

Council Decision 2012/739/CFSP of 29 November 2012 concerning restrictive measures against Syria and repealing Decision 2011/782/CFSP

CHAPTER I

EXPORT AND IMPORT RESTRICTIONS

Article 1

1 The sale, supply, transfer or export of arms and related matériel 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 Syria 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 The sale, supply, transfer or export of certain other equipment, goods and technology which might be used for internal repression or for the manufacture and maintenance of products which could be used for internal repression, to Syria 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.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this paragraph.

- 3 It shall be prohibited to:
- a provide, directly or indirectly, technical assistance, brokering services or other services related to the items referred to in paragraphs 1 and 2 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, Syria;
 - b provide, directly or indirectly, financing or financial assistance related to the items referred to in paragraphs 1 and 2, including in particular grants, loans and export credit insurance, as well as insurance and reinsurance, 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, Syria.

Article 2

1 The sale, supply, transfer or export of certain equipment, goods or technology other than those referred to in Article 1(2) which might be used for internal repression or for the manufacture and maintenance of products which could be used for internal repression, to Syria by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft, shall be subject to authorisation on a case-by-case basis by the competent authorities of the exporting Member State.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this paragraph.

- 2 The provision of:
- a 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, Syria;
 - b financing or financial assistance related to the items referred to in paragraph 1, including in particular grants, loans and export credit insurance, as well as insurance and

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reinsurance, 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, Syria,

shall also be subject to an authorisation of the competent authority of the exporting Member State.

Article 3

1 Article 1 shall not apply to:

- a supplies and technical assistance intended solely for the support of or use by the United Nations Disengagement Observer Force (UNDOF);
- [^{F1}b] the sale, supply, transfer or export of non-lethal military equipment or of equipment which might be used for internal repression, intended for humanitarian or protective use or for the protection of civilians, or for institution building programmes of the United Nations (UN) and the European Union, or for European Union and UN crisis management operations, or for the Syrian National Coalition for Opposition and Revolutionary Forces intended for the protection of civilians;
- c 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 the protective use of personnel of the European Union and its Member States in Syria, or for the Syrian National Coalition for Opposition and Revolutionary Forces intended for the protection of civilians;]
- d the provision of technical assistance, brokering services and other services related to such equipment or to such programmes and operations;
- e the provision of financing and financial assistance related to such equipment or to such programmes and operations[^{F1};]
- [^{F2}f] the provision of technical assistance, brokering services and other services for the Syrian National Coalition for Opposition and Revolutionary Forces intended for the protection of civilians,]

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

2 Article 1 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Syria 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.

Textual Amendments

- F1** Substituted by [Council Decision 2013/109/CFSP of 28 February 2013 amending Decision 2012/739/CFSP concerning restrictive measures against Syria](#).
- F2** Inserted by [Council Decision 2013/109/CFSP of 28 February 2013 amending Decision 2012/739/CFSP concerning restrictive measures against Syria](#).

Article 4

1 The purchase, import or transport of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, from Syria or originating in Syria, shall be prohibited.

2 It shall be prohibited to provide, directly or indirectly, financing or financial assistance, including financial derivatives, as well as insurance and reinsurance, and brokering services

related to insurance and reinsurance, for any purchase, import or transport of the items referred to in paragraph 1, from Syria or originating in Syria.

Article 5

The sale, supply, transfer or export of equipment or software intended primarily for use in the monitoring or interception by the Syrian regime, or on its behalf, of the Internet and of telephone communications on mobile or fixed networks in Syria and the provision of assistance to install, operate or update such equipment or software shall be prohibited.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

Article 6

1 The purchase, import or transport from Syria of crude oil and petroleum products shall be prohibited.

2 It shall be prohibited to provide, directly or indirectly, financing or financial assistance, including financial derivatives, as well as insurance and reinsurance, related to the prohibitions referred to in paragraph 1.

