

DECISIONS

COUNCIL DECISION 2011/666/CFSP

of 10 October 2011

amending Decision 2010/639/CFSP concerning restrictive measures against Belarus

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 25 October 2010, the Council adopted Decision 2010/639/CFSP concerning restrictive measures against certain officials of Belarus⁽¹⁾.
- (2) On the basis of a review of Decision 2010/639/CFSP, the restrictive measures should be extended until 31 October 2012.
- (3) In view of the gravity of the situation in Belarus, additional persons should be included in the list of persons and entities subject to restrictive measures as set out in Annex IIIA to Decision 2010/639/CFSP.
- (4) Furthermore, the information relating to certain persons and to an entity listed in Annex IIIA to that Decision should be updated.
- (5) It is necessary to include a derogation to the asset freeze in Decision 2010/639/CFSP in order to ensure that EU companies are not prohibited from recovering funds owed to them by the listed entities under contracts entered into prior to the listing of those entities.
- (6) Decision 2010/639/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following paragraph is added to Article 3:

‘3. Article 2(1) shall not prevent a listed natural or legal person, entity or body from making a payment due under a

contract entered into before the listing of such a natural or legal person, entity or body, provided that the relevant Member State has determined that the payment is not, directly or indirectly, received by a natural or legal person, entity or body referred to in Article 2(1).’;

2. Article 7(2) is replaced by the following:

‘2. This Decision shall apply until 31 October 2012. It shall be kept under constant review. It may be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.’.

Article 2

The persons listed in Annex I to this Decision shall be added to the list set out in Annex IIIA to Decision 2010/639/CFSP.

Article 3

In Annex IIIA to Decision 2010/639/CFSP, the entries for the following persons and entity shall be replaced by the respective entries set out in Annex II to this Decision:

- (1) Mazouka Siarhei
- (2) Bazanau, Aliaksandr Viktaravich
- (3) Peftiev Vladimir
- (4) Ipatau, Vadzim Dzmitryevich
- (5) Bushnaia, Natallia Uladzimirauna
- (6) Bushchyk, Vasil Vasilievich
- (7) Katsuba, Sviatlana Piatrouna
- (8) Kisialiova, Nadzeia Mikalaeuna
- (9) Padaliak, Eduard Vasilievich

⁽¹⁾ OJ L 280, 26.10.2010, p. 18.

- (10) Rakhmanava, Maryna Iurievna
- (11) Shchurok, Ivan Antonavich
- (12) Sport-Pari
- (13) Shadryna, Hanna Stanislavauna.

Article 4

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

Done at Luxembourg, 10 October 2011.

For the Council
The President
C. ASHTON

ANNEX I

Persons referred to in Article 2

	Names Transcription of Belarusian spelling Transcription of Russian spelling	Names (Belarusian spelling)	Names (Russian spelling)	Place and date of birth	Position
1.	Kamisarau, Valery Mikalayevich Komissarov, Valeri Nikolaevich	Камісараў Валеры Мікалаевіч	Комиссаров Валерий Николаевич		Judge of the City Court of Minsk. He dismissed (as chief judge) the appeals against the sentences of political and civil society activists Dmitri Dashkevich, Eduard Lobov, Aleksandr Otroshchenkov, Dmitri Novik, Aleksandr Molchanov. These trials were a clear violation of the Code of Penal Procedure.
2.	Stsiapurka, Uladzimir Mikhailavich Stepurko, Vladimir Mikhailovich	Сцяпурка Уладзімір Міхайлавіч	Степурко Владимир Михайлович		Judge of the City Court of Minsk. He dismissed (as chief judge) the appeals against the sentences of political and civil society activists Irina Khalip, Sergei Martselev, Pavel Severinets, Dmitri Bondarenko, Dmitri Doronin, Sergei Kazakov, Vladimir Loban, Vitali Matsukevich, Evgeni Sekret and Oleg Fedorkevich. These trials were a clear violation of the Code of Penal Procedure.
3.	Khrypach, Siarhei Fiodaravich Khrpach, Sergei Fiodorovich	Хрыпач Сяргей Фёдаравіч	Хрипач Сергей Федорович		Judge of the City Court of Minsk. He dismissed (as chief judge) the appeals against the sentences of ex presidential candidates Andrei Sannikov, Nikolai Statkevich, Dmitri Uss, Vladimir Nekliaev, political and civil society activists Andrei Dmitriev, Ilya Vasilevich, Fiodor Mirzayanov, Oleg Gnedchik, Vladimir Yeriomenok, Andrei Pozniak, Aleksandr Klaskovski, Aleksandr Kviatkevich, Artiom Gribkov, Dmitri Bulanov and (as associate judge) Dmitri Dashkevich, Eduard Lobov, Aleksandr Otroshchenkov, Dmitri Novik, Aleksandr Molchanov. These trials were a clear violation of the Code of Penal Procedure.
4.	Nazaranka, Vasil Andreyevich Nazarenko, Vasili Andreevich	Назаранка Васіль Андрэвіч	Назаренко Василий Андреевич		Judge of the City Court of Minsk. He dismissed (as chief judge) the appeals against the sentences of political and civil society activists Vasili Parfenkov and (as associate judge) Dmitri Dashkevich, Eduard Lobov. These trials were a clear violation of the Code of Penal Procedure.

