or for the provision of related technical assistance, brokering services or other services to any natural or legal person, entity or body in, or for use in, the Republic of Guinea;
- (c) to participate, knowingly and intentionally, in activities, the object or effect of which is to circumvent the prohibitions referred to in points (a) or (b).;

2. Article 2 shall be replaced by the following:

'Article 2

1. Article 1 shall not apply to:

- (a) the sale, supply, transfer or export of non-lethal military equipment or of equipment which might be used for internal repression, intended solely for humanitarian or protective use, or for institution building programmes of the United Nations(UN) and the EU, or for EU and UN crisis management operations;
- (b) the sale, supply, transfer or export of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use of personnel of the EU and its Member States in the Republic of Guinea;
- (c) the provision of technical assistance, brokering services and other services related to such equipment or to such programmes and operations;
- (d) the provision of financing and financial assistance related to such equipment or to such programmes and operations,

on condition that such exports and assistance have been approved in advance by the relevant competent authority.

⁽¹⁾ OJ L 281, 28.10.2009, p. 7.

2. Article 1 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to the Republic of Guinea by UN personnel, personnel of the EU or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.;

3. Article 3, paragraph 1 shall be replaced by the following:

'1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the individual members of the NCDD and persons associated with them, as listed in the Annex.;

4. The following article shall be inserted:

'Article 3a

1. All funds and economic resources belonging to, owned, held or controlled by the individual members of the NCDD and natural or legal persons, entities or bodies 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, entities or bodies 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 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 payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for payment of fees or service charges for 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 two weeks prior to the authorisation.

A Member State shall inform the other Member States and the Commission of any authorisation granted 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 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 3a 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 judgement 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 Common Position,

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

Article 2

The Annex to Common Position 2009/788/CFSP shall be replaced by the Annex to this Decision.

Article 3

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

Article 4

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 22 December 2009.

For the Council
The President
A. CARLGREN

ANNEX II

LIST OF PERSONS REFERRED TO IN ARTICLES 3 AND 3A

	Name (and possible aliases)	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport (Pass.)/ID card number, etc.)	Reasons
1.	Captain Moussa Dadis CAMARA	d.o.b: 01/01/64 or 29/12/68 Pass: R0001318	President of the CNDD
2.	Major-General Mamadouba (alias Mamadou) Toto CAMARA	d.o.b: 01/01/46 Pass: R00009392	Minister for Security and Civil Protection
3.	General Sékouba KONATÉ	d.o.b: 01/01/64 Pass: R0003405/R0002505	Minister for Defence
4.	Colonel Mathurin BANGOURA	d.o.b: 15/11/62 Pass: R0003491	Minister for Telecommunications and New Information Technologies
5.	Lieutenant Colonel Aboubacar Sidiki (alias Idi Amin) CAMARA	d.o.b: 22/10/1979 Pass: R0017873	Minister and Permanent Secretary of the CNDD (discharged from the army on 26/01/09)
6.	Commandant Oumar BALDÉ	d.o.b: 26/12/64 Pass: R0003076	Member of the CNDD
7.	Commandant Mamadi (alias Mamady) MARA	d.o.b: 01/01/54 Pass: R0001343	Member of the CNDD
8.	Commandant Almamy CAMARA	d.o.b: 17/10/75 Pass: R0023013	Member of the CNDD
9.	Lieutenant Col. Mamadou Bhoeye DIALLO	d.o.b: 01/01/56 Pass: R0001855	Member of the CNDD
10.	Captain Koulako BÉAVOGUI		Member of the CNDD
11.	Police Lieutenant Colonel Kandia (alias Kandja) MARA	Pass: R0178636	Member of the CNDD Regional Director of Security in Labé
12.	Colonel Sékou MARA	d.o.b: 1957	Member of the CNDD Deputy Director of National Police
13.	Morciré CAMARA	d.o.b: 01/01/49 Pass: R0003216	Member of the CNDD
14.	Alpha Yaya DIALLO		Member of the CNDD National Director of Customs
15.	Colonel Mamadou Korke DIALLO	d.o.b: 19/02/62	Minister for Trade, Industry and SMEs
16.	Commandant Kelitigui FARO	d.o.b: 03/08/72 Pass: R0003410	Minister and Secretary-General to the Presidency of the Republic
17.	Colonel Fodeba TOURÉ	d.o.b: 07/06/61 Pass: R0003417/R0002132	Governor of Kindia (former Minister for Youth, dismissed as Minister on 07/05/09)
18.	Commandant Cheick Sékou (alias Ahmed) Tidiane CAMARA	d.o.b: 12/05/66	Member of the CNDD
19.	Colonel Sékou (alias Sékouba) SAKO		Member of the CNDD
20.	Lieutenant Jean-Claude alias COPLAN PIVI	d.o.b: 01/01/60	Member of the CNDD Minister with responsibility for presidential security

