

This document is meant purely as a documentation tool and the institutions do not assume any liability for its contents

► **B**

COUNCIL REGULATION (EC) No 765/2006

of 18 May 2006

concerning restrictive measures against President Lukashenko and certain officials of Belarus

(OJ L 134, 20.5.2006, p. 1)

Amended by:

| | | Official Journal | | |
|--------------------|--|------------------|------|------------|
| | | No | page | date |
| ► <u>M1</u> | Commission Regulation (EC) No 1587/2006 of 23 October 2006 | L 294 | 25 | 25.10.2006 |
| ► <u>M2</u> | Council Regulation (EC) No 1791/2006 of 20 November 2006 | L 363 | 1 | 20.12.2006 |
| ► <u>M3</u> | Council Regulation (EC) No 646/2008 of 8 July 2008 | L 180 | 5 | 9.7.2008 |

**COUNCIL REGULATION (EC) No 765/2006****of 18 May 2006****concerning restrictive measures against President Lukashenko and certain officials of Belarus**

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 Common Position 2006/362/CFSP of 18 May 2006 amending Common Position 2006/276/CFSP concerning restrictive measures against certain officials of Belarus ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 24 March 2006, the European Council deplored the failure of the Belarus authorities to meet OSCE commitments to democratic elections, considered that the Presidential elections of 19 March 2006 were fundamentally flawed and condemned the action of the Belarus authorities of that day in arresting peaceful demonstrators exercising their legitimate right of free assembly to protest at the conduct of the Presidential elections. The European Council therefore decided that restrictive measures should be applied against those responsible for the violation of international electoral standards.
- (2) On 10 April 2006, the Council decided to adopt restrictive measures against President Lukashenko, the Belarusian leadership and officials responsible for the violations of international electoral standards and international human rights law, as well as for the crackdown on civil society and democratic opposition. These individuals should be subjected to a visa ban and possible further targeted measures.
- (3) Common Position 2006/362/CFSP provides that the funds and economic resources of President Lukashenko and certain officials of Belarus that have been identified for this purpose should be frozen.
- (4) These measures fall within the scope of the Treaty and, therefore, notably with a view to ensuring their uniform application by economic operators in all Member States, Community legislation is necessary to implement them as far as the Community is concerned. For the purposes of this Regulation, the territory of the Community should be deemed to encompass the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty.
- (5) Member States should determine the rules on penalties applicable to infringements of the provisions of this Regulation. The penalties provided for should be proportionate, effective and dissuasive.
- (6) 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:

⁽¹⁾ See page 45 of this Official Journal.

▼B*Article 1*

For the purpose of this Regulation, the following definitions shall apply:

1. 'funds' means financial assets and benefits of every kind, including but not limited to:
 - (a) cash, cheques, claims on money, drafts, money orders and other payment instruments;
 - (b) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
 - (c) publicly- and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
 - (d) interest, dividends or other income on or value accruing from or generated by assets;
 - (e) credit, right of set-off, guarantees, performance bonds or other financial commitments;
 - (f) letters of credit, bills of lading, bills of sale;
 - (g) documents evidencing an interest in funds or financial resources.
2. 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the use of the funds, including portfolio management.
3. 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services.
4. 'freezing of economic resources' means preventing the use of economic resources to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them.
5. 'territory of the Community' means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty.

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by President Lukashenko as well as those belonging to owned, held or controlled by certain other officials of Belarus who are responsible for the violations of international electoral standards in the Presidential elections in Belarus on 19 March 2006 and the crackdown on civil society and democratic opposition, and those natural or legal persons, entities or bodies associated with them, as listed in Annex I shall be frozen.
2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annex I.
3. The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent the measures referred to in paragraphs 1 and 2 shall be prohibited.

▼M3*Article 2a*

The prohibition set out in Article 2(2) shall not give rise to liability of any kind on the part of the natural or legal persons, entities or bodies

▼M3

concerned, if they did not know, and had no reasonable cause to suspect, that their actions would infringe this prohibition.

Article 3

1. The competent authorities in the Member States, as indicated in the websites listed in Annex II, may authorise the release of certain frozen funds or economic resources or the making available of certain funds or economic resources, under such conditions as they deem appropriate, after having determined that the funds or economic resources concerned are:

- (a) necessary to satisfy the basic needs of persons listed in Annex I and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges;
- (b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; or
- (d) necessary for extraordinary expenses, provided that the Member State concerned has notified the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least two weeks before the authorisation.

