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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2016/837

of 21 April 2016

on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism 2014-2021, the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period 2014-2021, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway, and the Additional Protocol to the Agreement between the European Economic Community and Iceland

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The alleviation of economic and social disparities within the European Economic Area remains necessary. In view of that, a new mechanism for the financial contributions of the EEA EFTA States and a new Norwegian financial mechanism should be established.
- (2) On 7 October 2013, the Council authorised the Commission to open negotiations with Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an agreement on the future financial contributions of the EEA EFTA States to economic and social cohesion in the European Economic Area. The Commission has negotiated, on behalf of the Union, an Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism for the period 2014-2021. This will take the form of a Protocol, to be numbered 38c, to the EEA Agreement. The Commission has also negotiated, on behalf of the Union, an Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period 2014-2021.
- (3) The special provisions on imports into the Union of certain fish and fisheries products originating in Iceland and Norway, set out in the Additional Protocols to their respective Free Trade Agreements with the European Economic Community, expired on 30 April 2014 and should be reviewed in accordance with Article 1 of those Protocols. The Commission has therefore negotiated new Additional Protocols to the Agreement between the European Economic Community and the Kingdom of Norway and to the Agreement between the European Economic Community and Iceland.
- (4) The replacement of the existing financial mechanisms by new mechanisms, which relate to different time periods, different amounts of funds, and different implementing provisions, as well as the renewal and extension of the concessions relating to certain fish and fisheries products, taken as a whole, constitute an important development of the association with the EEA EFTA States, which justifies the recourse to Article 217 of the Treaty on the Functioning of the European Union.

- (5) Each of those Agreements and Additional Protocols provides for its own provisional application before its entry into force.
- (6) The Agreements and the Additional Protocols should be signed and applied on a provisional basis, pending the completion of the procedures for their conclusion,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism 2014-2021, the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period 2014-2021, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway, and the Additional Protocol to the Agreement between the European Economic Community and Iceland is hereby authorised on behalf of the Union, subject to the conclusion of the said Agreements and Additional Protocols.

The texts of the Agreements and the Additional Protocols are attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreements and the Additional Protocols on behalf of the Union.

Article 3

The Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism 2014-2021 and the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period 2014-2021 shall be applied provisionally, in accordance with Article 3 and Article 11(3) of the Agreements, respectively, as from the first day of the first month following the deposit of the last notification to that effect, pending the completion of the procedures for the conclusion of the said Agreements.

The Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway shall be applied provisionally as from the first day of the third month following the deposit of the last notification to that effect, in accordance with Article 5(3) of the said Protocol.

The Additional Protocol to the Agreement between the European Economic Community and Iceland shall be applied provisionally as from the first day of the third month following the deposit of the last notification to that effect, in accordance with Article 4(3) of the said Protocol.

Article 4

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

Done at Luxembourg, 21 April 2016.

For the Council
The President
G.A. VAN DER STEUR

AGREEMENT**between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism 2014-2021**

THE EUROPEAN UNION,

ICELAND,

THE PRINCIPALITY OF LIECHTENSTEIN,

THE KINGDOM OF NORWAY,

WHEREAS the Parties to the Agreement on the European Economic Area ('EEA Agreement') agreed on the need to reduce the economic and social disparities between their regions with a view to promoting a continuous and balanced strengthening of trade and economic relations between them,

WHEREAS, in order to contribute to that objective, the EFTA States have established a Financial Mechanism in the context of the European Economic Area,

WHEREAS the provisions governing the EEA Financial Mechanism for the period 2004-2009 have been set out in Protocol 38a and the Addendum to Protocol 38a to the EEA Agreement,

WHEREAS the provisions governing the EEA Financial Mechanism for the period 2009-2014 have been set out in Protocol 38b and the Addendum to Protocol 38b to the EEA Agreement,

WHEREAS the need to alleviate economic and social disparities within the European Economic Area persists, and therefore a new mechanism for the financial contributions of the EEA EFTA States should be established for the period 2014-2021,

HAVE DECIDED TO CONCLUDE THE FOLLOWING AGREEMENT:

Article 1

The text of Article 117 of the EEA Agreement shall be replaced by the following:

'Provisions governing the Financial Mechanisms are set out in Protocol 38, Protocol 38a, the Addendum to Protocol 38a, Protocol 38b, the Addendum to Protocol 38b and Protocol 38c.'

Article 2

A new Protocol 38c shall be inserted after Protocol 38b to the EEA Agreement. The text of Protocol 38c is provided for in the Annex to this Agreement.

Article 3

This Agreement shall be ratified or approved by the Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.

It shall enter into force on the first day of the second month after the last instrument of ratification or approval has been deposited.

Pending the completion of the procedures referred to in paragraphs 1 and 2, this Agreement shall be applied on a provisional basis as from the first day of the first month following the deposit of the last notification to this effect.

Article 4

This Agreement, drawn up in a single original in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Italian, Latvian, Lithuanian, Hungarian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish, Icelandic and Norwegian languages, the text in each of these languages being equally authentic, shall be deposited with the General Secretariat of the Council of the European Union, which will remit a certified copy to each of the Parties to this Agreement.

Съставено в Брюксел на трети май две хиляди и шестнадесета година.

Hecho en Bruselas, el tres de mayo de dos mil dieciséis.

V Bruselu dne třetího května dva tisíce šestnáct.

Udfærdiget i Bruxelles den tredje maj to tusind og seksten.

Geschehen zu Brüssel am dritten Mai zweitausendsechzehn.

Kahe tuhande kuueteistkümnenda aasta maikuu kolmandal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις τρεις Μαΐου δύο χιλιάδες δεκαέξι.

Done at Brussels on the third day of May in the year two thousand and sixteen.

Fait à Bruxelles, le trois mai deux mille seize.

Sastavljeno u Bruxellesu trećeg svibnja godine dvije tisuće šesnaeste.

Fatto a Bruxelles, addì tre maggio duemilasedici.

Briselē, divi tūkstoši sešpadsmitā gada trešajā maijā.

Priimta du tūkstančiai šešioliktu metų gegužės trečią dieną Briuselyje.

Kelt Brüsszelben, a kétézer-tizenhatodik év május havának harmadik napján.

Magħmul fi Brussell, fit-tielet jum ta' Mejju fis-sena elfejn u sittax.

Gedaan te Brussel, drie mei tweeduizend zestien.

Sporządzono w Brukseli dnia trzeciego maja roku dwa tysiące szesnastego.

Feito em Bruxelas, em três de maio de dois mil e dezasseis.

Întocmit la Bruxelles la trei mai două mii șaisprezece.

V Bruseli tretieho mája dvetisícšestnásť.

V Bruslju, dne tretjega maja leta dva tisoč šestnajst.

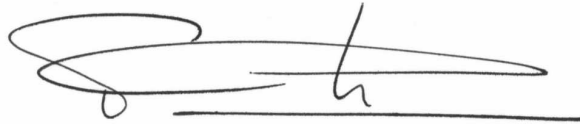
Tehty Brysselissä kolmantena päivänä toukokuuta vuonna kaksituhattakuusitoista.

Som skedde i Bryssel den tredje maj år tjugohundrasexton.

Gjört í Brussel þriðja dag maímánaðar árið tvö þúsund og sextán.

Utfærdiget i Brussel den tredje mai to tusen og seksten.

За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Za Evropsku uniju
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen



Fyrir Ísland



Für das Fürstentum Liechtenstein



For Kongeriket Norge



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ANNEX

PROTOCOL 38 C

on the EEA Financial Mechanism (2014-2021)*Article 1*

1. Iceland, Liechtenstein and Norway ('the EFTA States') shall contribute to the reduction of economic and social disparities in the European Economic Area and to the strengthening of their relations with the Beneficiary States, through financial contributions in the priority sectors listed in Article 3.
2. All programmes and activities funded by the EEA Financial Mechanism 2014-2021 shall be based on the common values of respect for human dignity, freedom, democracy, equality, the rule of law and the respect for human rights including the rights of persons belonging to minorities.

Article 2

1. The total amount of the financial contribution provided for in Article 1 shall be EUR 1 548,1 million, to be made available for commitment in annual tranches of EUR 221,16 million over the period running from 1 May 2014 to 30 April 2021 inclusive.
2. The total amount shall consist of country specific allocations as specified in Article 6 and a global fund for regional cooperation as specified in Article 7.

Article 3

1. The country specific allocations shall be made available for the following priority sectors:
 - (a) Innovation, research, education and competitiveness;
 - (b) Social inclusion, youth employment and poverty reduction;
 - (c) Environment, energy, climate change and low carbon economy;
 - (d) Culture, civil society, good governance, fundamental rights and freedoms;
 - (e) Justice and home affairs.

The programme areas within the priority sectors outlining the objectives and areas of support are set out in the Annex to this Protocol.

2. (a) The priority sectors shall, in accordance with the procedure referred to in Article 10, paragraph 3, be chosen, concentrated and adapted, according to the different needs in each Beneficiary State, taking into account its size and the amount of the contribution.
- (b) 10 % of the total of the country specific allocations shall be set aside for a fund for civil society, which shall be made available in accordance with the distribution key referred to in Article 6.

Article 4

1. In order to achieve concentration on priority sectors and to ensure efficient implementation, in line with the overall objectives referred to in Article 1, and taking into account the Europe 2020 strategy for smart, sustainable and inclusive growth, including a focus on employment, national priorities, country-specific recommendations and Partnership Agreements under EU cohesion policy concluded with the European Commission, the EFTA States shall conclude with each Beneficiary State a Memorandum of Understanding in accordance with Article 10, paragraph 3.

2. Consultations with the European Commission shall take place at a strategic level and shall be held during the negotiations of the Memoranda of Understanding as defined in Article 10, paragraph 3, with a view to promoting complementarity and synergies with EU cohesion policy, as well as exploring opportunities for applying financial instruments to increase the impact of financial contributions.

Article 5

1. The EFTA contribution shall, with respect to those programmes under the country specific allocations for which the Beneficiary States shall have implementation responsibility, not exceed 85 % of programme cost, unless otherwise decided by the EFTA States.

2. The applicable rules on state aid shall be complied with.

3. The responsibility of the EFTA States for the projects is limited to providing funds according to the agreed plan. No liability to third parties will be assumed.