	Names Transcription of Belarusian spelling Transcription of Russian spelling	Names (Belarusian spelling)	Names (Russian spelling)	Place and date of birth	Position
5.	Kamarouskaya, Volha Paulauna Komarovskaia, Olga Pavlovna	Камароўская Вольга Паўлаўна	Комаровская Ольга Павловна		Judge of the City Court of Minsk. She dismissed (as associate judge) the appeals against the sentences of ex presidential candidate Andrei Sannikov, political and civil society activists Irina Khalip, Sergei Martselev, Pavel Severinets, Aleksandr Otroshchenkov, Dmitri Novik, Aleksandr Molchanov, Ilia Vasilevich, Fiodor Mirzayanov, Oleg Gnedchik, Vladimir Yeriomenok, Dmitri Doronin, Sergei Kazakov, Vladimir Loban, Vitali Matsukevich, Evgeni Sekret and Oleg Fedorkevich. These trials were a clear violation of the Code of Penal Procedure.
6.	Zaitsava, Viktoryia Henadzeuna Zaitseva, Viktoria Gennadievna	Зайцава Вікторыя Генадзеўна	Зайцева Виктория Геннадьевна		Judge of the City Court of Minsk. She dismissed (as associate judge) the appeals against the sentences of ex presidential candidate Andrei Sannikov, political and civil society activists Ilia Vasilevich, Fiodor Mirzayanov, Oleg Gnedchik and Vladimir Yeriomenok. The trial was a clear violation of the Code of Penal Procedure.
7.	Unukevich, Tamara Vasileuna Vnukevich, Tamara Vasilievna	Унукевіч Тамара Васілеўна	Внукевич Тамара Васильевна		Judge of the City Court of Minsk. She dismissed (as associate judge) the appeals against the sentences of political and civil society activists Irina Khalip, Sergei Martselev, Pavel Severinets. The trial was a clear violation of the Code of Penal Procedure.
8.	Krot, Ihar Uladzimiravich Krot, Igor Vladimirovich	Крот Ігар Уладзіміравіч	Крот Игорь Владимирович		Judge of the City Court of Minsk. He dismissed (as associate judge) the appeal against the sentence of the political activist Vasili Parfenkov. The trial was a clear violation of the Code of Penal Procedure.
9.	Khrobastau, Uladzimir Ivanavich Khrobostov, Vladimir Ivanovich	Хробастаў Уладзімір Іванавіч	Хробостов Владимир Иванович		Judge of the City Court of Minsk. He dismissed (as associate judge) the appeal against the sentence of the political activist Vasili Parfenkov. The trial was a clear violation of the Code of Penal Procedure.