2. Member States shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

▼B*Article 4*

1. Article 2(2) shall not apply to the addition to frozen accounts of

- (a) interest or other earnings on those accounts; or
- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to the provisions of this Regulation,

provided that any such interest, other earnings and payments continue to be subject to Article 2(1).

2. Article 2(2) shall not prevent financial or credit institutions in the EU from crediting the frozen accounts, if they receive funds transferred by third parties to the account of the listed person, entity or body, provided that any additions to such accounts will also be frozen. The financial or credit institution shall inform the competent authorities about such transactions without delay.

▼M3*Article 5*

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy, natural and legal persons, entities and bodies shall:

- (a) immediately supply the competent authorities indicated in the websites listed in Annex II, in the country where they are resident or located, with any information which would facilitate compliance with this Regulation, such as accounts and amounts frozen in accordance with Article 2, and directly or indirectly supply such information to the Commission; and

▼M3

- (b) cooperate with the competent authorities indicated in the websites listed in Annex II in any verification of this information.
2. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

▼B*Article 6*

The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person or entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen as a result of negligence.

Article 7

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 judgments handed down by national courts.

▼M3*Article 8*

1. The Commission shall be empowered to:
- (a) amend Annex I on the basis of decisions taken in respect of Annex IV to Common Position 2006/276/CFSP; and
- (b) amend Annex II on the basis of information supplied by Member States.
2. A notice shall be published regarding the procedures for submitting information in relation to Annex I.

▼B*Article 9*

1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive.
2. Member States shall notify these rules to the Commission without delay after entry into force of the Regulation and shall notify it of any subsequent amendment.

▼M3*Article 9a*

1. Member States shall designate the competent authorities referred to in Articles 3, 4(2) and 5 and identify them in the websites listed in Annex II.
2. Member States shall notify the Commission of their competent authorities and the contact details thereof by 31 July 2008 and shall notify it of any subsequent amendment without delay.

▼B*Article 10*

This Regulation shall apply:

- within the territory of the Community, including its airspace,
- on board any aircraft or any vessel under the jurisdiction of a Member State,
- to any natural person inside or outside the territory of the Community who is a national of a Member State,
- to any legal person, entity or body which is incorporated or constituted under the law of a Member State,
- to any legal person, entity or body in respect of any business done in whole or in part within the Community.

Article 11

This Regulation shall enter into force on the day 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.

ANNEX I

List of persons referred to in Article 2

| Names (English transcription) | Names (Belarusian spelling) | Names (Russian spelling) | Date of birth | Place of birth | Position | ► MI Address ◀ | ► MI Passport number ◀ | ► MI Nationality ◀ |
|--|--------------------------------------|---------------------------------------|---------------|---|--|-------------------|------------------------------|-----------------------|
| Lukashenko Aleksandr Grigorievich (Lukashenka Alaksandr Ryhoravich) | Лукашэнка Аляксандр Рыгоравіч | ЛУКАШЕНКО Александр Григорьевич | 30.8.1954 | Kopyts, Vitebsk district | President | | | |
| Nevyglas Gennady Nikolaevich (Nievyghlas Hienadz Mikalaevich) | Невглас Генадзь Мікалаевіч | НЕВЫГЛАС Геннадий Николаевич | 11.2.1954 | Parahonsk, Pinsk district | Head of President's Administration | | | |
| Petkevich Natalya Vladimirovna (Piatkevich Natalia Uladzimiravna) | Пяткевіч Наталля Уладзіміраўна | ПЕТКЕВИЧ Наталья Владимирова | 24.10.1972 | Minsk | Deputy Head of President's administration | | | |
| Rubinov Anatoly Nikolaevich (Rubinau Anatol Mikalaevich) | Рубінаў Анатоль Мікалаевіч | РУБИНОВ Анатолий Николаевич | 15.4.1939 | Mogilev | Deputy Head in charge of media and ideology, PA | | | |
| Proleskovsky Oleg Vitoldovich (Pralaskouski Aleh Vitoldavich) | Праляскоўскі Алег Вітольдавіч | ПРОЛЕСКОВСКИЙ Олег Витольдович | 1.10.1963 | Zagorsk (Russia, now Sergijev Posad) | Aide and Head of the Main Ideological department, PA | | | |
| Radkov Aleksandr Mikhailovich (Radzkou Alaksandr Mikhailavich) | Радзькоў Аляксандр Міхайлавіч | РАДЬКОВ Александр Михайлович | 1.7.1951 | Votya, Vornya Byhovskogo rajona Mогилевскай абласці | Minister of Education | | | |
| Rusakevich Vladimir Vasilievich (Rusakevich Uladzimir Vasilievich) | Русакевіч Уладзімір Васільевіч | РУСАКЕВИЧ Владимир Васильевич | 13.9.1947 | Vugonoshchi, Vьгоношска, Брэстская абласць | Minister of Information | | | |
| Golovanov Viktor Grigorievich (Halavanau Viktor Ryhoravich) | Галаванаў Віктар Рыгоравіч | ГОЛОВАНОВ Виктор Григорьевич | 1952 | Borisov | Minister of Justice | | | |
| Zimovskiy Alexander Leonidovich (Zimouski Alaksandr Lieanidavich) | Зімоўскі Аляксандр Леанідавіч | ЗИМОВСКИЙ Александр Леонидович | 10.1.1961 | Germany | Member of the Upper House of the Parliament; Head of the national state teleradio company | | | |