Article 6

The country specific allocations shall be made available to the following Beneficiary States: Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia, in accordance with the following distribution:

Beneficiary State	Funds (million EUR)
Bulgaria	115,0
Croatia	56,8
Cyprus	6,4
Czech Republic	95,5
Estonia	32,3
Greece	116,7
Hungary	108,9
Latvia	50,2
Lithuania	56,2
Malta	4,4
Poland	397,8
Portugal	102,7
Romania	275,2
Slovakia	54,9
Slovenia	19,9

Article 7

1. The global fund for regional cooperation shall be made available for an amount of EUR 55,25 million. It shall contribute to achieving the objectives of the EEA Financial Mechanism as defined in Article 1.
2. 70 % of the fund shall be made available for the promotion of sustainable and quality youth employment with particular focus on the following areas:
 - (a) Job and training mobility programmes for young people, focusing specifically on those who are not in employment, education or training;
 - (b) Dual learning programmes, apprenticeships, youth inclusion;
 - (c) Knowledge sharing, policy exchange of best practices and mutual learning between organisations/institutions providing youth employment services.

This part of the fund shall be made available to projects involving Beneficiary States and other EU Member States with a youth unemployment rate above 25 % (Eurostat reference year 2013), and shall involve at least two countries, including at least one Beneficiary State. The EFTA States can participate as partners.

3. 30 % of the fund shall be made available for regional cooperation across the priority sectors listed in Article 3, in particular knowledge sharing, policy exchange for best practices and institution building.

This part of the fund shall be made available to projects involving Beneficiary States and neighbouring third countries. Projects shall involve at least three countries, including at least two Beneficiary States. The EFTA States can participate as partners.

Article 8

A mid-term review shall be carried out by the EFTA States by 2020 with a view to redistributing any non-committed available funds within the allocations to the individual Beneficiary States concerned.

Article 9

1. The financial contribution provided for in this Protocol shall be closely coordinated with the bilateral contribution from Norway provided for by the Norwegian Financial Mechanism.
2. In particular, the EFTA States shall ensure that the application procedures and implementation modalities are essentially the same for both financial mechanisms referred to in the previous paragraph.
3. Any relevant changes in the European Union's cohesion policy shall be taken into account, as appropriate.

Article 10

The following shall apply to the implementation of the EEA Financial Mechanism:

1. The highest degree of transparency, accountability and cost efficiency shall be applied in all implementation phases, as well as principles of good governance, partnership and multi-level governance, sustainable development, and equality between men and women and non-discrimination.

The objectives of the EEA Financial Mechanism shall be pursued in the framework of close cooperation between the Beneficiary States and the EFTA States.

2. (a) The EFTA States shall operate and be responsible for the implementation, including management and control, of the global fund for regional cooperation as set out in Article 7, paragraph 1;
- (b) The EFTA States shall operate and be responsible for the implementation, including management and control, of the fund for civil society as set out in Article 3, paragraph 2(b) unless otherwise agreed in the Memorandum of Understanding as defined in Article 10, paragraph 3.

3. The EFTA States shall conclude with each Beneficiary State a Memorandum of Understanding concerning the respective country specific allocation, excluding the fund referred to in paragraph 2(a), which shall set out the multi-annual programming framework and the structures for management and control.
 - (a) On the basis of the Memoranda of Understanding, the Beneficiary States shall submit proposals for specific programmes to the EFTA States which shall appraise and approve the proposals and conclude grant agreements with the Beneficiary States for each programme. On explicit request from the EFTA States or the Beneficiary State concerned, the European Commission shall undertake a screening of a proposal for a specific programme before its adoption, to ensure compatibility with the European Union's cohesion policy.
 - (b) The implementation of the agreed programmes shall be the responsibility of the Beneficiary States which shall provide for an appropriate management and control system in order to ensure sound implementation and management.
 - (c) The EFTA States may carry out controls according to their internal requirements. The Beneficiary States shall provide all necessary assistance, information and documentation to this effect.
 - (d) The EFTA States may suspend financing and require recovery of funds in the case of irregularities.
 - (e) Partnerships shall, where appropriate, be applied in the preparation, implementation, monitoring and evaluation of the financial contribution in order to ensure broad participation. Partners may include, inter alia, local, regional and national levels, as well as the private sector, civil society and social partners in the Beneficiary States and the EFTA States.
 - (f) Any project under the multi-annual programming framework in the Beneficiary States may be implemented in cooperation between, inter alia, entities based in the Beneficiary States and in the EFTA States, in accordance with the applicable rules on public procurement.
4. The management costs of the EFTA States shall be covered by the total amount referred to in Article 2, paragraph 1, and shall be specified in the provisions for the implementation referred to in paragraph 5 of this Article.
5. The EFTA States shall establish a Committee for the overall management of the EEA Financial Mechanism. Further provisions for the implementation of the EEA Financial Mechanism will be issued by the EFTA States after consultations with the Beneficiary States which may be assisted by the European Commission. The EFTA States shall endeavour to issue these provisions before the signing of the Memoranda of Understanding.
6. The EFTA States shall report on their contribution to the objectives of the EEA Financial Mechanism and as appropriate, to the eleven thematic objectives of the European Structural and Investment Funds 2014-2020 ⁽¹⁾.

Article 11

At the end of the period as defined in Article 2 and without prejudice to the rights and obligations under the Agreement, the Contracting Parties shall, in the light of Article 115 of the Agreement, review the need to address economic and social disparities within the European Economic Area.

⁽¹⁾ (1) Strengthening research, technological development and innovation; (2) enhancing access to, and use and quality of, information and communication technologies; (3) enhancing the competitiveness of small and medium-sized enterprises (SMEs), of the agricultural sector and of the fishery and aquaculture sector; (4) supporting the shift towards a low-carbon economy in all sectors; (5) promoting climate change adaptation, risk prevention and management; (6) preserving and protecting the environment and promoting resource efficiency; (7) promoting sustainable transport and removing bottlenecks in key network infrastructures; (8) promoting sustainable and quality employment and supporting labour mobility; (9) promoting social inclusion, combating poverty and any discrimination; (10) investing in education, training and vocational training for skills and lifelong learning; (11) enhancing institutional capacity of public authorities and stakeholders and efficient public administration.

ANNEX TO PROTOCOL 38C

Innovation, Research, Education and Competitiveness

1. Business Development, Innovation and SMEs
2. Research
3. Education, Scholarships, Apprenticeships, and Youth Entrepreneurship
4. Work-life Balance

Social Inclusion, Youth Employment and Poverty Reduction

5. European Public Health Challenges
6. Roma Inclusion and Empowerment
7. Children and Youth at Risk
8. Youth Participation in the Labour Market
9. Local Development and Poverty Reduction

Environment, Energy, Climate Change and Low Carbon Economy

10. Environment and Ecosystems
11. Renewable Energy, Energy Efficiency, Energy Security
12. Climate Change Mitigation and Adaptation

Culture, Civil Society, Good Governance, and Fundamental Rights and Freedoms

13. Cultural Entrepreneurship, Cultural Heritage and Cultural Cooperation
14. Civil Society
15. Good Governance, Accountable Institutions, Transparency
16. Human Rights — National Implementation

Justice and Home Affairs

17. Asylum and Migration
 18. Correctional Services and Pre-trial Detention
 19. International Police Cooperation and Combatting Crime
 20. Effectiveness and Efficiency of the Judicial System, strengthening Rule of Law
 21. Domestic and Gender-based Violence
 22. Disaster Prevention and Preparedness
-

AGREEMENT**between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period 2014-2021***Article 1*

1. The Kingdom of Norway undertakes to contribute to the reduction of economic and social disparities in the European Economic Area and to the strengthening of its relations with the Beneficiary States, through a separate Norwegian Financial Mechanism in the priority sectors listed in Article 3.
2. All programmes and activities funded by the Norwegian Financial Mechanism 2014-2021 shall be based on the common values of respect for human dignity, freedom, democracy, equality, the rule of law and the respect for human rights including the rights of persons belonging to minorities.

Article 2

1. The total amount of the financial contribution provided for in Article 1 shall be EUR 1 253,7 million, to be made available for commitment in annual tranches of EUR 179,1 million over the period running from 1 May 2014 to 30 April 2021 inclusive.
2. The total amount shall consist of country-specific allocations as specified in Article 6 and a global fund for regional cooperation as specified in Article 7.

Article 3

1. The country-specific allocations shall be made available for the following priority sectors:
 - (a) innovation, research, education and competitiveness;
 - (b) social inclusion, youth employment and poverty reduction;
 - (c) environment, energy, climate change and low carbon economy;
 - (d) culture, civil society, good governance, fundamental rights and freedoms;
 - (e) justice and home affairs.

The programme areas within the priority sectors outlining the objectives and areas of support are set out in the Annex to this Agreement.

2. (a) The priority sectors shall, in accordance with the procedure referred to in Article 10, paragraph 3, be chosen, concentrated and adapted, according to the different needs in each Beneficiary State, taking into account its size and the amount of the contribution.
- (b) 1 % of the total of the country-specific allocations shall be set aside for a fund for the Promotion of Decent Work and Tripartite Dialogue, which shall be made available in accordance with the distribution key referred to in Article 6.
- (c) Cooperation with civil society, cross-border cooperation and cooperation with neighbouring third countries shall be encouraged.

Article 4

1. In order to achieve concentration on priority sectors and to ensure efficient implementation, in line with the overall objectives referred to in Article 1, and taking into account the Europe 2020 strategy for smart, sustainable and inclusive growth, including a focus on employment, national priorities, country-specific recommendations and Partnership Agreements under EU cohesion policy, concluded with the European Commission, the Kingdom of Norway shall conclude with each Beneficiary State a Memorandum of Understanding in accordance with Article 10, paragraph 3.

2. Consultations with the European Commission shall take place at a strategic level and shall be held during the negotiations of the Memoranda of Understanding as defined in Article 10, paragraph 3, with a view to promoting complementarity and synergies with EU cohesion policy, as well as exploring opportunities for applying financial instruments to increase the impact of financial contributions.

Article 5

1. The contribution from the Kingdom of Norway shall, with respect to those programmes under the country-specific allocations for which the Beneficiary States shall have implementation responsibility, not exceed 85 % of programme cost, unless otherwise decided by the Kingdom of Norway.
2. The applicable rules on State aid shall be complied with.
3. The responsibility of the Kingdom of Norway for the projects is limited to providing funds according to the agreed plan. No liability to third parties will be assumed.

Article 6

The country-specific allocations shall be made available to the following Beneficiary States: Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, in accordance with the following distribution:

Beneficiary State	Funds (million EUR)
Bulgaria	95,1
Croatia	46,6
Cyprus	5,1
Czech Republic	89,0
Estonia	35,7
Hungary	105,7
Latvia	51,9
Lithuania	61,4
Malta	3,6
Poland	411,5
Romania	227,3
Slovakia	58,2
Slovenia	17,8

Article 7

1. The global fund for regional cooperation shall be made available for an amount of EUR 44,75 million. It shall contribute to achieving the objectives of the Norwegian Financial Mechanism as defined in Article 1.