	Name (and possible aliases)	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport (Pass.)/ID card number, etc.)	Reasons
21.	Captain Saa Alphonse TOURÉ	d.o.b: 03/06/70	Member of the CNDD
22.	Colonel Moussa KEITA	d.o.b: 01/01/66	Member of the CNDD Minister and Permanent Secretary of the CNDD with responsibility for relations with Republican Institutions
23.	Lt. Col. Aïdor (alias Aëdor) BAH		Member of the CNDD
24.	Commandant Bamou LAMA		Member of the CNDD
25.	Mr Mohamed Lamine KABA		Member of the CNDD
26.	Captain Daman (alias Dama) CONDÉ		Member of the CNDD
27.	Commandant Aboubacar Amadou DOUMBOUYA		Member of the CNDD
28.	Commandant Moussa Tiégboro CAMARA	d.o.b: 01/01/68 Pass: 7190	Member of the CNDD Minister attached to the Presidency with responsibility for special anti-drug services and organised crime
29.	Captain Issa CAMARA	d.o.b: 1954	Member of the CNDD Governor of Mamou
30.	Colonel Dr. Abdoulaye Chérif DIABY	d.o.b: 26/02/57 Pass: 13683	Member of the CNDD Minister for Health and Sanitation,
31.	Mamady CONDÉ	d.o.b: 28/11/52 Pass: R0003212	Member of the CNDD
32.	S-Lt. Cheikh Ahmed TOURÉ		Member of the CNDD
33.	Lt. Colonel Aboubacar Biro CONDÉ	d.o.b: 15/10/62 Pass: 2443/R0004700	Member of the CNDD
34.	Bouna KEITA		Member of the CNDD
35.	Idrissa CHERIF	d.o.b: 13/11/67 Pass: R0105758	Minister with responsibility for Communication attached to the Presidency and the Ministry of Defence
36.	Mamoudou (alias Mamadou) CONDÉ	d.o.b: 09/12/60 Pass: R0020803	State Secretary, official representative, with responsibility for Strategic Issues and Sustainable Development
37.	Lieutenant Aboubacar Chérif (alias Toumba) DIAKITÉ		Presidential aide-de-camp
38.	Ibrahima Khalil DIAWARA	d.o.b: 01/01/76 Pass: R0000968	Special adviser to Aboubacar Chérif 'Toumba' Diakité
39.	S-Lt Marcel KOIVOGUI		Deputy to Aboubacar Chérif 'Toumba' Diakité
40.	Mr Papa Koly KOUROUMA	d.o.b: 03/11/62 Pass: R11914/R001534	Minister for the Environment and Sustainable Development
41.	Commandant Nouhou THIAM	d.o.b: 1960 Pass: 5180	Inspector-General of the armed forces CNDD spokesman
42.	Police Captain Théodore (alias Siba) KOUROUMA	d.o.b: 13/05/71 Pass: Service R0001204	Attaché in the presidential private office