| Names (English transcription) | Names (Belarusian spelling) | Names (Russian spelling) | Date of birth | Place of birth | Position | ►MI Address ◀ | ►MI Passport number ◀ | ►MI Nationality ◀ |
|---|--------------------------------------|-------------------------------------|---------------|---|---|------------------|-----------------------------|----------------------|
| Konoplyev Vladimir Nikolaevich (Kaparliou Uladzimir Mikalaevich) | Канопл'еў Уладзімір Мікалаевіч | КОНОПЛ'ЕВ Владимир Николаевич | 3.1.1954 | Akumitsy, д. Акуліццы Могі- леўскага раёна | Chairman of the Lower House of the Parliament | | | |
| Cherginets Nikolai Ivanovich (Charhinets Mikalai Ivanavich) | Чэргінец Мікалай Іванавіч | ЧЕРГИНЕЦ Николай Иванович | 17.10.1937 | Minsk | Chairman of the Foreign Affairs Committee of the Upper House | | | |
| Kostyan Sergei Ivanovich (Kastisian Siarhiet Ivanavich) | Касцян Сяргей Іванавіч | КОСТЯН Сергей Иванович | 15.1.1941 | Usokhi, Mogilev district, Усохи Клічэўскага раёна Могі- леўскай абласці | Chairman of the Foreign Affairs Committee of the Lower House | | | |
| Orda Mikhail Sergeevich (Orda Mikhaïl Siarhieievich) | Орда Сяргеевіч | ОРДА Сергеевич | 28.9.1966 | Dyatlovo, Grodno district, Дятлаво Грод- ненскай абласці | Member of the Upper House, leader of BRSM | | | |
| Lozovik Nikolai Ivanovich (Lazavik Mikalai Ivanavich) | Лазавік Мікалай Іванавіч | ЛОЗОВИК Николай Иванович | 18.1.1951 | Neviniany, Minsk district, Невіянны Вілейскага р-на Мінскай обл. | Deputy of the CEC | | | |
| Miklashevich Petr Petrovich (Miklashevich Piotr Piatrovich) | Міклашэвіч Пётр Пятровіч | МИКЛАШЕВИЧ Петр Петрович | 1954 | Kosuta, Minsk district, Косуца Мінскай обласці | Prosecutor General | | | |
| Slizhevsky Oleg Leonidovich (Slizheuski Aleh Leanidavich) | Сліжэўскі Алег Леанідавіч | СЛИЖЕВСКИЙ Олег Леонидович | | | Head of the Division of Social organi- sations, parties and NGOs, Ministry of Justice | | | |
| Khariton Aleksandr (Kharuyton Alaksandr) | Харытон Аляксандр | ХАРИТОН Александр | | | Consultant of the Division of Social organisations, parties and NGOs of the Ministry of Justice | | | |