2. 60 % of the fund shall be made available for the promotion of sustainable and quality youth employment with particular focus on the following areas:

- (a) job and training mobility programmes for young people, focusing specifically on those who are not in employment, education or training;
- (b) dual learning programmes, apprenticeships, youth inclusion;
- (c) knowledge sharing, policy exchange of best practices and mutual learning between organisations/institutions providing youth employment services.

This part of the fund shall be made available to projects involving Beneficiary States and other EU Member States with a youth unemployment rate above 25 % (Eurostat reference year 2013), and shall involve at least two countries, including at least one Beneficiary State. Norwegian entities can participate as partners.

3. 40 % of the fund shall be made available for regional cooperation across the priority sectors listed in Article 3, in particular knowledge sharing, policy exchange for best practices and institution building.

This part of the fund shall be made available to projects involving Beneficiary States and neighbouring third countries. Projects shall involve at least three countries, including at least two Beneficiary States. Norwegian entities can participate as partners.

Article 8

A mid-term review shall be carried out by the Kingdom of Norway by 2020 with a view to redistributing any non-committed available funds within the allocations to the individual Beneficiary States concerned.

Article 9

1. The financial contribution provided for in Article 1 shall be closely coordinated with the contribution from the EFTA States provided for by the EEA Financial Mechanism.

2. In particular, the Kingdom of Norway shall ensure that the application procedures and implementation modalities are essentially the same for both financial mechanisms referred to in the previous paragraph.

3. Any relevant changes in the European Union's cohesion policy shall be taken into account, as appropriate.

Article 10

The following shall apply to the implementation of the Norwegian Financial Mechanism:

1. The highest degree of transparency, accountability and cost efficiency shall be applied in all implementation phases, as well as principles of good governance, partnership and multi-level governance, sustainable development, and equality between men and women and non-discrimination.

The objectives of the Norwegian Financial Mechanism shall be pursued in the framework of close cooperation between the Beneficiary States and the Kingdom of Norway.

2. The Kingdom of Norway shall operate and be responsible for the implementation, including management and control, of the following funds:

(a) the global fund for regional cooperation as set out in Article 7, paragraph 1;

(b) a fund for the Promotion of Decent Work and Tripartite Dialogue as set out in Article 3, paragraph 2(b).

3. The Kingdom of Norway shall conclude with each Beneficiary State a Memorandum of Understanding concerning the respective country-specific allocation, excluding such funds as referred to in paragraph 2, which shall set out the multiannual programming framework and the structures for management and control.
 - (a) On the basis of the Memoranda of Understanding, the Beneficiary States shall submit proposals for specific programmes to the Kingdom of Norway which shall appraise and approve the proposals and conclude grant agreements with the Beneficiary States for each programme. On explicit request from the Kingdom Norway or the Beneficiary State concerned, the European Commission shall undertake a screening of a proposal for a specific programme before its adoption, to ensure compatibility with the European Union's cohesion policy.
 - (b) The implementation of the agreed programmes shall be the responsibility of the Beneficiary States which shall provide for an appropriate management and control system in order to ensure sound implementation and management.
 - (c) The Kingdom of Norway may carry out controls according to their internal requirements. The Beneficiary States shall provide all necessary assistance, information and documentation to this effect.
 - (d) The Kingdom of Norway may suspend financing and require recovery of funds in the case of irregularities.
 - (e) Partnerships shall, where appropriate, be applied in the preparation, implementation, monitoring and evaluation of the financial contribution in order to ensure broad participation. Partners may include, inter alia, local, regional and national levels, as well as the private sector, civil society and social partners in the Beneficiary States and the Kingdom of Norway.
 - (f) Any project under the multiannual programming framework in the Beneficiary States may be implemented in cooperation between, inter alia, entities based in the Beneficiary States and in the Kingdom of Norway, in accordance with the applicable rules on public procurement.
4. The management costs of the Kingdom of Norway shall be covered by the total amount referred to in Article 2, paragraph 1, and shall be specified in the provisions for the implementation referred to in paragraph 5 of this Article.
5. The Kingdom of Norway, or an entity appointed by it, shall be responsible for the overall management of the Norwegian Financial Mechanism. Further provisions for the implementation of the Norwegian Financial Mechanism will be issued by the Kingdom of Norway after consultation with the Beneficiary States which may be assisted by the European Commission. The Kingdom of Norway shall endeavour to issue these provisions before the signing of the Memoranda of Understanding.
6. The Kingdom of Norway shall report on its contribution to the objectives of the Norwegian Financial Mechanism and, as appropriate, to the 11 thematic objectives for the European Structural and Investment Funds 2014-2020 ⁽¹⁾.

Article 11

1. This Agreement shall be ratified or approved by the Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.
2. It shall enter into force on the first day of the second month after the last instrument of ratification or approval has been deposited.

⁽¹⁾ (1) Strengthening research, technological development and innovation; (2) enhancing access to, and use and quality of, information and communication technologies; (3) enhancing the competitiveness of small and medium-sized enterprises (SMEs), of the agricultural sector and of the fishery and aquaculture sector; (4) supporting the shift towards a low-carbon economy in all sectors; (5) promoting climate change adaptation, risk prevention and management; (6) preserving and protecting the environment and promoting resource efficiency; (7) promoting sustainable transport and removing bottlenecks in key network infrastructures; (8) promoting sustainable and quality employment and supporting labour mobility; (9) promoting social inclusion, combating poverty and any discrimination; (10) investing in education, training and vocational training for skills and lifelong learning; (11) enhancing institutional capacity of public authorities and stakeholders and efficient public administration.

3. Pending the completion of the procedures referred to in paragraphs 1 and 2, this Agreement shall be applied on a provisional basis as from the first day of the first month following the deposit of the last notification to this effect.

Article 12

This Agreement, drawn up in a single original in the Bulgarian, Czech, Croatian, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Italian, Latvian, Lithuanian, Hungarian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Norwegian languages, the text in each of these languages being equally authentic, shall be deposited with the General Secretariat of the Council of the European Union, which will remit a certified copy to each of the Parties to this Agreement.

Съставено в Брюксел на трети май две хиляди и шестнадесета година.

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Done at Brussels on the third day of May in the year two thousand and sixteen.

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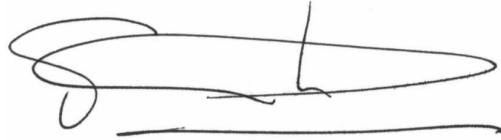
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Utfærdiget i Brussel den tredje mai to tusen og seksten.

За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Za Europsku uniju
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Voor de Europese Unie
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För Europeiska unionen

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

For Kongeriket Norge

A handwritten signature in black ink, written in a cursive style, appearing to read 'Ole Håvard Sævi'.

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ANNEX

TO THE AGREEMENT BETWEEN THE KINGDOM OF NORWAY AND THE EUROPEAN UNION ON A NORWEGIAN
FINANCIAL MECHANISM FOR THE PERIOD 2014-2021**Innovation, research, education and competitiveness**

1. Business development, innovation and SMEs
2. Research
3. Education, scholarships, apprenticeships, and youth entrepreneurship
4. Work-life balance
5. Social dialogue — decent work

Social inclusion, youth employment and poverty reduction

6. European public health challenges
7. Roma inclusion and empowerment
8. Children and youth at risk
9. Youth participation in the labour market
10. Local development and poverty reduction

Environment, Energy, Climate Change and Low Carbon Economy

11. Environment and Ecosystems
12. Renewable Energy, Energy Efficiency, Energy Security
13. Climate Change Mitigation and Adaptation

Culture, Civil Society, Good Governance, and Fundamental Rights and Freedoms

14. Cultural Entrepreneurship, Cultural Heritage and Cultural Cooperation
15. Civil Society
16. Good Governance, Accountable Institutions, Transparency
17. Human Rights — National Implementation

Justice and Home Affairs

18. Asylum and Migration
 19. Correctional Services and Pre-trial Detention
 20. International Police Cooperation and Combatting Crime
 21. Effectiveness and Efficiency of the Judicial System, strengthening Rule of Law
 22. Domestic and Gender-based Violence
 23. Disaster Prevention and Preparedness
-

ADDITIONAL PROTOCOL
to the Agreement between the European Economic Community and the Republic of Iceland

THE EUROPEAN UNION

and

ICELAND

HAVING REGARD to the Agreement between the European Economic Community and the Republic of Iceland signed on 22 July 1972, and to the existing arrangements for trade in fish and fishery products between Iceland and the Community,

HAVING REGARD to the Additional Protocol to the Agreement between the European Economic Community and Iceland concerning special provisions applicable for the period 2009-2014 to imports into the Union of certain fish and fishery products, and in particular Article 1 thereof,

HAVING REGARD to the Additional Protocol to the Agreement between the European Economic Community and Iceland consequent on the accession of the Republic of Croatia to the European Union, and in particular Article 2 thereof,

HAVE DECIDED TO CONCLUDE THIS PROTOCOL:

Article 1

1. The special provisions applicable to imports into the European Union of certain fish and fishery products originating in Iceland are laid down in this Protocol and the Annex thereto. The annual duty-free tariff quotas are set out in the Annex to this Protocol. These tariff quotas shall be applicable from the day on which the provisional application of this Protocol becomes effective, according to procedures laid down in paragraph 3 of Article 4, until 30 April 2021.

2. At the end of this period, the Contracting Parties will assess the need to maintain the special provisions referred to in paragraph 1 and, if necessary, review the quota levels while taking into account all relevant interests.

Article 2

1. The tariff quotas shall be opened on the day on which the provisional application of this Protocol becomes effective, according to procedures laid down in paragraph 3 of Article 4.

2. The volumes of the tariff quotas are set out in the Annex to this Protocol. The first tariff quota shall be available from the date of provisional application of this Protocol until 30 April 2017. From 1 May 2017 onwards, subsequent tariff quotas shall be allocated annually from 1 May to 30 April until the end of the period referred to in Article 1 of this Protocol.

3. The tariff quota volumes covering the period from 1 May 2014 until the provisional application of this Protocol shall be proportionally allocated and made available for the rest of the period referred to in Article 1 of this Protocol.

Article 3

The rules of origin applicable for the tariff quotas listed in the Annex to this Protocol shall be those set out in the Protocol 3 to the Agreement between the European Economic Community and Iceland signed on 22 July 1972.

Article 4

1. This Protocol shall be ratified or approved by the Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.
2. It shall enter into force on the first day of the second month after the last instrument of ratification or approval has been deposited.
3. Pending the completion of the procedures referred to in paragraphs 1 and 2, this Protocol shall be applied on a provisional basis as from the first day of the third month following the deposit of the last notification to this effect.

Article 5

This Protocol, drawn up in a single original in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Icelandic languages, the text in each of these languages being equally authentic, shall be deposited with the General Secretariat of the Council of the European Union, which will remit a certified copy to each of the Parties.

