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**COUNCIL REGULATION (EC) No 131/2004  
of 26 January 2004  
concerning certain restrictive measures in respect of Sudan**

(OJ L 21, 28.1.2004, p. 1)

Amended by:

	Official Journal		
	No	page	date
► <b><u>M1</u></b> Council Regulation (EC) No 1353/2004 of 26 July 2004	L 251	1	27.7.2004
► <b><u>M2</u></b> Commission Regulation (EC) No 1516/2004 of 25 August 2004	L 278	15	27.8.2004
► <b><u>M3</u></b> Council Regulation (EC) No 838/2005 of 30 May 2005	L 139	3	2.6.2005
► <b><u>M4</u></b> Commission Regulation (EC) No 1354/2005 of 17 August 2005	L 213	11	18.8.2005



**COUNCIL REGULATION (EC) No 131/2004**  
**of 26 January 2004**  
**concerning certain restrictive measures in respect of Sudan**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Council Common Position 2004/31/CFSP of 9 January 2004 concerning the imposition of an embargo on arms, munitions and military equipment <sup>(1)</sup> on Sudan,

Having regard to the proposal from the Commission,

Whereas:

- (1) In view of the ongoing civil war in Sudan, Common Position 2004/31/CFSP maintains the arms embargo imposed against that country by Council Decision 94/165/CFSP <sup>(2)</sup> and strengthens that embargo to include a ban on technical assistance and other services related to military activities, and on financial assistance related to military activities.
- (2) Common Position 2004/31/CFSP also makes provision for humanitarian exemptions to the arms embargo, including sale, supply, transfer or export of equipment and materiel for mine clearance operations in Sudan.
- (3) The embargoes on certain technical and financial assistance fall within the scope of the Treaty. Therefore, notably with a view to avoiding distortion of competition, Community legislation is necessary to implement the embargoes as far as the territory of the Community is concerned. For the purpose of this Regulation, the territory of the Community is deemed to encompass the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.
- (4) 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*

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

‘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. Technical assistance includes verbal forms of assistance.

*Article 2*

It shall be prohibited:

- (a) to grant, sell, supply or transfer technical assistance related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, directly or indirectly to any person, entity or body in, or for use in Sudan;

<sup>(1)</sup> OJ L 6, 10.1.2004, p. 55.

<sup>(2)</sup> OJ L 75, 17.3.1994, p. 1. Decision repealed by Common Position 2004/31/CFSP.

**▼B**

- (b) to provide financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of arms and related materiel, or for any grant, sale, supply, or transfer of related technical assistance, directly or indirectly to any person, entity or body in, or for use in Sudan.

*Article 3*

The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to promote the transactions referred to in Article 2 shall be prohibited.

**▼M3***Article 4*

1. By way of derogation from Articles 2 and 3, the competent authorities of Member States as listed in the Annex, may authorise the provision of financing and financial assistance and technical assistance related to:

- (a) non-lethal military equipment intended solely for humanitarian or protective use, or for institution-building programmes of the United Nations, the African Union, the European Union and the Community;
- (b) materiel intended for European Union, United Nations and African Union crisis management operations;
- (c) mine clearance equipment and materiel for use in mine clearance;
- (d) the implementation of the Comprehensive Peace Agreement signed by the Government of Sudan and the Sudan People's Liberation Movement/Army in Nairobi, Kenya, on 9 January 2005.

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

**▼B***Article 5*

Articles 2 and 3 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Sudan by United Nations personnel, personnel of the EU, the Community or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

*Article 6*

The Commission and 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 judgements handed down by national courts.

*Article 7*

The Commission shall be empowered to amend the Annex on the basis of information supplied by Member States.

*Article 8*

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

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

**▼B***Article 9*

This Regulation shall apply:

- (a) within the territory of the Community, including its airspace;
- (b) on board any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person elsewhere who is a national of a Member State;
- (d) to any legal person, group or entity which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, group or entity doing business within the Community.

*Article 10*

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.