	Names Transcription of Belarusian spelling Transcription of Russian spelling	Names (Belarusian spelling)	Names (Russian spelling)	Place and date of birth	Position
10.	Ihnatovich-Mishneva, Liudmila Ignatovich-Mishneva, Liudmila	Ігнатовіч- Мішнева Людміла	Игнатович- Мишнева Людмила		Prosecutor of the City Court of Minsk dealing with the dismissal of the appeal against the sentence of Dmitri Dashkevich and Eduard Lobov, activists of the Molodoi Front (Young Front). The trial was a clear violation of the Code of Penal Procedure.
11.	Yarmalitski, Siarhei Uladzimiravich Ermolitski, Sergei Vladimirovich (Yermolitski, Sergei Vladimirovich)	Ярмаліцкі Сяргей Уладзіміравіч	Ермолицкий Сергей Владимирович		Director of the prison camp in Shklov. He is responsible for the inhuman treatment of the detainees and persecution of ex presidential candidate Nikolai Statkevich, who was imprisoned in relation to the 19 December 2010 events, and other inmates.
12.	Kavaliou, Aliaksandr Mikhailavich Kovalev, Aleksandr Mikhailovich	Кавалёў Аляксандр Міхайлавіч	Ковалёв Александр Михайлович		Director of the prison camp in Gorki. He is responsible for the inhuman treatment of the detainees, especially for persecution and torturous treatment of civil society activist Dmitri Dashkevich, who was imprisoned in relation to the 19 December 2010 elections and the crackdown on civil society and democratic opposition.
13.	Paluyan, Uladzimir Mikalayevich Paluyan, Vladimir Nikolaevich	Палуян Уладзімір Мікалаевіч	Полуян Владимир Николаевич	Village Nekrashevichi of Karelichi district of Hrodna region 1961	Minister of Taxes and Duties. Supervises tax authorities that support the criminal case against Byalyatski using the pretext of tax evasion. Byalyatski was active in defending and providing assistance to those who suffered from repression in relation with the 19 December 2010 elections and the crackdown on civil society and democratic opposition.
14.	Kornau, Uladzimir Uladzimiravich Kornov, Vladimir Vladimirovich	Корнаў Уладзімір Уладзіміравіч	Корнов Владимир Владимирович		Judge at the City Court of Minsk who authorised the rejection of Byalyatski's lawyers's appeal. Byalyatski was active in defending and providing assistance to those who suffered from repression in relation with the 19 December 2010 elections and the crackdown on civil society and democratic opposition.

	Names Transcription of Belarusian spelling Transcription of Russian spelling	Names (Belarusian spelling)	Names (Russian spelling)	Place and date of birth	Position
15.	Shastakou Maksim Aleksandrauvich (Shastakou Maksim Aleksandravich, Shastakou Maxim Aleksandrauvich, Shastakou Maxim Aleksandravich, Shastakou Maxsim Aleksandrauvich, Shastakou Maxsim Aleksandravich) Shestakov, Maksim Aleksandrovich	Шастакоў Максім Александравіч	Шестаков Максим Александрович		Prosecutor who presented the case against Byalyatski in the Pervomaiski District Court of Minsk after Byalyatski's application to the court regarding his detention. Byalyatski was active in defending and providing assistance to those who suffered from repression in relation with the 19 December 2010 elections and the crackdown on civil society and democratic opposition.
16.	Herasimovich Volha Ivanavna (Herasimovich Volha Ivanovna) Gerasimovich Olga Ivanovna	Герасімовіч Вольга Іванаўна (Герасімовіч Вольга Іваноўна)	Герасимович Ольга Ивановна		Prosecutor who presented the case against Byalyatski in the City Court of Minsk after Byalyatski's application to the court regarding his detention. Byalyatski was active in defending and providing assistance to those who suffered from repression in relation with the 19 December 2010 elections and the crackdown on civil society and democratic opposition.

