



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 18 January 2012**

**5370/12**

**LIMITE**

**PESC 45  
RELEX 29  
COMEM 16  
COARM 14  
FIN 25**

**"I/A" ITEM NOTE**

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From : General Secretariat of the Council  
To : COREPER/Council  
Subject : - Council Implementing Decision implementing Decision 2011/782/CFSP  
concerning restrictive measures against Syria  
- Council Implementing Regulation implementing Article 33(1) of Regulation  
(EU) No .../2012 concerning restrictive measures in view of the situation in  
Syria

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1. On 1 December 2011, the Council adopted Decision 2011/782/CFSP concerning restrictive measures against Syria. On the basis of that Decision, the Council adopted a Regulation concerning restrictive measures in view of the situation in Syria on 18 January 2012.
2. On 23 October 2011, the European Council stated that the EU would impose further measures against the Syrian regime as long as the repression of the civilian population continues. In view of the gravity of the situation in Syria, additional persons should be included in the list of persons and entities subject to restrictive measures.

3. On 17 January 2012, the "Mashraq/Maghreb" Working Party (MaMa) agreed on a list of additional persons and entities that should be subject to the restrictive measures. On 17 January 2012, the Foreign Relations Counsellors Working Party (RELEX) agreed on a draft Council Implementing Decision implementing Decision 2011/782/CFSP concerning restrictive measures against Syria and on a draft Council Implementing Regulation implementing the Regulation adopted on 18 January concerning restrictive measures in view of the situation in Syria. The purpose of those drafts is to implement the additional designations as agreed by MaMa.
4. In these circumstances, COREPER is invited to:
- confirm the agreement on the draft Council Implementing Decision;
  - decide to publish the above-mentioned Council Implementing Decision in the Official Journal;
  - recommend to the Council to adopt the Council Implementing Decision concerning restrictive measures against Syria as set out, after finalisation of the text by the legal/linguistic experts, in document 5357/12 PESC 42 COMEM 14 COARM 12 FIN 23 OC 11 + ADD 1 RESTREINT UE;
  - confirm the agreement on the draft Council Implementing Regulation;
  - recommend to the Council to adopt the Council Implementing Regulation concerning restrictive measures in view of the situation in Syria as set out, after finalisation of the text by the legal/linguistic experts, in document 5359/12 PESC 43 RELEX 28 COMEM 15 COARM 13 FIN 24 OC 12 + ADD 1 RESTREINT UE;
  - recommend to the Council to approve the general template for a letter to be sent to the persons or entities whose address is available, as set out in Annex I to this note;
  - recommend to the Council to approve the notice to be published in the Official Journal ("C" series), as set out in Annex II to this note.

**(Letter to persons and entities designated by the EU whose addresses are available - General template)**

This is to inform you that the Council of the European Union has decided that you [your company] should be included in the list of persons and entities subject to restrictive measures in the Annex I to Council Decision 2011/782/CFSP, as implemented by Council Implementing Decision 2012/xx/CFSP, and in Annex II to Council Regulation (EU) No xx/2012, as amended by Council Implementing Regulation (EU) No xx/2012 concerning restrictive measures against Syria. The grounds for your designation appear in the relevant entries in those Annexes.

A copy of the Council Implementing Decision and of the Council Implementing Regulation including you [your company ] on the abovementioned list is enclosed herewith.

Your attention is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites in Annex III to Council Regulation (EU) No x/2012, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 16 of the Regulation).

Your attention is drawn to the possibility of submitting a request to the Council, together with supporting documentation that the decision to include you [your company] on the abovementioned list should be reconsidered. Any such request should be sent to the following address:

Council of the European Union  
General Secretariat  
DG K Coordination  
Rue de la Loi 175  
1048 Bruxelles/Brussel  
BELGIQUE/BELGIË

Finally, your attention is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, 2<sup>nd</sup> paragraph, and Article 263, 4<sup>th</sup> and 6<sup>th</sup> paragraphs, of the Treaty on the Functioning of the European Union.

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**(Notice to be published in the Official Journal)**

**Notice for the attention of the persons and entities to which restrictive measures provided for in Council Decision 2011/782/CFSP, as implemented by Council Implementing Decision 2012/°[number]/CFSP<sup>+</sup>, and in Council Regulation (EU) No °[number]/2012<sup>++</sup>, as implemented by Council Implementing Regulation No °[number]/2012<sup>++</sup> concerning restrictive measures against Syria apply**

**Council of the European Union**

The following information is brought to the attention of the persons and entities that appear in Annex I to Council Decision 2011/782/CFSP, as implemented by Council Implementing Decision 2012/[number]/CFSP<sup>+</sup>, and in Annex II to Council Regulation (EU) No °[number]/2012<sup>++</sup>, as implemented by Council Implementing Regulation (EU) No °[number]/2012<sup>++</sup> concerning restrictive measures against Syria.

The Council of the European Union has decided that the persons and entities that appear in the above-mentioned Annexes should be included in the list of persons and entities subject to restrictive measures provided for in Council Decision 2011/782/CFSP and in Council Regulation (EU) No °[number]/2012<sup>++</sup> concerning restrictive measures against Syria. The grounds for designations of those person and entities appear in the relevant entries in those Annexes.

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<sup>+</sup> OJ: please insert number and publication details for Decision in document 5357/12.

<sup>++</sup> OJ: please insert number and publication details for Regulation in document 5359/12.

<sup>+++</sup> OJ: please insert number and publication details for Regulation in document 18384/1/11 REV 1.

The attention of the persons and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the web-sites in Annex III to Council Regulation (EU) No °[*number*]/2012<sup>+++</sup>, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 16 of the Regulation).

The persons and entities concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the above-mentioned list should be reconsidered, to the following address:

Council of the European Union  
General Secretariat  
DG K Coordination  
Rue de la Loi 175  
1048 Bruxelles/Brussel  
BELGIQUE/BELGIË

The attention of the persons and entities concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, 2<sup>nd</sup> paragraph, and Article 263, 4<sup>th</sup> and 6<sup>th</sup> paragraphs, of the Treaty on the Functioning of the European Union.

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<sup>+++</sup> OJ: please insert number and publication details for Regulation in document 18384/1/11 REV 1.