	Name (and possible aliases)	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport (Pass.)/ID card number, etc.)	Reasons
43.	Mr Kabinet (alias Kabiné) KOMARA	d.o.b: 08/03/50 Pass: R0001747	Prime Minister
44.	Captain Mamadou SANDÉ	d.o.b: 12/12/69 Pass: R0003465	Minister attached to the Presidency with responsibility for the economy and finances
45.	Mr Alhassane (alias Al-Hassane) Siba ONIPOGUI	d.o.b: 31/12/61 Pass: 5938/R00003488	Minister attached to the Presidency with responsibility for State control
46.	Mr Joseph KANDUNO		Minister with responsibility for audits, transparency and good governance
47.	Mr Fodéba (alias Isto) KÉIRA	d.o.b: 04/06/61 Pass: R0001767	Minister for Youth, Sport and the Promotion of Youth Employment
48.	Colonel Siba LOHALAMOU	d.o.b: 01/08/62 Pass: R0001376	Minister for Justice and Keeper of the Seals
49.	Dr. Frédéric KOLIÉ	d.o.b: 01/01/60 Pass: R0001714	Minister for Territorial Administration and Political Affairs
50.	Mr Alexandre Cécé LOUA	d.o.b: 01/01/56 Pass: R0001757 / Diplomatic passport: R 0000027	Minister for Foreign Affairs and Guineans Abroad
51.	Mr Mamoudou (alias Mahmoud) THIAM	d.o.b: 04/10/68 Pass: R0001758	Minister for Mines and Energy
52.	Mr Boubacar BARRY	d.o.b: 28/05/64 Pass: R0003408	Minister of State attached to the Presidency with responsibility for construction, planning and public buildings
53.	Demba FADIGA	d.o.b: 01/01/52 Pass: residence permit FR365845/365857	Member of the CNDD Ambassador Extraordinary and Plenipotentiary with responsibility for relations between the CNDD and the Government
54.	Mr Mohamed DIOP	d.o.b: 01/01/63 Pass: R0001798	Member of the CNDD Governor of Conakry
55.	Sgt Mohamed (alias Tigre) CAMARA		Member of the security forces attached to the Koundara Presidential Guard camp
56.	Mr Habib HANN	d.o.b: 15/12/50 Pass: 341442	Audit and Surveillance Committee for Strategic Sectors of the State
57.	Mr Ousmane KABA		Audit and Surveillance Committee for Strategic Sectors of the State
58.	Mr Alfred MATHOS		Audit and Surveillance Committee for Strategic Sectors of the State
59.	Capt. Mandiou DIOUBATÉ	d.o.b: 01/01/60 Pass: R0003622	Director of the Presidency press office CNDD spokesman
60.	Cheik Sydia DIABATÉ	d.o.b: 23/04/68 Pass: R0004490	Member of the armed forces Director of the Intelligence and Investigation Services at the Ministry of Defence
61.	Mr Ibrahima Ahmed BARRY	d.o.b: 11/11/61 Pass: R0048243	Director General of Radio Télévision Guinéenne

	Name (and possible aliases)	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport (Pass./ID card number, etc.)	Reasons
62.	Mr Alhassane BARRY	d.o.b: 15/11/62 Pass: R0003484	Governor of the Central Bank
63.	Mr Roda Namatala FAWAZ	d.o.b: 06/07/47 Pass: R0001977	Businessman connected to the CNDD who has given the CNDD financial support
64.	Dioulde DIALLO		Businessman connected to the CNDD who has given the CNDD financial support
65.	Kerfalla CAMARA KPC		CEO of Guicopress Businessman connected to the CNDD who has given the CNDD financial support
66.	Dr. Moustapha ZABATT	d.o.b: 06/02/65	Doctor and personal adviser to the President
67.	Aly MANET		'Dadis Doit Rester' (Dadis Must Stay) movement
68.	Louis M'bemba SOUMAH		Minister for Employment, Administrative Reform and the Civil Service
69.	Cheik Fantamady CONDÉ		Minister for Information and Culture
70.	Boureima CONDÉ		Minister for Agriculture and Stock Farming
71.	Mariame SYLLA		Minister for Decentralisation and Local Government

COUNCIL DECISION 2009/1004/CFSP**of 22 December 2009****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 15 June 2009, the Council adopted Common Position 2009/468/CFSP updating 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 Common Position 2009/468/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) Following the judgment of the Court of First Instance of 30 September 2009 in Case T-341/07, one person has not been included in the list of persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply.
- (6) The Council has also concluded that the entry concerning one group in the list should be amended.
- (7) The Council has concluded that with the exception of the person referred to in recital (5), the other 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.

- (8) 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

Common Position 2009/468/CFSP is hereby repealed insofar as it concerns persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply.

Article 3

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

Article 4

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 22 December 2009.

For the Council

The President

A. CARLGREN

⁽¹⁾ OJ L 344, 28.12.2001, p. 93.

⁽²⁾ OJ L 151, 16.6.2009, p. 45.