Съставено в Брюксел на трети май през две хиляди и шестнадесета година.

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Udfærdiget i Bruxelles den tredje maj to tusind og seksten.

Geschehen zu Brüssel am dritten Mai zweitausendsechzehn.

Kahe tuhande kuueteistkümnenda aasta maikuu kolmandal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις τρεις Μαΐου δύο χιλιάδες δεκαέξι.

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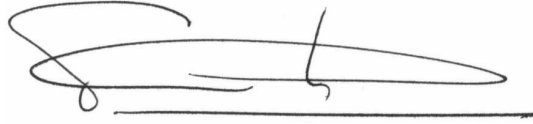
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Fyrir Ísland

A handwritten signature in black ink, featuring a large, stylized initial 'B' followed by several loops and a long horizontal stroke.

ANNEX

SPECIAL PROVISIONS REFERRED TO IN ARTICLE 1 OF THE PROTOCOL

In addition to the existing permanent duty-free tariff quotas, the European Union shall open the following annual duty-free tariff quotas for products originating in Iceland:

CN code	Description of products	Annual (1.5-30.4) tariff quota volume in net weight unless otherwise specified (*)
0303 51 00	Herrings of the species <i>Clupea harengus</i> and <i>Clupea pallasii</i> , frozen, excluding livers and roes ⁽¹⁾	950 tonnes
0306 15 90	Frozen Norway lobsters (<i>Nephrops norvegicus</i>)	1 000 tonnes
0304 49 50	Fillets of redfish (<i>Sebastes</i> spp.), fresh or chilled	2 000 tonnes
1604 20 90	Other preparations of fish	2 500 tonnes

⁽¹⁾ The benefit of the tariff quota shall not be granted to goods declared for release for free circulation during the period 15 February to 15 June.

^(*) Quantities shall be added in accordance with Article 2(3) of the Additional Protocol.

ADDITIONAL PROTOCOL
to the Agreement between the European Economic Community and the Kingdom of Norway

THE EUROPEAN UNION

and

THE KINGDOM OF NORWAY

HAVING REGARD to the Agreement between the European Economic Community and the Kingdom of Norway signed on 14 May 1973, hereinafter called the 'Agreement', and to the existing arrangements for trade in fish and fishery products between Norway and the Community,

HAVING REGARD to the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway concerning special provisions applicable for the period 2009-2014 to imports into the Union of certain fish and fishery products, and in particular Article 1 thereof,

HAVING REGARD to the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway consequent to the accession of the Republic of Croatia to the European Union, and in particular Article 2 and 3 thereof,

HAVE DECIDED TO CONCLUDE THIS PROTOCOL:

Article 1

1. The special provisions applicable to imports into the European Union of certain fish and fishery products originating in Norway are laid down in this Protocol and the Annex thereto.
2. The annual duty-free tariff quotas are set out in the Annex to this Protocol. These quotas shall cover the period from 1 May 2014 to 30 April 2021. The quota levels shall be reviewed by the end of the period taking into account all relevant interests.

Article 2

1. The tariff quotas shall be opened on the day on which the provisional application of this Protocol becomes effective, according to procedures laid down in paragraph 3 of Article 5.
2. The first tariff quota shall be available from the date of provisional application of this Protocol until 30 April 2017. From 1 May 2017 onwards, subsequent tariff quotas shall be allocated annually from 1 May to 30 April until the end of the period referred to in Article 1 of this Protocol.
3. The tariff quota volumes covering the period from 1 May 2014 until the provisional application of this Protocol shall be proportionally allocated and made available for the rest of the period referred to in Article 1 of this Protocol.

Article 3

Norway shall take the necessary steps to ensure the continuation of the arrangement allowing for free transit of fish and fishery products landed in Norway from vessels flying the flag of a Member State of the European Union.

Taking into account the period from 1 May 2014 to the provisional application of this Protocol when the transit arrangement was not in place, the arrangement shall apply for seven years from the day on which the provisional application of this Protocol becomes effective.

Article 4

The rules of origin applicable for the tariff quotas listed in the Annex to this Protocol shall be those set out in Protocol 3 to the Agreement between the European Economic Community and the Kingdom of Norway signed on 14 May 1973.

Article 5

1. This Protocol shall be ratified or approved by the Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.
2. It shall enter into force on the first day of the second month following after the last instrument of ratification or approval has been deposited.
3. Pending the completion of the procedures referred to in paragraphs 1 and 2, this Protocol shall be applied on a provisional basis from the first day of the third month following the deposit of the last notification to this effect.

Article 6

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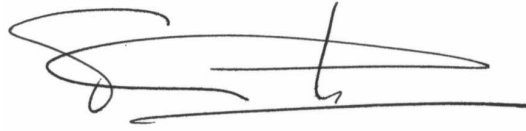
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A stylized, handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

For Kongeriket Norge

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ANNEX

SPECIAL PROVISIONS REFERRED TO IN ARTICLE 1 OF THE PROTOCOL

In addition to the existing permanent duty-free tariff quotas, the European Union shall open the following annual duty-free tariff quotas for products originating in Norway:

CN code	Description of products	Annual (1.5-30.4) tariff quota volume in net weight unless otherwise specified (*)
0303 19 00	Other frozen salmonidae	2 000 tonnes
0303 51 00	Herrings of the species <i>Clupea harengus</i> and <i>Clupea pallasii</i> , frozen, excluding livers and roes ⁽¹⁾	26 500 tonnes
0303 54 10	Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , frozen, whole, excluding livers and roes ⁽¹⁾	25 000 tonnes
ex 0304 89 49 ex 0304 99 99	Mackerel, frozen fillets and frozen flaps	11 300 tonnes
0303 55 30 ex 0303 55 90	Chilean jack mackerel (<i>Trachurus murphyi</i>), frozen Other fish, frozen, other than horse mackerel (scad) (<i>Caranx trachurus</i>)	2 200 tonnes
0303 56 00	Cobia (<i>Rachycentron canadum</i>)	
0303 69 90	Other fish, frozen	
0303 82 00	Rays and skates (<i>Rajidae</i>)	
0303 89 55	Gilt-head sea bream (<i>Sparus aurata</i>)	
0303 89 90	Other fish, frozen all products excluding livers and roes	
0304 86 00 ex 0304 99 23	Frozen fillets of herring of the species <i>Clupea harengus</i> and <i>Clupea pallasii</i> Frozen flaps of herring of the species <i>Clupea harengus</i> and <i>Clupea pallasii</i> (butterflies) ⁽¹⁾	55 600 tonnes
ex 0304 49 90 ex 0304 59 50	Fresh fillets of herring of the species <i>Clupea harengus</i> and <i>Clupea pallasii</i> Fresh flaps of herring of the species <i>Clupea harengus</i> and <i>Clupea pallasii</i> (butterflies)	9 000 tonnes
ex 1605 21 10 ex 1605 21 90 ex 1605 29 00	Shrimps and prawns, peeled and frozen, prepared or preserved	7 000 tonnes
ex 1604 12 91 ex 1604 12 99	Herring, spiced and/or vinegar-cured, in brine	11 400 tonnes net drained weight
0305 10 00	Flours, meals and pellets of fish, fit for human consumption	1 000 tonnes

⁽¹⁾ The benefit of the tariff quota shall not be granted to goods declared for release for free circulation during the period 15 February to 15 June.

^(*) Quantities shall be added in accordance with Article 2(3) of the Additional Protocol.

COUNCIL DECISION (EU) 2016/838**of 23 May 2016****on the conclusion, on behalf of the European Union, of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(6)(a) and the second subparagraph of Article 218(8) thereof, as well as Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament ⁽¹⁾,

Whereas:

- (1) On 10 May 2010 the Council authorised the Commission to open negotiations with Georgia for the conclusion of a new Agreement between the Union and Georgia to replace the Partnership and Cooperation Agreement ⁽²⁾.
- (2) Those negotiations were successfully finalised, and the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part ('the Agreement') was initialled on 29 November 2013.
- (3) In accordance with Council Decision 2014/494/EU ⁽³⁾, the Agreement was signed on 27 June 2014, subject to its conclusion at a later date.
- (4) Pursuant to Article 218(7) of the Treaty on the Functioning of the European Union, it is appropriate for the Council to authorise the Commission to approve modifications to the Agreement to be adopted by the Association Committee in Trade configuration, as set out in Article 408(4) of the Agreement, as proposed by the Geographical Indications Sub-Committee pursuant to Article 179 of the Agreement.
- (5) It is appropriate to set out the relevant procedures for the protection of geographical indications which are given protection pursuant to the Agreement.
- (6) The Agreement should not be construed as conferring rights or imposing obligations which can be directly invoked before Union or Member State courts and tribunals.
- (7) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part ('the Agreement'), is hereby approved on behalf of the Union ⁽⁴⁾.

⁽¹⁾ Consent given on the 18 December 2014 (not yet published in the Official Journal).

⁽²⁾ Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Georgia, of the other part (OJ L 205, 4.8.1999, p. 3).

⁽³⁾ Council Decision 2014/494/EU of 16 June 2014 on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part (OJ L 261, 30.8.2014, p. 1).

⁽⁴⁾ The Agreement has been published in the *Official Journal of the European Union* (OJ L 261, 30.8.2014, p. 4) together with the decision on its signature.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 431(1) of the Agreement ⁽¹⁾.

Article 3

For the purposes of Article 179 of the Agreement, modifications to the Agreement through decisions of the Geographical Indications Sub-Committee shall be approved by the Commission on behalf of the Union. Where interested parties cannot reach agreement following objections relating to a geographical indication, the Commission shall adopt a position on the basis of the procedure laid down in Article 57(2) of Regulation (EU) No 1151/2012 of the European Parliament and of the Council ⁽²⁾.

Article 4

1. A name protected under Sub-Section 3 'Geographical Indications' of Chapter 9 of Title IV of the Agreement may be used by any operator marketing agricultural products, foodstuffs, wines, aromatised wines or spirits conforming to the corresponding specification.

2. In accordance with Article 175 of the Agreement, the Member States and the institutions of the Union shall enforce the protection provided for in Articles 170 to 174 of the Agreement, including at the request of an interested party.

Article 5

The Agreement shall not be construed as conferring rights or imposing obligations which can be directly invoked before Union or Member State courts and tribunals.

Article 6

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

Done at Brussels, 23 May 2016.