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## ANNEX

**List of competent authorities referred to in Article 4**

## BELGIUM

▼ M4

1. Service public fédéral des affaires étrangères, commerce extérieur et coopération au développement  
 Direction générale des affaires bilatérales  
 Service 'Afrique du sud du Sahara'  
 Egmont 1  
 Rue des Petits Carmes 19  
 B-1000 Bruxelles  
 Tel: (32-2) 501 88 75  
 Fax: (32-2) 501 38 26

1. Federale Overheidsdienst Buitenlandse Zaken, Buitenlandse Handel en Ontwikkelingssamenwerking  
 Directie van de bilaterale betrekkingen  
 Dienst 'Afrika ten Zuiden van de Sahara'  
 Egmont 1  
 Karmelietenstraat 15  
 B-1000 Brussel  
 Tel: (32-2) 501 88 75  
 Fax: (32-2) 501 38 26

2. Service public fédéral, économie, P.M.E., classes moyennes & énergie  
 Potentiel économique  
 Direction industries  
 Textile — Diamants et autres secteurs  
 City Atrium  
 Rue du Progrès 50  
 5<sup>ème</sup> étage  
 B-1210 Bruxelles  
 Tel: (32-2) 277 51 11  
 Fax: (32-2) 277 53 09  
 Fax: (32-2) 277 53 10

2. Federale Overheidsdienst Economie, KMO, Middenstand & Energie  
 Economisch potentieel  
 Directie Nijverheid  
 Textiel — Diamant en andere sectoren  
 City Atrium  
 Vooruitgangstraat 50  
 5de verdieping  
 B-1210 Brussel  
 Tel: (32-2) 277 51 11  
 Fax: (32-2) 277 53 09  
 Fax: (32-2) 277 53 10

3. Brussels Hoofdstedelijk Gewest  
 Kabinet van de minister van Financiën, Begroting, Openbaar Ambt en Externe Betrekkingen van de Brusselse Hoofdstedelijke regering  
 Kunstlaan 9  
 B-1210 Brussel  
 Tel: (32-2) 209 28 25  
 Fax: (32-2) 209 28 12

3. Région de Bruxelles-Capitale  
 Cabinet du ministre des finances, du budget, de la fonction publique et des relations extérieures du gouvernement de la Région de Bruxelles-Capitale  
 Avenue des Arts 9  
 B-1210 Bruxelles  
 Tel: (32-2) 209 28 25  
 Fax: (32-2) 209 28 12

4. Région wallonne:

Cabinet du ministre-président du gouvernement wallon  
 Rue Mazy 25-27  
 B-5100 Jambes-Namur  
 Tel: (32-81) 33 12 11  
 Fax: (32-81) 33 13 13

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5. Vlaams Gewest:

Administratie Buitenlands Beleid  
 Boudewijnlaan 30  
 B-1000 Brussel  
 Tel: (32-2) 553 59 28  
 Fax: (32-2) 553 60 37

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CZECH REPUBLIC

Ministerstvo průmyslu a obchodu  
 Licenční správa  
 Na Františku 32  
 110 15 Praha 1  
 Tel. (420-2) 24 06 27 20  
 Fax (420-2) 24 22 18 11

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DENMARK

Erhvervs- og Boligstyrelsen  
 Dahlerups Pakhus  
 Langelinie Allé 17  
 DK-2100 København Ø  
 Tlf. (45) 35 46 60 00  
 Fax (45) 35 46 60 01

Udenrigsministeriet  
 Asiatisk Plads 2  
 DK-1448 København K  
 Tlf. (45) 33 92 00 00  
 Fax (45) 32 54 05 33

Justitsministeriet  
 Slotholmsgade 10  
 DK-1216 København K  
 Tlf. (45) 33 92 33 40  
 Fax (45) 33 93 35 10

GERMANY

Concerning financing and financial assistance:

Deutsche Bundesbank  
 Servicezentrum Finanzsanktionen  
 Postfach  
 D-80281 München  
 Tel. (49-89) 2889-3800  
 Fax (49-89) 350163-3800

Concerning technical assistance and other services:

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)  
 Frankfurter Straße 29-35  
 D-65760 Eschborn  
 Tel. (49-61) 96 908-0  
 Fax (49-61) 96 908-800

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ESTONIA

Eesti Välisministeerium  
 Islandi väljak 1  
 15049 Tallinn  
 Tel. (372-6) 31 71 00  
 Fax (372-6) 31 71 99

Finantsinspektsioon  
 Sakala 4  
 15030 Tallinn  
 Tel. (372-6) 68 05 00  
 Fax (372-6) 68 05 01

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## GREECE

## A. Freezing of Assets

Ministry of Economy and Finance  
 General Directory of Economic Policy  
 5 Nikis Str.  
 GR-101 80 Athens  
 Tel: (30) 210 333 27 86  
 Fax: (30) 210 333 28 10

## Α. Δέσμευση κεφαλαίων

Υπουργείο Οικονομίας και Οικονομικών  
 Γενική Δ/νση Οικονομικής Πολιτικής  
 Νίκης 5  
 GR-101 80 Αθήνα  
 Τηλ.: (30) 210 333 27 86  
 Φαξ: (30) 210 333 28 10

## B. Import-Export restrictions

Ministry of Economy and Finance  
 General Directorate for Policy Planning and Management  
 Kornaroy Str. 1,  
 GR-105 63 Athens  
 Tel: (30) 210 328 64 01-3  
 Fax: (30) 210 328 64 04

## Β. Περιορισμοί εισαγωγών-εξαγωγών

Υπουργείο Οικονομίας και Οικονομικών  
 Γενική Δ/νση Σχεδιασμού και Διαχείρισης Πολιτικής  
 Κορνάρου 1,  
 GR-105 63 Αθήνα  
 Τηλ.: (30) 210 328 64 01-3  
 Φαξ: (30) 210 328 64 04

## SPAIN

Ministerio de Economía  
 Dirección General de Comercio e Inversiones  
 Paseo de la Castellana, 162  
 E-28046 Madrid  
 Tel.: (34) 913 49 38 60  
 Fax (34) 914 57 28 63

## FRANCE

Ministère de l'économie, des finances et de l'industrie  
 Direction générale des douanes et des droits indirects  
 Cellule embargo — Bureau E2  
 Téléphone (33) 144 74 48 93  
 Télécopieur (33) 144 74 48 97

Ministère des affaires étrangères  
 Direction des Nations unies et des organisations internationales  
 Téléphone (33) 143 17 59 68  
 Télécopieur (33) 143 17 46 91

## IRELAND

Department of Enterprise, Trade and Employment  
 Licensing Unit  
 Earlsfort Centre  
 Lower Hatch St.  
 Dublin 2  
 Ireland  
 Tel. (353) 1 631 2121  
 Fax (353) 1 631 2562

## ITALY

Ministero degli Affari esteri  
 DGAE-Uff. X  
 Roma  
 Tel. (39) 06 36 91 37 50  
 Fax (39) 06 36 91 37 52

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Ministero del Commercio estero  
Gabinetto  
Roma  
Tel. (39) 06 59 93 23 10  
Fax (39) 06 59 64 74 94

Ministero dei Trasporti  
Gabinetto  
Roma  
Tel. (39) 06 44 26 71 16/84 90 40 94  
Fax (39) 06 44 26 71 14

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## CYPRUS

Υπουργείο Εξωτερικών  
Λεωφ. Προεδρικού Μεγάρου  
1447 Λευκωσία  
Τηλ: (357-22) 30 06 00  
Φαξ: (357-22) 66 18 81

Ministry of Foreign Affairs  
Presidential Palace Avenue  
1447 Nicosia  
Tel. (357-22) 30 06 00  
Fax (357-22) 66 18 81

## LATVIA

Latvijas Republikas Ārlietu ministrija  
Brīvības iela 36  
Rīga LV1395  
Tel. Nr. (371) 701 62 01  
Fax Nr. (371) 782 81 21