| Names (English transcription) | Names (Belarusian spelling) | Names (Russian spelling) | Date of birth | Place of birth | Position | ►MI Address ◀ | ►MI Passport number ◀ | ►MI Nationality ◀ |
|--|-------------------------------------|------------------------------------|---------------|--|---|------------------|-----------------------------|----------------------|
| Smimov Evgeny Aleksandrovich (Smirnou Yauhien Alaksandravich) | Смірноў Яўген Аляксандравіч | СМИРНОВ Евгений Александрович | 15.3.1949 | Ryazan district, Russia | First Deputy of the Chairman of the Economic Court | | | |
| Reutskaya Nadezhda Zalovna (Ravutskaya Nadsieja Zalauna) | Рэўцкая Надзея Залаўна | РЕУТСКАЯ Надежда Заловна | | | Judge of the Moscow district of Minsk | | | |
| Trubnikov Nikolai Alekseevich (Trubnikau Mikalai Alakseevich) | Трубнікаў Мікалай Аляксеевіч | ТРУБНИКОВ Николай Алексеевич | | | Judge of the Parti- zanskiy district of Minsk | | | |
| Kurpryanov Nikolai Mikhailovich (Kurpryanau Mikalai Mikhailavich) | Курпрыянаў Мікалай Міхайлавіч | КУПРИЯНОВ Николай Михайлович | | | Deputy Prosecutor General | | | |
| Sukhorenko Stepan Nikolaevich (Sukharenka Sstapan Mikalaevich) | Сухарэнка Сцяпан Мікалаевіч | СУХОРЕНКО Степан Николаевич | 27.1.1957 | Zhdudichi, Gomel district, Светлогорскага района Гомельскай обласці | Chairman of KGB | | | |
| Dementei Vasily Ivanovich (Dzemiantstei Vasil Ivanavich) | Дзямянцей Васіль Іванавіч | ДЕМЕНТЕЙ Василий Иванович | | | First Deputy, KGB | | | |
| Kozik Leonid Petrovich (Kozik Leonid Piatrovich) | Козік Леанід Пятровіч | КОЗИК Леонид Петрович | 13.7.1948 | Borisov | Head of the Federation of Trade Unions | | | |
| Koleda Alexandr Mikhailovich (Kalada Alaksandr Mikhailavich) | Каляда Аляксандр Міхайлавіч | КОЛЕДА Александр Михайлович | | | Chairman of the Elections Commission of the Brest district | | | |
| Mikhasev Vladimir Ilyich (Mikhasiou Uladzimir Ilich) | Міхасеў Уладзімір Ільіч | МИХАСЕВ Владимир Ильич | | | Chairman of the CEC of the Gomel district | | | |
| Luchina Leonid Aleksandrovich | Лучына Леанід Аляксандравіч | ЛУЧИНА Леонид Александрович | 18.11.1947 | Minsk district | Chairman of the CEC of the Grodno district | | | |
| Karpenko Igor Vasilievich (Karpenka Ihar Vasilievich) | Карпенка Ігар Васільевіч | КАРПЕНКО Игорь Васильевич | 28.4.1964 | Novokuznetsk, Russia Новокузнецк Кемеровской области, Россия | Chairman of the CEC of the Minsk City | | | |

▼B

| Names (English transcription) | Names (Belarusian spelling) | Names (Russian spelling) | Date of birth | Place of birth | Position | ►MI Address ◀ | ►MI Passport number ◀ | ►MI Nationality ◀ |
|--|--------------------------------------|-------------------------------------|---------------|--------------------------|--|------------------|-----------------------------|----------------------|
| Kurlovich Vladimir Anatolievich (Kurlovich Uladzimir Anatolievich) | Курловіч Уладзімір Анатольевіч | КУРЛОВИЧ Владимир Анатольевич | | | Chairman of the CEC of the Minsk district | | | |
| Metelitsa Nikolai Timofeevich (Miatsełitsa Mikalai Tsimafeevich) | Мяцеліца Мікалай Цімафеевіч | МЕТЕЛИЦА Николай Тимофеевич | | | Chairman of the CEC of the Mogilev district | | | |
| Pishchulенок Mikhail Vasilievich (Pishchulėnak Mikhaıl Vasıljevich) | Пішчулёнак Міхаіл Васільевіч | ПИЩУЛЕНОК Михаил Васильевич | | | Chairman of the CEC of the Vitebsk district | | | |
| Sheyman (Sheiman), Victor Vladimirovich | | | 26.5.1958 | Grodno region | State Secretary of the Security Council | | | |
| Pavlichenko (Pavliuchenko), Dmitri (Dmitry) Valeriyevich | | | 1966 | Vitebsk | Head of the Special Response Group at the Ministry of the Interior (SOBR) | | | |
| Naumov, Vladimir Vladimirovich | | | 7.2.1956 | | Minister of the Interior | | | |
| Yermoshina Lydia Mihajlovna | | | 29.1.1953 | Slutsk (Minsk Region) | Chairwoman of the Central Election Commission | | | |

