



EUROPEAN
COMMISSION

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

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2014/0022 (NLE)

Joint Proposal for a

COUNCIL REGULATION

**amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the
situation in Syria**

EXPLANATORY MEMORANDUM

- (1) Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria gave effect to Council Decision 2011/782/CFSP¹. Council Decision 2012/739/CFSP² repealed and replaced Decision 2011/782/CFSP. On 1 June 2013 Decision 2012/739/CFSP expired. It was succeeded by Decision 2013/255/CFSP which applies until 1 June 2014.
- (2) It is necessary to introduce an exemption under the freezing of assets to allow the release of funds or economic resources of Syrian State-owned entities or the Central Bank of Syria to make payments on behalf of the Syrian Arab Republic to the Organisation for the Prohibition of Chemical Weapons (OPCW) for activities related to the OPCW verification mission and the destruction of Syrian chemical weapons, including the OPCW special Trust Fund for the financial resources needed for the activities related to the destruction of Syrian chemical weapons outside of the territory of the Syrian Arab Republic.
- (3) Further action by the Union is needed in order to implement these measures. The High Representative of the Union for Foreign Affairs and Security Policy and the European Commission propose to amend Regulation (EU) No 36/2012 accordingly.

¹ Council Decision 2011/782/CFSP of 1 December 2011 concerning restrictive measures against Syria and repealing Decision 2011/273/CFSP (OJ L 319, 2.12.2011, p. 56).

² Council Decision 2012/739/CFSP of 29 November 2012 concerning restrictive measures against Syria and repealing Decision 2011/782/CFSP (OJ L 330, 30.11.2012, p. 21).

Joint Proposal for a

COUNCIL REGULATION

amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria³,

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

Whereas:

- (1) Council Regulation (EU) No 36/2012⁴ gives effect to most of the measures provided for in Decision 2013/255/CFSP.
- (2) On ...January 2014 the Council adopted Decision 2014/.../CFSP amending Decision 2013/255/CFSP.
- (3) A further derogation from the asset freeze and the prohibition on making funds or economic resources available should be provided to enable the release of funds or economic resources of Syrian State-owned entities or the Central Bank of Syria to make payments on behalf of the Syrian Arab Republic to the Organisation for the Prohibition of Chemical Weapons (OPCW) for activities related to the OPCW verification mission and the destruction of Syrian chemical weapons.
- (4) This measure falls within the scope of the Treaty and, therefore, in particular with a view to ensuring its uniform application by economic operators in all Member States, action at the level of the Union is necessary in order to implement it.
- (5) Regulation (EU) No 36/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 36/2012 is amended as follows:

- (1) In the first paragraph of Article 16, the following point is added:

“(i) intended exclusively for payments by Syrian State-owned entities or the Central Bank of Syria as listed in Annexes II and IIa on behalf of the Syrian Arab Republic to the OPCW for activities related to the OPCW verification mission and the

³ OJ L 147, 1.6.2013, p. 14.

⁴ Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 (OJ L 16, 19.1.2012., p1).

destruction of Syrian chemical weapons, including in particular to the OPCW Special Trust Fund for activities related to the complete destruction of Syrian chemical weapons outside of the territory of the Syrian Arab Republic.”

Article 2

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

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

Done at Brussels,

For the Council
The President