For the Council
The President
F. MOGHERINI

⁽¹⁾ The date of the entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

⁽²⁾ Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

COUNCIL DECISION (EU) 2016/839**of 23 May 2016****on the conclusion, on behalf of the European Union, of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(6)(a) and the second subparagraph of Article 218(8) thereof, as well as Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament ⁽¹⁾,

Whereas:

- (1) On 15 June 2009, the Council authorised the Commission to open negotiations with the Republic of Moldova for the conclusion of a new Agreement between the Union and the Republic of Moldova to replace the Partnership and Cooperation Agreement ⁽²⁾.
- (2) Those negotiations were successfully finalised and the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part ('the Agreement'), was initialled on 29 November 2013.
- (3) In accordance with Council Decision 2014/492/EU ⁽³⁾, the Agreement was signed on 27 June 2014, subject to its conclusion at a later date.
- (4) Pursuant to Article 218(7) of the Treaty on the Functioning of the European Union, it is appropriate for the Council to authorise the Commission to approve modifications to the Agreement to be adopted by the Association Committee in Trade configuration, as set out in Article 438(4) of the Agreement, as proposed by the Geographical Indications Sub-Committee pursuant to Article 306 of the Agreement.
- (5) It is appropriate to set out the relevant procedures for the protection of geographical indications which are given protection pursuant to the Agreement.
- (6) The Agreement should not be construed as conferring rights or imposing obligations which can be directly invoked before Union or Member State courts and tribunals.
- (7) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part ('the Agreement'), is hereby approved on behalf of the Union ⁽⁴⁾.

⁽¹⁾ Consent given on the 13 November 2014 (not yet published in the Official Journal).

⁽²⁾ Partnership and Cooperation Agreement between the European Communities and their Member States and the Republic of Moldova (OJ L 181, 24.6.1998, p. 3).

⁽³⁾ Council Decision 2014/492/EU of 16 June 2014 on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part (OJ L 260, 30.8.2014, p. 1).

⁽⁴⁾ The Agreement has been published in the *Official Journal of the European Union* (OJ L 260, 30.8.2014, p. 3) together with the decision on its signature.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 464(1) of the Agreement ⁽¹⁾.

Article 3

For the purposes of Article 306 of the Agreement, modifications to the Agreement through decisions of the Geographical Indications Sub-Committee shall be approved by the Commission on behalf of the Union. Where interested parties cannot reach agreement following objections relating to a geographical indication, the Commission shall adopt a position on the basis of the procedure laid down in Article 57(2) of Regulation (EU) No 1151/2012 of the European Parliament and of the Council ⁽²⁾.

Article 4

1. A name protected under Sub-Section 3 'Geographical Indications' of Chapter 9 of Title V of the Agreement may be used by any operator marketing agricultural products, foodstuffs, wines, aromatised wines or spirits conforming to the corresponding specification.

2. In accordance with Article 301 of the Agreement, the Member States and the institutions of the Union shall enforce the protection provided for in Articles 297 to 300 of the Agreement, including at the request of an interested party.

Article 5

The Agreement shall not be construed as conferring rights or imposing obligations which can be directly invoked before Union or Member State courts and tribunals.

Article 6

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

Done at Brussels, 23 May 2016.

For the Council
The President
F. MOGHERINI

⁽¹⁾ The date of the entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

⁽²⁾ Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2016/840

of 27 May 2016

implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria ⁽¹⁾, and in particular Article 32(1) thereof,

Whereas:

- (1) On 18 January 2012, the Council adopted Regulation (EU) No 36/2012.
- (2) Two persons should no longer be kept on the list of natural and legal persons, entities or bodies subject to restrictive measures in Annex II to Regulation (EU) No 36/2012.
- (3) The information relating to certain persons listed in Annex II to Regulation (EU) No 36/2012 should be updated.
- (4) Annex II to Regulation (EU) No 36/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EU) No 36/2012 is amended as set out in the Annex to this Regulation.

Article 2

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.

Done at Brussels, 27 May 2016.

For the Council

The President

A.G. KOENDERS

⁽¹⁾ OJ L 16, 19.1.2012, p. 1.

ANNEX

- I. The entries concerning the following persons are deleted from the list set out in Section A of Annex II to Regulation (EU) No 36/2012:

No 15. Mohamed Farahat (a.k.a. Muhammad Farahat)

No 17. Muhammad (محمد) Nasif (نأسيف) (a.k.a. Naseef, Nassif, Nasseef) Khayrbik (خيربك)

- II. The entries concerning the persons listed below, as set out in Section A of Annex II to Regulation (EU) No 36/2012, are replaced by the following entries:

	Name	Identifying information	Reasons	Date of listing
8.	Rami (رامي) Makhlouf (مخلوف)	Born: 10 July 1969; Place of birth: Damascus; passport No 454224	Leading businessman operating in Syria with interests in the telecommunications, financial services, transport and property sectors; he has financial interest in and/or holds senior and executive positions in Syriatel, the leading mobile telephone operator in Syria, the investment funds Al Mashreq, Bena Properties and Cham Holding. He furnishes financing and support to the Syrian regime, through his business interests. He is an influential member of the Makhlouf family and closely connected to the Assad family; cousin of President Bashar al-Assad.	9.5.2011
18.	Mohammed (محمد) Hamcho (حمشو)	Born: 20 May 1966; Passport No 002954347	Leading businessman operating in Syria, with interests in the engineering and construction, media, hospitality and health sector. He has financial interest in and/or holds senior and executive positions within a number of companies in Syria, in particular Hamsho international, Hamsho Communication, Mhg International, Jupiter for Investment and Tourism project and Syria Metal industries. He plays an important role in the business community in Syria as general secretary of the Damascus Chamber of Commerce (appointed by the then Minister for economy Khodr Orfali in December 2014), chairman of the China-Syria Bilateral Business Councils (since March 2014) and chairman of the Syrian Metal and Steel Council (since December 2015). He has close business relationships with key figures of the Syrian regime, including Maher Al-Assad. Mohammed Hamcho benefits from and provides support to the Syrian regime through his business interests, and is associated with persons benefiting from and providing support to this regime.	27.1.2015

	Name	Identifying information	Reasons	Date of listing
22.	Ihab (إيهاب) (a.k.a. Ehab, Iehab) Makhlouf (مخلوف)	Born: 21 January 1973; Place of birth: Damascus; Passport No N002848852	Leading businessman operating in Syria. Ihab Makhlouf is Vice President of, and shareholder in Syriatel, the leading mobile telephone operator in Syria. He also has business interests in several other Syrian companies and entities, including Ramak Construction Co and Syrian International Private University for Science and Technology (SIUST). As Vice President of Syriatel, which transfers a significant part of its profits to the Syrian government by way of its licensing contract, Ihab Makhlouf is also directly supporting the Syrian regime. He is an influential member of the Makhlouf family and closely connected to the Assad family; cousin of President Bashar al-Assad.	23.5.2011
28.	Khalid (خالد) (a.k.a. Khaled) Qaddur (قدور) (a.k.a. Qadour, Qaddour, Kaddour)		Leading businessperson operating in Syria, with interests and/or activities in the telecommunications, oil and plastic industry sectors and close business relations with Maher Al-Assad. He benefits from and provides support to the Syrian regime, through his business activities. Associate of Maher Al-Assad, including through his business activities.	27.1.2015
29.	Ra'if (رئيف) Al-Quwatly (القواتلي) (a.k.a. Ri'af Al-Quwatli a.k.a. Raef Al-Kouatly)	Born: 3.2.1967; Place of birth: Damascus	Business associate of Maher Al-Assad and responsible for managing some of his business interests; provides funding to the regime.	23.6.2011
32.	Mr Mohammed (محمد) Makhlouf (مخلوف) (a.k.a. Abu Rami)	Born: 19.10.1932; Place of birth: Latakia, Syria	Influential member of the Makhlouf family, business associate and father of Rami, Ihab and Iyad Makhlouf. Closely associated with the Assad family and maternal uncle of Bashar and Mahir al-Assad. Also referred to as Abu Rami.	1.8.2011

	Name	Identifying information	Reasons	Date of listing
			<p>Leading businessperson operating in Syria, with interests and/or activities in multiple sectors of Syria's economy, including interests in and/or significant influence in the General Organisation of Tobacco and the oil and gas, arms and banking sectors.</p> <p>Involved in business dealings for the Assad regime in arms procurement and banking. Given the extent of his business and political ties to the regime he provides support to and benefits from the Syrian regime.</p>	
33.	Ayman (أيمن) Jabir (جابر) (a.k.a. Aiman Jaber)	Place of birth: Latakia	<p>Leading businessman operating in Syria, involved in the steel, media, consumable goods and oil sectors, including in trading these goods. He has financial interest and/or holds senior executive positions in a number of companies and entities in Syria, in particular Al Jazira (aka Al Jazerra; El Jazireh), Dunia TV, and Sama Satellite Channel.</p> <p>Through his company Al Jazira, Ayman Jaber has facilitated the importation of oil from Overseas Petroleum Trading to Syria.</p> <p>Ayman Jaber benefits from and provides support to the regime, through his business interests.</p> <p>Provides direct support for and plays leading role in activities of regime affiliated militias known as Shabiha and/or Suqur as-Sahraa.</p> <p>Associate of Rami Makhlouf through his business activities and an associate of Maher Al-Assad through his role in regime affiliated militias.</p>	27.1.2015
41.	Ali (علي) Douba (دوبا)	Born: 1933 Place of birth: Karfis, Syria	Responsible for killings in Hama in 1980, has been called back to Damascus as special advisor to President Bashar Al-Assad.	23.8.2011
48.	Samir (سمير) Hassan (حسن)		Leading businessperson operating in Syria, with interests and/or activities in multiple sectors of Syria's economy. He holds interests in and/or has significant influence in the Amir Group and Cham Holdings, two conglomerates with interests in the real estate, tourism, transport and finance sectors. Since March 2014, he has held the position of Chairman for Russia of the Bilateral Business Councils following his appointment by Minister of Economy, Khodr Orfali.	27.9.2014

	Name	Identifying information	Reasons	Date of listing
			Samir Hassan supports the regime's war effort with cash donations. Samir Hassan is associated with persons benefitting from or supporting the regime. In particular, he is associated with Rami Makhlouf and Issam Anbouba, who have been designated by the Council and benefits from the Syrian regime.	
108.	Mohammad (محمد) (a.k.a. Mohamed, Muhammad, Mohammed) Al-Jleilati (الجيلاتي, جيلاتي)	Born: 1945; Place of birth: Damascus	Former Minister of Finance, in office until 9 February 2013. As former Government Minister, shares responsibility for the regime's violent repression against the civilian population.	1.12.2011
111.	Joseph (جوزيف) Suwaid (سويد)	Born: 1958; Place of Birth: Damascus	Former Minister of State, in office until at least 21 January 2014. As former Government Minister, shares responsibility for the regime's violent repression against the civilian population.	23.3.2012
112.	Hussein (حسين) (a.k.a. Hussain) Mahmoud (محمود) Farzat (فرزات) (a.k.a.: Hussein Mahmud Farzat)	Born: 1957; Place of Birth: Hama	Former Minister of State, in office until at least 2014. As former Government Minister, shares responsibility for the regime's violent repression against the civilian population.	23.3.2012
114.	Emad (عماد) Abdul-Ghani (عبدالغني) Sabouni (صابوني) (a.k.a.: Imad Abdul Ghani Al Sabuni)	Born: 1964; Place of birth: Damascus	Former Minister of Telecommunications and Technology, in office until at least April 2014. As former Government Minister, shares responsibility for the regime's violent repression against the civilian population.	27.2.2012
117.	Adnan (عدنان) Hassan (حسن) Mahmoud (محمود)	Born: 1966; Place of birth: Tartous	Former Minister of Information. As former Government Minister, shares responsibility for the regime's violent repression against the civilian population.	23.9.2011