## LITHUANIA

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Security Policy Department  
J.Tumo-Vaizganto 2  
LT-01511 Vilnius  
Tel: (370-5) 236 25 16  
Fax: (370-5) 231 30 90

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## LUXEMBOURG

Ministère des affaires étrangères  
Office des licences  
21, rue Philippe II  
L-2340 Luxembourg  
Téléphone (352) 478 23 70  
Télécopieur (352) 46 61 38

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## HUNGARY

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## Article 4

Gazdasági és Közlekedési Minisztérium — Kereskedelmi Engedélyezési Hivatal  
Margit krt.85.  
H-1024 Budapest  
Magyarország  
Postafiók: 1537 Pf.:345  
Tel: (36-1) 336-7300

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## MALTA

Bord ta' Sorveljanza dwar is-Sanzjonijiet  
Direttorat ta' l-Affarijiet Multilaterali  
Ministeru ta' l-Affarijiet Barranin  
Palazzo Parisio  
Triq il-Merkanti  
Valletta CMR 02  
Tel. (356-21) 24 28 53  
Fax (356-21) 25 15 20



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NETHERLANDS

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Ministerie van Economische Zaken  
 Belastingdienst/Douane Noord  
 Postbus 40200  
 8004 DE Zwolle  
 The Netherlands  
 Tel: (31-38) 467 25 41  
 Fax: (31-38) 469 52 29

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AUSTRIA

Bundesministerium für Wirtschaft und Arbeit  
 Abteilung C/2/2  
 Stubenring 1  
 A-1010 Wien  
 Tel. (43-1) 711 00  
 Fax (43-1) 711 00-8386

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POLAND

Ministerstwo Spraw Zagranicznych  
 Departament Prawno — Traktatowy  
 Al. J. CH. Szucha 23  
 PL-00-580 Warszawa  
 Tel. (48-22) 523 93 48  
 Fax (48-22) 523 91 29

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PORTUGAL

Ministério dos Negócios Estrangeiros  
 Direcção-Geral dos Assuntos Multilaterais  
 Largo Rilvas  
 P-1350-179 Lisboa  
 Tel.: (351-21) 394 60 72  
 Fax: (351-21) 394 60 73

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SLOVENIA

Ministry of Foreign Affairs of the Republic of Slovenia  
 Prešernova 25  
 1000 Ljubljana  
 Tel. (386-1) 478 20 00  
 Fax (386-1) 478 23 47  
<http://www.gov.si/mzz>

SLOVAKIA

Ministerstvo hospodárstva Slovenskej republiky  
 Sekcia obchodných vzťahov a ochrany spotrebiteľa  
 Mierová 19  
 827 15 Bratislava  
 tel. (421-2) 48 54 21 16  
 fax (421-2) 48 54 31 16

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FINLAND

Ulkoasiainministeriö/Utrikesministeriet  
 PL/PB 176  
 00161 Helsinki/Helsingfors  
 Puhelin (358) 9 16 05 59 00  
 Faksi (358) 9 16 05 57 07

Puolustusministeriö/Försvarsministeriet  
 Eteläinen Makasiinikatu 8  
 00131 Helsinki/Helsingfors  
 PL/PB 31  
 Puhelin (358) 9 16 08 81 28  
 Faksi (358) 9 16 08 81 11

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SWEDEN

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Inspektionen för strategiska produkter  
Box 70252  
S-107 22 Stockholm  
Tel: (46-8) 406 31 00  
Fax: (46-8) 20 31 00

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UNITED KINGDOM

Sanctions Licensing Unit  
Export Control Organisation Department of Trade and Industry  
4 Abbey Orchard Street  
London SW1P 2HT  
United Kingdom  
Tel. (44) 20 7215 0594  
Fax (44) 20 7215 0593

▼ M2

EUROPEAN COMMUNITY

Commission of the European Communities  
Directorate-General for External Relations  
Directorate CFSP  
Unit A.2: Legal and institutional matters for external relations - Sanctions  
CHAR 12/163  
B-1049 Brussels  
Tel. (32-2) 295 81 48/296 25 56  
Fax (32-2) 296 75 63