[^{F3}Article 6a

With a view to helping the Syrian civilian population, in particular to meeting humanitarian concerns, restoring normal life, upholding basic services, reconstruction, and restoring normal economic activity or other civilian purposes and by way of derogation from Article 6(1) and (2), the competent authorities of a Member State may authorise the purchase, import or transport from Syria of crude oil and petroleum products and the provision of related financing or financial assistance, including financial derivatives, as well as insurance and reinsurance, provided that the following conditions are met:

- (a) the Syrian National Coalition for Opposition and Revolutionary Forces has been consulted in advance by the Member State concerned;
- (b) the activities concerned are not directly or indirectly for the benefit of a person or entity referred to in Article 25(1); and
- (c) the activities concerned do not breach any of the prohibitions laid down in this Decision.

The relevant Member State shall inform the other Member States of any authorisation granted under this Article.]

Textual Amendments

- F3** Inserted by [Council Decision 2013/186/CFSP of 22 April 2013 amending Decision 2012/739/CFSP concerning restrictive measures against Syria](#).

Article 7

The prohibitions in Article 6 shall be without prejudice to the execution, until 15 November 2011, of obligations provided for in contracts concluded before 2 September 2011.

Changes to legislation: There are currently no known outstanding effects for the Council Decision 2012/739/CFSP, CHAPTER I. (See end of Document for details)

Article 8

1 The sale, supply or transfer of key equipment and technology for the following key sectors of the oil and natural gas industry in Syria, or to Syrian or Syrian-owned enterprises engaged in those sectors outside Syria, by nationals of Member States, or from the territories of Member States, or using vessels or aircraft under the jurisdiction of Member States shall be prohibited whether or not originating in their territories:

- a refining;
- b liquefied natural gas;
- c exploration;
- d production.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this paragraph.

2 It shall be prohibited to provide the following to enterprises in Syria that are engaged in the key sectors of the Syrian oil and gas industry referred to in paragraph 1 or to Syrian, or Syrian-owned enterprises engaged in those sectors outside Syria:

- a technical assistance or training and other services related to key equipment and technology as referred to in paragraph 1;
- b financing or financial assistance for any sale, supply, transfer or export of key equipment and technology as set out in paragraph 1 or for the provision of related technical assistance or training.

Article 9

1 The prohibition in Article 8(1) shall be without prejudice to the execution of an obligation relating to the delivery of goods provided for in contracts awarded or concluded before 1 December 2011.

2 The prohibitions in Article 8 shall be without prejudice to the execution of an obligation arising from contracts awarded or concluded before 1 December 2011 and relating to investments made in Syria before 23 September 2011 by enterprises established in Member States.

[^{F3}Article 9a

With a view to helping the Syrian civilian population, in particular to meeting humanitarian concerns, restoring normal life, upholding basic services, reconstruction, and restoring normal economic activity or other civilian purposes and by way of derogation from Article 8(1) and (2), the competent authorities of a Member State may authorise the sale, supply or transfer of key equipment and technology for the key sectors of the oil and natural gas industry in Syria referred to in Article 8(1), or to Syrian or Syrian-owned enterprises engaged in those sectors outside Syria and the provision of related technical assistance or training and other services, as well as financing or financial assistance, provided that the following conditions are met:

- (a) the Syrian National Coalition for Opposition and Revolutionary Forces has been consulted in advance by the Member State concerned;
- (b) the activities concerned are not directly or indirectly for the benefit of a person or entity referred to in Article 25(1); and
- (c) the activities concerned do not breach any of the prohibitions laid down in this Decision.

The relevant Member State shall inform the other Member States of any authorisation granted under this Article.]

Textual Amendments

- F3** Inserted by [Council Decision 2013/186/CFSP of 22 April 2013 amending Decision 2012/739/CFSP concerning restrictive measures against Syria](#).

Article 10

The delivery of Syrian denominated banknotes and coinage to the Central Bank of Syria shall be prohibited.

Article 11

The direct or indirect sale, purchase, transportation or brokering of gold and precious metals, as well as of diamonds to, from or for the Government of Syria, its public bodies, corporations and agencies, the Central Bank of Syria, as well as to, from or for persons and entities acting on their behalf or at their direction, or entities owned or controlled by them, shall be prohibited.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

Article 12

The sale, supply, transfer or export of luxury goods to Syria 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.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

Changes to legislation:

There are currently no known outstanding effects for the Council Decision 2012/739/CFSP,
CHAPTER I.