	Name	Identifying information	Reasons	Date of listing
192.	Hashim Anwar al-Aqqad a.k.a. Hashem Aqqad, Hashem Akkad, Hashim Akkad	Born: 1961 Place of birth: Mohagirine, Syria	<p>Leading businessperson operating in Syria, with interests and/or activities in multiple sectors of Syria's economy. He holds interests in and/or has significant influence in Anwar Akkad Sons Group (AASG) and its subsidiary United Oil. AASG is a conglomerate with interests in sectors such as oil, gas, chemicals, insurance, industrial machinery, real estate, tourism, exhibitions, contracting, insurance, and medical equipment.</p> <p>Hashim Anwar al-Aqqad also worked as a member of the Syrian Parliament as recently as 2012.</p> <p>Al-Aqqad could not have remained successful without assistance from the regime. Given the extent of his business and political ties to the regime he provides support to and benefits from the Syrian regime.</p>	23.7.2014
201.	Wael Abdulkarim (a.k.a. Wael Al Karim)	Al Karim for Trade and Industry, PO Box 111, 5797 Damascus, Syria	<p>Leading businessperson operating in Syria in the oil, chemicals and manufacturing industries. Specifically, he represents Abdulkarim Group, a.k.a. Al Karim Group/Alkarim for Trade and Industry/Al Karim Trading and Industry/Al Karim for Trade and Industry. Abdulkarim Group is a leading manufacturer of lubricants, greases and industrial chemicals in Syria.</p>	7.3.2015
203.	George Haswani (a.k.a. Heswani; Hasawani; Al Hasawani)	Address: Damascus Province, Yabroud, Al Jalaa St, Syria	<p>Leading businessperson operating in Syria, with interests and/or activities in the engineering, construction and oil and gas sectors. He holds interests in and/or has significant influence in a number of companies and entities in Syria, in particular HESCO Engineering and Construction Company, a major engineering and construction company.</p> <p>George Haswani has close ties to the Syrian regime. He provides support and benefits from the regime through his role as a middleman in deals for the purchase of oil from ISIL by the Syrian regime. He also benefits from the regime through favourable treatment including the award of a contract (as a subcontractor) with Stroytransgaz, a major Russian oil company.</p>	7.3.2015

COUNCIL REGULATION (EU) 2016/841**of 27 May 2016****amending Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea**

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 (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP ⁽¹⁾,

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 27 May 2016, the Council adopted Decision (CFSP) 2016/849.
- (2) Council Regulation (EC) No 329/2007 ⁽²⁾ gives effect to measures provided for in Decision (CFSP) 2016/849.
- (3) Decision (CFSP) 2016/849 prohibits the supply, sale or transfer to the Democratic People's Republic of Korea ('North Korea') of further items, materials and equipment relating to dual-use goods and technology. It also prohibits transfers of funds to and from North Korea unless specifically authorised in advance, as well as investment by North Korea and its nationals in the territories under the jurisdiction of Member States and investment by Union nationals or entities in North Korea. Furthermore, it prohibits any aircraft operated by North Korean carriers or originating from North Korea from landing in, taking off from or overflying Member States' territory as well as any vessel that is owned, operated or crewed by North Korea from entering into Member States' ports. It introduces a prohibition on the import of luxury goods from North Korea, as well as prohibitions on the provision of financial support for trade with North Korea. A prior-contract exemption from the obligation to freeze the funds and economic resources of certain North Korean persons and entities is also introduced.
- (4) Regulation (EC) No 329/2007 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 329/2007 is amended as follows:

- (1) in Article 1, the following points are added:

'10. "investment services" means the following services and activities:

- (a) reception and transmission of orders in relation to one or more financial instruments;
- (b) execution of orders on behalf of clients;

⁽¹⁾ See page 79 of this Official Journal.

⁽²⁾ Council Regulation (EC) No 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea (OJ L 88, 29.3.2007, p. 1).

- (c) dealing on own account;
- (d) portfolio management;
- (e) investment advice;
- (f) underwriting of financial instruments and/or placing of financial instruments on a firm-commitment basis;
- (g) placing of financial instruments without a firm-commitment basis;
- (h) any service in relation to the admission to trading on a regulated market or trading on a multilateral trading facility;

11. "transfer of funds" means:

- (a) any transaction carried out on behalf of a payer through a payment service provider by electronic means, with a view to making funds available to a payee at a payment service provider, irrespective of whether the payer and the payee are the same person;
- (b) any transaction by non-electronic means, such as in cash, cheques or accountancy orders, with a view to making funds available to a payee irrespective of whether the payer and the payee are the same person;

12. "payee" means a natural or legal person that is the intended recipient of transferred funds;

13. "payer" means a person that holds a payment account and allows a transfer of funds from that payment account, or, where there is no payment account, that gives a transfer-of-funds order;

14. "payment service provider" means the categories of payment service provider referred to in Article 1(1) of Directive 2007/64/EC of the European Parliament and of the Council (*), natural or legal persons benefiting from a waiver pursuant to Article 26 of Directive 2007/64/EC and legal persons benefiting from a waiver pursuant to Article 9 of Directive 2009/110/EC of the European Parliament and of the Council (**), providing transfer-of-funds services.

(*) Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC (OJ L 319, 5.12.2007, p. 1).

(**) Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC (OJ L 267, 10.10.2009, p. 7).;

(2) in Article 2, paragraph 4 is replaced by the following:

‘4. It shall be prohibited to:

- (a) import, purchase or transfer gold, titanium ore, vanadium ore and rare-earth minerals, as listed in Annex Ic, or coal, iron and iron ore, as listed in Annex Id, from North Korea, whether or not originating in North Korea;
- (b) import, purchase or transfer from North Korea petroleum products, as listed in Annex If, whether or not originating in North Korea;
- (c) participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in points (a) and (b).

Annex Ic shall include gold, titanium ore, vanadium ore and rare-earth minerals referred to in point (a) of paragraph 4.

Annex Id shall include coal, iron and iron ore referred to in point (a) of paragraph 4.

Annex If shall include the petroleum products referred to in point (b) of paragraph 4.;

(3) Article 3a is replaced by the following:

Article 3a

1. By way of derogation from Article 2(1) and Article 3(1), the relevant competent authority of a Member State, as indicated on the websites listed in Annex II, may authorise, under such terms and conditions as it deems appropriate, the direct or indirect supply, sale, transfer or export of the items and technology, including software, referred to in Article 2(1) or the assistance or brokering services referred to in Article 3(1), provided that the goods and technology, assistance or brokering services are for food, agricultural, medical or other humanitarian purposes.
2. The Member State concerned shall inform the other Member States and the Commission, within four weeks, of authorisations granted pursuant to this Article.
3. By way of derogation from point (a) of Article 2(1) and points (a) and (b) of Article 3(1), the relevant competent authority of the Member State, as indicated on the websites listed in Annex II, may authorise the transactions referred to therein under such conditions as it deems appropriate and provided that the UN Security Council has approved the request.
4. The Member State concerned shall inform the other Member States and the Commission of any request for approval which it has submitted to the UN Security Council pursuant to paragraph 3.;

(4) Article 3b is replaced by the following:

Article 3b

1. In addition to the obligation to provide the competent customs authorities with the pre-arrival and pre-departure information as determined in the relevant provisions concerning entry and exit summary declarations as well as customs declarations in Regulation (EU) No 952/2013 of the European Parliament and of the Council (*), Commission Delegated Regulation (EU) 2015/2446 (**) and Commission Implementing Regulation (EU) 2015/2447 (***), the person who provides the information referred to in paragraph 2 of this Article shall declare whether the goods are covered by the EU Common List of Military Equipment or by this Regulation and, where their export is subject to authorisation, specify the goods and technology covered by the export licence granted.
2. The required additional elements referred to in this Article shall be submitted using a customs declaration or, in the absence of such a declaration, in any other written form, as appropriate.

(*) Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

(**) Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

(***) Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).;

(5) Article 3c is deleted;

(6) Article 4 is replaced by the following:

Article 4

1. It shall be prohibited to:
 - (a) sell, supply, transfer or export, directly or indirectly, luxury goods, as listed in Annex III, to North Korea;
 - (b) purchase, import or transfer from North Korea, directly or indirectly, luxury goods, as listed in Annex III, whether or not originating in North Korea;
 - (c) participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in points (a) and (b).

2. By way of derogation from point (b) of paragraph 1, the prohibition referred to therein shall not apply to travellers' personal effects or to goods of a non-commercial nature for travellers' personal use contained in their luggage.

3. The prohibitions referred to in points (a) and (b) of paragraph 1 shall not apply to goods which are necessary for the official purposes of diplomatic or consular missions of Member States in North Korea or of international organisations enjoying immunities in accordance with international law, or to the personal effects of their staff.

4. The relevant competent authority of a Member State, as indicated on the websites listed in Annex II, may authorise, under such conditions as it deems appropriate, a transaction with regard to goods referred to in point 17 of Annex III, provided that the goods are for humanitarian purposes.;

(7) Article 5 is replaced by the following:

Article 5

1. Cargo within or transiting through the Union, including airports, seaports and free zones, as referred to in Articles 243 to 249 of Regulation (EU) No 952/2013, shall be liable for inspection for the purposes of ensuring that it does not contain items prohibited by UN Security Council Resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or by this Regulation where:

- (a) the cargo originates from North Korea;
- (b) the cargo is destined for North Korea;
- (c) the cargo has been brokered or facilitated by North Korea or its nationals or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them;
- (d) the cargo has been brokered or facilitated by persons, entities or bodies listed in Annex IV;
- (e) the cargo is being transported on a North Korean flagged vessel or aircraft registered to North Korea, or on a stateless vessel or aircraft.

2. Where the cargo falls outside of the scope of paragraph 1, cargo within or transiting through the Union, including airports, seaports and free zones, shall be liable for inspection where there are reasonable grounds to believe that it may contain items the sale, supply, transfer or export of which is prohibited by this Regulation in the following circumstances:

- (a) the cargo originates from North Korea;
- (b) the cargo is destined for North Korea; or
- (c) the cargo has been brokered or facilitated by North Korea or its nationals or individuals or entities acting on their behalf.