▼MI

▼B



| Names (English transcription) | Names (Belarusian spelling) | Names (Russian spelling) | Date of birth | Place of birth | Position | ►MI Address ◀ | ►MI Passport number ◀ | ►MI Nationality ◀ |
|-----------------------------------|----------------------------------|-------------------------------------|---------------|---------------------------------------|---|--|-----------------------------|----------------------|
| Podobed Yuri Nikolaevich | | | 5.3.1962 | Slutsk (Minsk Region) | Lieutenant-Colonel of Militia, Unit for Special Purposes (OMON), Ministry of Internal Affairs | | | |
| Bortnik, Sergei | БОРТНІК Сяргей | БОРТНИК Сергей | 28.5.1953 | Minsk | Public prosecutor | Ul. Surganovo 80-263, Minsk, Belarus | MP 0469554 | |
| Migun, Andrei | МІГУН Андрэй | МИГУН Андрей | 5.2.1978 | Minsk | Public prosecutor | Ul. Goretskovo 53-16, Minsk, Belarus | MP 1313262 | |
| Rybakov, Alexei | РЫБАКОЎ Аляксей | РЫБАКОВ Алексей | | | Judge of the Minsk Moskovsky District Court | Ul. Jesenina 31-1-104, Minsk, Belarus | | |
| Yasinovich, Leonid Stanislavovich | ЯСІНОВІЧ Леанід Станіслававіч | ЯСИНОВИЧ Леонид Станиславович | 26.11.1961 | Buchany, Vitebsk district, Belarus | Judge of the Minsk Tsentralny District Court | Ul. Gorovtva 4-104, Minsk, Belarus | MP 0515811 | |



▼ **M3***ANNEX II***Websites for information on the competent authorities referred to in Articles 3, 4(2) and 5, and address for notifications to the European Commission**

BELGIUM

<http://www.diplomatie.be/eusanctions>

BULGARIA

<http://www.mfa.government.bg>

CZECH REPUBLIC

<http://www.mfcr.cz/mezinarodnisankce>

DENMARK

<http://www.um.dk/da/menu/Udenrigspolitik/FredSikkerhedOgInternationalRetsorden/Sanktioner/>

GERMANY

<http://www.bmwi.de/BMWi/Navigation/Aussenwirtschaft/Aussenwirtschaftsrecht/embargos.html>

ESTONIA

http://www.vm.ee/est/kat_622/

IRELAND

<http://www.dfa.ie/home/index.aspx?id = 28519>

GREECE

<http://www.yplex.gov.gr/www.mfa.gr/en-US/Policy/Multilateral+Diplomacy/International+Sanctions/>

SPAIN

www.maec.es/es/MenuPpal/Asuntos/Sanciones%20Internacionales

FRANCE

<http://www.diplomatie.gouv.fr/autorites-sanctions/>

ITALY

<http://www.esteri.it/UE/deroghe.html>

CYPRUS

<http://www.mfa.gov.cy/sanctions>

LATVIA

<http://www.mfa.gov.lv/en/security/4539>

LITHUANIA

<http://www.urm.lt>

LUXEMBOURG

<http://www.mae.lu/sanctions>

HUNGARY

http://www.kulugyminiszterium.hu/kum/hu/bal/Kulpolitikank/nemzetkozi_s-zankciok/

▼ M3

MALTA

http://www.doi.gov.mt/EN/bodies/boards/sanctions_monitoring.asp

NETHERLANDS

<http://www.minbuza.nl/sancties>

AUSTRIA

http://www.bmeia.gv.at/view.php3?f_id=12750&LNG=en&version=

POLAND

<http://www.msz.gov.pl>

PORTUGAL

<http://www.min-nestrangeiros.pt>

ROMANIA

<http://www.mae.ro/index.php?unde=doc&id=32311&idlink=1&cat=3>

SLOVENIA

http://www.mzz.gov.si/si/zunanja_politika/mednarodna_varnost/omejevalni_ukrepi/

SLOVAKIA

<http://www.foreign.gov.sk>

FINLAND

<http://formin.finland.fi/kvyhteisty/pakotteet>

SWEDEN

<http://www.ud.se/sanktioner>

UNITED KINGDOM

<http://www.fco.gov.uk/en/business-trade/export-controls-sanctions/>

Address for notifications to the European Commission:

European Commission

DG External Relations

Directorate A. Crisis Platform and Policy Coordination in Common Foreign and Security Policy

Unit A2. Crisis Response and Peace Building

CHAR 12/106

B-1049 Bruxelles/Brussel (Belgium)

E-mail: relex-sanctions@ec.europa.eu

Tel. (32 2) 295 55 85

Fax (32 2) 299 08 73