

Council Regulation (EU) No 747/2014 of 10 July 2014 concerning  
restrictive measures in view of the situation in Sudan and  
repealing Regulations (EC) No 131/2004 and (EC) No 1184/2005

COUNCIL REGULATION (EU) No 747/2014  
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concerning restrictive measures in view of the situation in Sudan and  
repealing Regulations (EC) No 131/2004 and (EC) No 1184/2005

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 2014/450/CFSP of 10 July 2014 concerning restrictive measures in view of the situation in Sudan and repealing Decision 2011/423/CFSP<sup>(1)</sup>,

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) On 10 January 2004, the Council adopted Common Position 2004/31/CFSP<sup>(2)</sup> maintaining the arms embargo on Sudan imposed by Council Decision 94/165/CFSP<sup>(3)</sup>. On 26 January 2004, the Council adopted Regulation (EC) No 131/2004<sup>(4)</sup> giving effect to Common Position 2004/31/CFSP.
- (2) On 30 July 2004, the UN Security Council adopted UN Security Council Resolution (UNSCR) 1556 (2004) imposing an arms embargo on Sudan. On 29 March 2005, the UN Security Council adopted UNSCR 1591 (2005) imposing certain restrictions on those who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, violate the arms embargo or are responsible for certain offensive military flights in and over the Darfur region.
- (3) On 30 May 2005, the Council adopted Common Position 2005/411/CFSP<sup>(5)</sup> which integrated the measures imposed by Common Position 2004/31/CFSP and the measures to be implemented pursuant to UNSCR 1591(2005) into a single legal act.
- (4) On 18 July 2005, the Council adopted Regulation (EC) No 1184/2005<sup>(6)</sup> giving effect to Common Position 2005/411/CFSP and imposing certain specific restrictive measures directed against certain persons impeding the peace process and breaking international law in the conflict in the Darfur region in Sudan.
- (5) On 18 July 2011, the Council adopted Decision 2011/423/CFSP<sup>(7)</sup> which extended the scope of application of the arms embargo to South Sudan.
- (6) On 10 July 2014, the Council adopted Decision 2014/450/CFSP separating the measures concerning Sudan and integrating them into a single legal act.

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*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: There are outstanding changes not yet made to Council Regulation (EU) No 747/2014. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)*

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- (7) For the sake of clarity, measures concerning Sudan should be separated from measures concerning South Sudan. Regulation (EC) No 131/2004 and Regulation (EC) No 1184/2005 should therefore be repealed and replaced by this Regulation in so far as they concern Sudan. Regulation (EC) No 131/2004 should also be replaced by Council Regulation (EU) No 748/2014<sup>(8)</sup> in so far as it concerns South Sudan.
- (8) The power to amend the list in Annex I to this Regulation should be exercised by the Council, in view of the specific threat to international peace and security in the region posed by the situation in Sudan and in order to ensure consistency with the process for amending and reviewing the Annex to Decision 2014/450/CFSP.
- (9) For the implementation of this Regulation, and in order to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources should be frozen in accordance with this Regulation, should be made public. Any processing of personal data should comply with Regulation (EC) No 45/2001 of the European Parliament and of the Council<sup>(9)</sup> and Directive 95/46/EC of the European Parliament and of the Council<sup>(10)</sup>.
- (10) 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:

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- (1) See page 106 of this Official Journal.
- (2) Council Common Position 2004/31/CFSP of 9 January 2004 concerning the imposition of an embargo on arms, munitions and military equipment on Sudan ([OJ L 6, 10.1.2004, p. 55](#)).
- (3) Council Decision 94/165/CFSP of 15 March 1994 on the Common Position defined on the basis of Article J.2 of the Treaty on European Union concerning the imposition of an embargo on arms, munitions and military equipment on Sudan ([OJ L 75, 17.3.1994, p. 1](#)).
- (4) Council Regulation (EC) No 131/2004 of 26 January 2004 imposing certain restrictive measures in respect of Sudan and South Sudan ([OJ L 21, 28.1.2004, p. 1](#)).
- (5) Council Common Position 2005/411/CFSP of 30 May 2005 concerning restrictive measures against Sudan and repealing Common Position 2004/31/CFSP ([OJ L 139, 2.6.2005, p. 25](#)).
- (6) Council Regulation (EC) No 1184/2005 of 18 July 2005 imposing certain specific restrictive measures directed against certain persons impeding the peace process and breaking international law in the conflict in the Darfur region in Sudan ([OJ L 193, 23.7.2005, p. 9](#)).
- (7) Council Decision 2011/423/CFSP of 18 July 2011 concerning restrictive measures against Sudan and South Sudan and repealing Common Position 2005/411/CFSP ([OJ L 188, 19.7.2011, p. 20](#)).
- (8) Council Regulation (EU) No 748/2014 of 10 July 2014 concerning restrictive measures in respect of the situation in South Sudan (see page 13 of this Official Journal).
- (9) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ([OJ L 8, 12.1.2001, p. 1](#)).
- (10) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ([OJ L 281, 23.11.1995, p. 31](#)).

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