3. Paragraphs 1 and 2 shall be without prejudice to the inviolability and protection of diplomatic and consular bags provided for in the Vienna Convention on Diplomatic Relations 1961 and the Vienna Convention on Consular Relations 1963.

4. The provision of bunkering or ship-supply services, or any other servicing of vessels, to North Korean vessels is prohibited where the providers of the service have information, including from the competent customs authorities on the basis of the pre-arrival and pre-departure information referred to in Article 3a(1), that provides reasonable grounds to believe that the vessels carry items whose supply, sale, transfer or export is prohibited by this Regulation, unless the provision of such services is necessary for humanitarian purposes.;

(8) the following articles are inserted:

Article 5b

1. It shall be prohibited, in the territory of the Union, to accept or approve investment in any commercial activity where such investment is made by:

- (a) persons, entities or bodies of the Government of North Korea;
- (b) the Workers Party of Korea;

- (c) nationals of North Korea;
- (d) legal persons, entities or bodies incorporated or constituted under the law of North Korea;
- (e) persons, entities or bodies acting on their behalf or at their direction;
- (f) legal persons, entities or bodies owned or controlled by them.

2. It shall be prohibited to:

- (a) establish a joint venture with or take or extend an ownership interest, including by acquisition in full or the acquisition of shares and other securities of a participatory nature, in any legal person, entity or body referred to in points (a) to (f) of paragraph 1 engaged in North Korea's nuclear-related, ballistic-missile-related or other weapons-of-mass-destruction-related activities or programmes, or in activities in the sectors of mining, refining and chemical industries;
- (b) grant financing or financial assistance to any legal person, entity or body referred to in points (d) to (f) of paragraph 1 or for the documented purpose of financing such legal persons, entities or bodies;
- (c) provide investment services directly related to the activities referred to in points (a) and (b) of this paragraph.

Article 5c

1. Transfers of funds to and from North Korea shall be prohibited, unless they concern a transaction referred to in paragraph 3.

2. It shall be prohibited for credit and financial institutions falling within the scope of Article 16 to enter into, or continue to participate in, any transactions with:

- (a) credit and financial institutions domiciled in North Korea;
- (b) branches or subsidiaries falling within the scope of Article 16 of credit and financial institutions domiciled in North Korea, as listed in Annex VI;
- (c) branches or subsidiaries falling outside the scope of Article 16 of credit and financial institutions domiciled in North Korea, as listed in Annex VI;
- (d) credit and financial institutions that are neither domiciled in North Korea nor fall within the scope of Article 16, but are controlled by persons, entities or bodies domiciled in North Korea, as listed in Annex VI,

unless such transactions fall within the scope of paragraph 3 and have been authorised in accordance with point (a) of paragraph 4, or do not require authorisation in accordance with point (b) of paragraph 4.

3. The following transactions may be authorised in accordance with point (a) of paragraph 4:

- (a) transactions regarding foodstuffs, healthcare or medical equipment or for agricultural or humanitarian purposes;
- (b) transactions regarding personal remittances;
- (c) transactions regarding the execution of the exemptions provided for in this Regulation;
- (d) transactions in connection with a specific trade contract not prohibited by this Regulation;
- (e) transactions regarding a diplomatic or consular mission or an international organisation enjoying immunities in accordance with international law, insofar as such transactions are intended to be used for official purposes of the diplomatic or consular mission or international organisation;

- (f) transactions required exclusively for the implementation of projects funded by the Union or its Member States for development purposes directly addressing the needs of the civilian population or the promotion of denuclearisation;
- (g) transactions regarding payments to satisfy claims against North Korea, its nationals or legal persons, entities or bodies incorporated or constituted under the law of North Korea, and transactions of a similar nature that do not contribute to activities prohibited by this Regulation, on a case-by-case basis and if the Member State concerned has notified the other Member States and the Commission at least 10 days in advance of granting an authorisation.
4. Transactions referred to in paragraph 3 involving transfers of funds to and from North Korea for amounts:
- (a) above EUR 15 000 or equivalent shall require prior authorisation by the relevant competent authority of the Member State, as indicated on the websites listed in Annex II to this Regulation;
- (b) equal to or below EUR 15 000 or equivalent shall not require prior authorisation.
5. No prior authorisation shall be required for any transaction or transfer of funds which is necessary for the official purposes of a diplomatic or consular mission of a Member State or international organisation enjoying immunities in North Korea in accordance with international law.
6. The Member States shall inform each other and the Commission of any authorisation granted pursuant to point (a) of paragraph 4.
7. For transactions falling within the scope of paragraph 3, credit and financial institutions referred to in Article 16 shall, in their activities with credit and financial institutions referred to in points (a) to (d) of paragraph 2:
- (a) apply customer due diligence measures established pursuant to Articles 8 and 9 of Directive 2005/60/EC of the European Parliament and of the Council (*);
- (b) ensure compliance with anti-money-laundering and counter-terrorist-financing procedures established pursuant to Directive 2005/60/EC and Regulation (EC) No 1781/2006 of the European Parliament and of the Council (**);
- (c) require that information on payers accompanying transfers of funds is provided as required under Regulation (EC) No 1781/2006, as well as information on payees, such as the name of the payee and the payee's payment account number, and, where applicable, a unique transaction identifier, and refuse to process the transaction if any of this information is missing or incomplete;
- (d) maintain records of the transactions in accordance with point (b) of Article 30 of Directive 2005/60/EC;
- (e) where there are reasonable grounds to suspect that funds could contribute to North Korea's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes or activities ('proliferation financing'), promptly inform the competent Financial Intelligence Unit (FIU), as defined by Directive 2005/60/EC, or any other competent authority designated by the Member State concerned, as indicated on the websites listed in Annex II, without prejudice to Article 3(1) or 6;
- (f) promptly report any suspicious transactions, including attempted transactions;
- (g) refrain from carrying out transactions which they reasonably suspect could be related to proliferation financing until they have completed the necessary action in accordance with point (e) and have complied with any instructions from the relevant FIU or competent authority.

For the purposes of this paragraph, the FIU, or any other competent authority serving as a national centre for receiving and analysing suspicious transactions, shall receive reports regarding potential proliferation financing and shall have access, directly or indirectly, on a timely basis to the financial, administrative and law-enforcement information that it requires in order to perform that function properly, including the analysis of suspicious transaction reports.

8. The requirement for prior authorisation in paragraph 3 shall apply regardless of whether the transfer of funds is executed in a single operation or in several operations which appear to be linked. For the purpose of this Regulation, 'operations which appear to be linked' includes:

- (a) a series of consecutive transfers from or to the same credit or financial institution within the scope of paragraph 2, or from or to the same North Korean person, entity or body, which are made in connection with a single obligation to transfer funds, where each individual transfer falls below EUR 15 000 but which, in the aggregate, meet the criteria for authorisation;
- (b) a chain of transfers involving different payment service providers, or natural or legal persons, which is related to a single obligation to make a transfer of funds.

9. It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in this Article.

(*) Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

(**) Regulation (EC) No 1781/2006 of the European Parliament and of the Council of 15 November 2006 on information on the payer accompanying transfer of funds (OJ L 345, 8.12.2006, p. 1).;

(9) Article 8 is replaced by the following:

Article 8

1. By way of derogation from Article 6, the competent authorities of the Member States, as indicated on the websites listed in Annex II, may authorise the release of certain frozen funds or economic resources, if the following conditions are met:

- (a) the funds or economic resources are the subject of a judicial, administrative or arbitral decision established prior to the date on which the person, entity or body referred to in Article 6 was designated, or of a judicial, administrative or arbitral judgment rendered prior to that date;
- (b) the funds or economic resources are to be used exclusively to satisfy claims secured by such a decision or recognised as valid in such a judgment, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the decision or judgment is not for the benefit of a person, entity or body listed in Annex IV, V or Va;
- (d) recognising the decision or judgment is not contrary to public policy in the Member State concerned; and
- (e) the decision or judgment in respect of persons, entities and bodies listed in Annex IV has been notified by the Member State concerned to the Sanctions Committee.

2. By way of derogation from Article 6, and provided that a payment by a person, entity or body listed in Annex V is due under a contract or agreement that was concluded by, or under an obligation for the person, entity or body concerned that arose before, the date on which that person, entity or body had been designated, the competent authorities of the Member States, as indicated on the websites listed in Annex II, may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources, provided that the competent authority concerned has determined that:

- (a) the contract is not related to any item, operation, service or transaction referred to in point (a) of Article 2(1), Article 2(3) or Article 3; and
- (b) the payment is not directly or indirectly received by a person, entity or body listed in Annex V.

3. The Member State concerned shall, at least 10 days prior to the granting of each authorisation pursuant to paragraph 2, notify the other Member States and the Commission of that determination and of its intention to grant an authorisation.’;

(10) Article 9b is replaced by the following:

‘Article 9b

1. It shall be prohibited to provide financing or financial assistance for trade with North Korea, including the granting of export credits, guarantees or insurance to persons or entities involved in such trade, where such financial support could contribute to:

- (a) North Korea’s nuclear or ballistic-missile programmes or other activities prohibited by this Regulation;
- (b) the circumvention of the prohibition in point (a).

2. The prohibitions in paragraph 1 shall not apply with respect to contracts and agreements for the provision of financial support concluded prior to 29 May 2016.

3. The prohibitions in paragraph 1 shall not apply with respect to the provision of financial support for trade in food, agricultural, medical or other humanitarian purposes.’;

(11) the following article is inserted:

‘Article 9c

1. No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed by this Regulation, including claims for indemnity or any other claim of that type, such as a claim for compensation or a claim under a guarantee, notably a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:

- (a) designated persons, entities or bodies listed in Annex IV or V;
- (b) any other North Korean person, entity or body, including the Government of North Korea and its public bodies, corporations and agencies; or
- (c) any person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in points (a) and (b).

2. The performance of a contract or transaction shall be regarded as having been affected by the measures imposed by this Regulation where the existence or content of the claim results directly or indirectly from those measures.

3. In any proceedings for the enforcement of a claim, the onus of proving that satisfying the claim is not prohibited by paragraph 1 shall be on the person seeking the enforcement of that claim.

4. This Article is without prejudice to the right of the persons, entities and bodies referred to in paragraph 1 to judicial review of the legality of the non-performance of contractual obligations in accordance with this Regulation.’;

(12) Article 11 is replaced by the following:

‘Article 11

1. 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, entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen or withheld as a result of negligence.