ANNEX II

Persons and entity referred to in Article 3

	Names Transcription of Belarusian spelling Transcription of Russian spelling	Name in Belarusian	Name in Russian	Place and date of birth	Position
1.	Mazouka, Kiryl Viktaravich Mazovka, Kirill Viktorovich	Мазоўка Кірыл Віктаравіч	Мазовка Кирилл Викторович		Prosecutor of the Dashkevich-Lobov case. Dmitri Dashkevich and Eduard Lobov, activists of the Molodoi Front (Young Front), were sentenced to several years of imprisonment for 'hooliganism'. The real reason for their imprisonment was that both actively participated in the electoral campaign in December 2010 supporting one of the candidates of the opposition.
2.	Bazanau, Aliaksandr Viktaravich Bazanov, Aleksandr Viktorovich	Базанаў Аляксандр Віктаравіч	Базанов Александр Викторович	Kazakhstan, 26.11.1962	Director, Information and Analytical Center of the President.
3.	Peftiev Vladimir Peftiev Vladimir Pavlovich	Пэфціеў Уладзімір Паўлавіч	Пэфтиев Владимир Павлович	1 July 1957, Berdyansk, Zaporozhskaya Oblast, Ukraine; Present passport No.: MP2405942	Person associated with Aliaksandr Lukashenka, Viktar Lukashenka and Dzmitry Lukashenka. Provides economic advice to President Lukashenka and is a key financial sponsor of the Lukashenka regime. Majority shareholder and Chairman of the Council of Shareholders of Beltechexport, one of the largest export/import companies of defence products in Belarus.
4.	Ipatau, Vadzim Dzmitryevich Ipatov, Vadim Dmitrievich	Іпатаў Вадзім Дзмітрыевіч	Ипатов Вадим Дмитриевич		Deputy Chairperson, Central Electoral Commission (CEC). As a Member of the Central Electoral Commission, he bears shared responsibility for the violations of international electoral standards in the Presidential elections on 19 December 2010.
5.	Bushnaia, Natallia Uladzimiruna (Bushnaya, Natallia Uladzimiruna) Bushnaia, Natalia Vladimirovna (Bushnaya, Natalya Vladimirovna)	Бушная Наталля Уладзіміраўна	Бушная, Наталья Владимировна	1953, Mogilev	CEC Member. As a Member of the Central Electoral Commission, she bears shared responsibility for the violations of international electoral standards in the Presidential elections on 19 December 2010.
6.	Bushchik, Vasil Vasilievich Bushchik, Vasili Vasilievich	Бушчык Васіль Васільевіч	Бушчик, Василий Васильевич		CEC Member. As a Member of the Central Electoral Commission, he bears shared responsibility for the violations of international electoral standards in the Presidential elections on 19 December 2010.

	Names Transcription of Belarusian spelling Transcription of Russian spelling	Name in Belarusian	Name in Russian	Place and date of birth	Position
7.	Katsuba, Sviatlana Piatrouna Katsubo, Svetlana Petrovna	Кацуба Святлана Пятроўна	Кацубо, Светлана Петровна		CEC Member. As a Member of the Central Electoral Commission, she bears shared responsibility for the violations of international electoral standards in the Presidential elections on 19 December 2010.
8.	Kisaliouva, Nadzeia Mikalaeuna (Kisyaliouva, Nadzeya Mikalaeuna) Kiseleva, Nadezhda Nikolaevna	Кісялёва Надзея Мікалаеўна	Киселева, Надежда Николаевна		CEC Member. As a Member of the Central Electoral Commission, she bears shared responsibility for the violations of international electoral standards in the Presidential elections on 19 December 2010.
9.	Padaliak, Eduard Vasilievich (Padalyak, Eduard Vasilyevich) Podoliak, Eduard Vasilievich (Podolyak, Eduard Vasilyevich)	Падаляк Эдуард Васільевіч	Подоляк, Эдуард Васильевич		CEC Member. As a Member of the Central Electoral Commission, he bears shared responsibility for the violations of international electoral standards in the Presidential elections on 19 December 2010.
10.	Rakhmanava, Maryna Iurievna Rakhmanova, Marina Iurievna	Рахманова Марына Юр'еўна	Рахманова, Марина Юрьевна		CEC Member. As a Member of the Central Electoral Commission, she bears shared responsibility for the violations of international electoral standards in the Presidential elections on 19 December 2010.
11.	Shchurok, Ivan Antonovich Shchurok, Ivan Antonovich	Шчурок Іван Антонавіч	Щурок, Иван Антонович		CEC Member. As a Member of the Central Electoral Commission, he bears shared responsibility for the violations of international electoral standards in the Presidential elections on 19 December 2010.
12.	Sport-Pari		'ЗАО Спорт-пари' (оператор республиканской лотереи)		Entity controlled by Mr Peftiev Vladimir in conjunction with Lukashenka, Dzmitry Aliksandravich, through the latter's control of the President's Sports Club, which holds a mandatory, state-owned majority share in Sport-Pari.
13.	Shadryna, Hanna Stanislavauna Shadrina, Anna Stanislavovna	Шадрына Ганна Станіславаўна	Шадрина Анна Станиславовна		Former Deputy Editor-in-Chief of the paper 'Sovietskaia Belarus'.