ANNEX

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

1. PERSONS

1. ABOU, Rabah Naami (a.k.a. Naami Hamza, a.k.a. Mihoubi Faycal, a.k.a. Fellah Ahmed, a.k.a. Dafri Rèmei Lahdi), born 1.2.1966 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
2. ABOUD, Maisi (a.k.a. The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria), – member of ‘al-Takfir’ and ‘al-Hijra’
3. AL-MUGHASSIL, Ahmad Ibrahim (a.k.a. ABU OMRAN, a.k.a. 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 YACCOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
6. ARIOUA, Kamel (a.k.a. Lamine Kamel), born 18.8.1969 in Costantine (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
7. ASLI, Mohamed (a.k.a. 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 (a.k.a. BOUSLIM, Ammar Mansour, a.k.a. SALIM, Hassan Rostom), Lebanon, born 1960 in Lebanon, citizen of Lebanon
10. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR, a.k.a. SOBIAR, a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands) – member of the ‘Hofstadgroep’
11. DARIB, Noureddine (a.k.a. Carreto, a.k.a. Zitoun Mourad), born 1.2.1972 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
12. DJABALI, Abderrahmane (a.k.a. Touil), born 1.6.1970 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
13. EL FATMI, Noureddine (a.k.a. Nouriddin EL FATMI, a.k.a. Nouriddine EL FATMI, a.k.a. Noureddine EL FATMI, a.k.a. Abu AL KA’E KA’E, a.k.a. Abu QAE QAE, a.k.a. FOUAD, a.k.a. FZAD, a.k.a. Nabil EL FATMI, a.k.a. Ben MOHAMMED, a.k.a. Ben Mohand BEN LARBI, a.k.a. Ben Driss Muhand IBN LARBI, a.k.a. Abu TAHAR, a.k.a. EGGIE), born 15.8.1982 in Midar (Morocco), passport (Morocco) No. N829139 – member of the ‘Hofstadgroep’
14. EL-HOORIE, Ali Saed Bin Ali (a.k.a. AL-HOURI, Ali Saed Bin Ali, a.k.a. 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 (a.k.a. GARBAYA, Ahmed, a.k.a. SA-ID, a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
17. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem, a.k.a. BIN KHALID, Fahd Bin Adballah, a.k.a. HENIN, Ashraf Refaat Nabith, a.k.a. WADOOD, Khalid Abdul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
18. MOKTARI, Fateh (a.k.a. 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 (a.k.a. Hallasa Farid), born 11.9.1968 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
21. SEDKAOUI, Noureddine (a.k.a. Nounou), born 23.6.1963 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
22. SELMANI, Abdelghani (a.k.a. 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 (a.k.a. Mouh di Kouba), born 21.4.1964 in Blida (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
25. WALTERS, Jason Theodore James (a.k.a. Abdullah, a.k.a. 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' (a.k.a. 'Fatah Revolutionary Council', a.k.a. 'Arab Revolutionary Brigades', a.k.a. 'Black September', a.k.a. 'Revolutionary Organisation of Socialist Muslims')
 2. 'Al-Aqsa Martyrs' Brigade'
 3. 'Al-Aqsa e.V.'
 4. 'Al-Takfir' and 'Al-Hijra'
 5. 'Aum Shinrikyo' (a.k.a. 'AUM', a.k.a. 'Aum Supreme Truth', a.k.a. 'Aleph')
 6. 'Babbar Khalsa'
 7. 'Communist Party of the Philippines', including 'New People's Army' – 'NPA', Philippines
 8. 'Gama'a al-Islamiyya' (a.k.a. 'Al-Gama'a al-Islamiyya') ('Islamic Group' – 'IG')
 9. 'İslami Büyük Doğu Akıncılar Cephesi' – 'İBDA-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. 'Kahane Chai' (a.k.a. 'Kach')
 16. 'Khalistan Zindabad Force' – 'KZF'
 17. 'Kurdistan Workers' Party' – 'PKK', (a.k.a. 'KADEK', a.k.a. 'KONGRA-GEL')
 18. 'Liberation Tigers of Tamil Eelam' – 'LTTE'
 19. 'Ejército de Liberación Nacional' ('National Liberation Army')
 20. 'Palestine Liberation Front' – 'PLF'
 21. 'Palestinian Islamic Jihad' – 'PIJ'
 22. 'Popular Front for the Liberation of Palestine' – 'PFLP'
 23. 'Popular Front for the Liberation of Palestine – General Command' (a.k.a. 'PFLP – General Command')
 24. 'Fuerzas armadas revolucionarias de Colombia' – 'FARC' ('Revolutionary Armed Forces of Colombia')
 25. 'Devrimci Halk Kurtuluş Partisi-Cephesi' – 'DHKP/C' (a.k.a. 'Devrimci Sol' ('Revolutionary Left'), a.k.a. 'Dev Sol') ('Revolutionary People's Liberation Army/Front/Party')
 26. 'Sendero Luminoso' – 'SL' ('Shining Path')
 27. 'Stichting Al Aqsa' (a.k.a. 'Stichting Al Aqsa Nederland', a.k.a. 'Al Aqsa Nederland')
 28. 'Teyrbazen Azadiya Kurdistan' – 'TAK' (a.k.a. 'Kurdistan Freedom Falcons', a.k.a. 'Kurdistan Freedom Hawks')
 29. 'Autodefensas Unidas de Colombia' – 'AUC' ('United Self-Defense Forces/Group of Colombia')
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