2. Actions by natural or legal persons, entities or bodies shall not give rise to liability of any kind on their part if they did not know, and had no reasonable cause to suspect, that their actions would infringe the measures set out in this Regulation.;

(13) Article 11a is replaced by the following:

Article 11a

1. It shall be prohibited to provide access to ports in the territory of the Union to any vessel:

- (a) that is owned, operated or crewed by North Korea;
- (b) where there are reasonable grounds to believe that it is owned or controlled, directly or indirectly, by a person or entity listed in Annex IV;
- (c) where there are reasonable grounds to believe that it contains items the supply, sale, transfer or export of which is prohibited by this Regulation;
- (d) which has refused to be inspected after such an inspection has been authorised by the vessel's flag State or State of registration; or
- (e) which is without nationality and has refused to be inspected in accordance with Article 5(1).

2. Paragraph 1 shall not apply:

- (a) in the case of an emergency;
- (b) in the case of a maritime vessel coming into port for inspection, or
- (c) where the vessel is returning to its port of origin.

3. By way of derogation from the prohibition in paragraph 1, the relevant competent authority of the Member State, as indicated on the websites listed in Annex II, may authorise a maritime vessel to come into port if:

- (a) the Sanctions Committee has determined in advance that this is required for humanitarian purposes or any other purpose consistent with the objectives of UN Security Council Resolution 2270 (2016); or
- (b) the Member State has determined in advance that this is required for humanitarian purposes or any other purpose consistent with the objectives of this Regulation.

4. It shall be prohibited for any aircraft operated by North Korean carriers or originating from North Korea to take off from, land in or overfly the territory of the Union.

5. Paragraph 4 shall not apply:

- (a) where the aircraft is landing for inspection;
- (b) in the case of an emergency landing.

6. By way of derogation from paragraph 4, the relevant competent authority of the Member State, as indicated on the websites listed in Annex II, may authorise an aircraft to take off from, land in or overfly the territory of the Union if that competent authority has determined in advance that this is required for humanitarian purposes or any other purpose consistent with the objectives of this Regulation.;

(14) Article 11c is deleted;

(15) the text set out in the Annex to this Regulation is added as Annex If.

Article 2

This Regulation shall enter into force on the date 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.

Done at Brussels, 27 May 2016.

For the Council
The President
A.G. KOENDERS

ANNEX

ANNEX IF

PETROLEUM PRODUCTS REFERRED TO IN ARTICLE 2(4)

	2707	Oils and other products of the distillation of high temperature coal tar; similar products in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents
	2709	Petroleum oils and oils obtained from bituminous minerals, crude
	2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils
	2711	Petroleum gases and other gaseous hydrocarbons
	2712 10	– Petroleum jelly
	2712 20	– Paraffin wax containing by weight less than 0,75 % of oil
Ex	2712 90	– Other
	2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals
Ex	2714	Bitumen and asphalt, natural; bituminous or oil-shale and tar sands; asphaltites and asphaltic rocks
Ex	2715	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
		– Containing petroleum oils or oils obtained from bituminous minerals
	3403 11	-- Preparations for the treatment of textile materials, leather, furskins or other materials
	3403 19	-- Other
		– Other
Ex	3403 91	-- Preparations for the treatment of textile materials, leather, furskins or other materials
Ex	3403 99	-- Other
		----- Chemical products or preparations, predominantly composed of organic compounds, not elsewhere specified or included
Ex	3824 90 92	----- In the form of a liquid at 20 °C
Ex	3824 90 93	----- Other
Ex	3824 90 96	----- Other
	3826 00 10	– Fatty-acid mono-alkyl esters, containing by volume 96,5 % or more of esters (FAMAE)
	3826 00 90	– Other'

COMMISSION IMPLEMENTING REGULATION (EU) 2016/842**of 27 May 2016****amending Regulation (EC) No 167/2008 as regards the name of the holder of the authorisation and the trade name of a coccidiostat****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾ and in particular Article 13(3) thereof,

Whereas:

- (1) KRKA d.d. has submitted an application in accordance with Article 13(3) of Regulation (EC) No 1831/2003 proposing to change the name of the holder of the authorisation as regards Commission Regulation (EC) No 167/2008 ⁽²⁾ concerning the authorisation of a coccidiostat (Kokcisan 120G).
- (2) The applicant claims that, with effect from 5 February 2016, it has transferred the marketing rights of the feed additive Kokcisan 120G to Huvepharma EOOD. Furthermore, Huvepharma EOOD, as the new owner of the marketing rights of the feed additive requests to change the trade name of the feed additive. The applicant has submitted relevant data supporting its request.
- (3) The proposed changes of the terms of the authorisation are purely administrative in nature and do not entail a fresh assessment of the additive concerned. The European Food Safety Authority was informed of the application.
- (4) To allow that feed additive to be marketed under the name of Huvepharma EOOD and under the new trade name, it is necessary to change the terms of the authorisation.
- (5) Regulation (EC) No 167/2008 should therefore be amended accordingly.
- (6) Since safety reasons do not require the immediate application of the amendments made by this Regulation to Regulation (EC) No 167/2008, it is appropriate to provide for a transitional period during which existing stocks of the additive, premixtures and compound feed containing the additive may be used up.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Commission Regulation (EC) No 167/2008 is amended as follows:

- (1) in the second column, the words 'KRKA, d.d Novo mesto, Slovenia' are replaced by 'Huvepharma EOOD, Bulgaria';
- (2) in the third column, the words 'Kokcisan 120G' are replaced by 'Huvesal 120 G'.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Commission Regulation (EC) No 167/2008 of 22 February 2008 concerning a new authorisation for ten years of a coccidiostat as an additive in feedingstuffs (OJ L 50, 23.2.2008, p. 14).

Article 2

Existing stocks of the additive, premixtures and compound feed containing the additive, which are in conformity with the provisions applying before the date of entry into force of this Regulation may continue to be placed on the market and used until they are exhausted.

Article 3

This Regulation shall enter into force on the twentieth 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.

Done at Brussels, 27 May 2016.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2016/843**of 27 May 2016****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

*Article 2*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.

Done at Brussels, 27 May 2016.

*For the Commission,
On behalf of the President,
Jerzy PLEWA*

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	428,2
	MA	117,9
	TR	60,8
	ZZ	202,3
0707 00 05	TR	99,6
	ZZ	99,6
0709 93 10	TR	99,6
	ZZ	99,6
0805 10 20	EG	47,2
	IL	42,6
	MA	59,4
	TR	68,5
	ZA	77,6
	ZZ	59,1
0805 50 10	AR	171,6
	TR	143,1
	ZA	177,5
	ZZ	164,1
0808 10 80	AR	109,4
	BR	107,5
	CL	126,5
	CN	102,3
	NZ	149,7
	US	192,9
	ZA	112,3
	ZZ	128,7
0809 29 00	TR	531,7
	US	855,4
	ZZ	693,6

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DIRECTIVES

COMMISSION DIRECTIVE (EU) 2016/844

of 27 May 2016

amending Directive 2009/45/EC of the European Parliament and of the Council on safety rules and standards for passenger ships

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) thereof,

Having regard to Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships ⁽¹⁾, and in particular Article 10(2) thereof,

Whereas:

- (1) Some of the International Conventions as defined in Article 2(a) of Directive 2009/45/EC have been amended.
- (2) In accordance with Article 10(2) of Directive 2009/45/EC, the Annexes to that Directive can be amended in order to apply the amendments made to the International Conventions.
- (3) Directive 2009/45/EC should therefore be amended accordingly.
- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee on Safe Seas and the Prevention of Pollution from Ships ('COSS'), established pursuant to Regulation (EC) No 2099/2002 of the European Parliament and of the Council ⁽²⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 2009/45/EC is amended in accordance with the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 July 2017. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 163, 25.6.2009, p. 1.

⁽²⁾ Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) and amending the Regulations on maritime safety and the prevention of pollution from ships (OJ L 324, 29.11.2002, p. 1).

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 27 May 2016.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Annex I to Directive 2009/45/EC is amended as follows:

(1) in Chapter II-1:

(a) Regulation II-1/A-1/4 is added.

‘4 Protection against noise

CLASS B, C AND D SHIPS CONSTRUCTED ON OR AFTER 1 JANUARY 2018

.1 Ships of 1 600 gross tonnage and above shall be constructed to reduce on-board noise and to protect personnel from the noise in accordance with the IMO Code on noise levels on-board ships, adopted by the Maritime Safety Committee by resolution MSC.337(91), as may be amended by the IMO.’;

(b) Regulation II-1/C/6.2.2.2 is replaced by the following:

‘2.2 capable of putting the rudder over from 35° on one side to 35° on the other side with the ship at its deepest seagoing draught and running ahead at maximum ahead service speed and, under the same conditions from 35° on either side to 30° on the other side in not more than 28 seconds. Where it is impractical to demonstrate compliance with this requirement during sea trials with the ship at its deepest seagoing draught and running ahead at the speed corresponding to the number of maximum continuous revolutions of the main engine and maximum design pitch, ships, regardless of their date of construction, may demonstrate compliance with this requirement by one of the following methods:

- .1 during sea trials the ship is at even keel and the rudder fully submerged whilst running ahead at the speed corresponding to the number of maximum continuous revolutions of the main engine and maximum design pitch; or
- .2 where full rudder immersion during sea trials cannot be achieved, an appropriate ahead speed shall be calculated using the submerged rudder blade area in the proposed sea trial loading condition. The calculated ahead speed shall result in a force and torque applied to the main steering gear which is at least as great as if it was being tested with the ship at its deepest seagoing draught and running ahead at the speed corresponding to the number of maximum continuous revolutions of the main engine and maximum design pitch; or
- .3 the rudder force and torque at the sea trial loading condition have been reliably predicted and extrapolated to the full load condition. The speed of the ship shall correspond to the number of maximum continuous revolutions of the main engine and maximum design pitch of the propeller;’

(c) Regulation II-1/C/6.3.2 is replaced by the following:

‘2 capable of putting the rudder over from 15° on one side to 15° on the other side in not more than 60 seconds with the ship at its deepest seagoing draught and running ahead at one half of the maximum ahead service speed or 7 knots, whichever is the greater. Where it is impractical to demonstrate compliance with this requirement during sea trials with the ship at its deepest seagoing draught and running ahead at one half of the speed corresponding to the number of maximum continuous revolutions of the main engine and maximum design pitch or 7 knots, whichever is greater, ships regardless of their date of construction may demonstrate compliance with this requirement by one of the following methods:

- .1 during sea trials the ship is at even keel and the rudder fully submerged whilst running ahead at one half of the speed corresponding to the number of maximum continuous revolutions of the main engine and maximum design pitch or 7 knots, whichever is greater; or

- .2 where full rudder immersion during sea trials cannot be achieved, an appropriate ahead speed shall be calculated using the submerged rudder blade area in the proposed sea trial loading condition. The calculated ahead speed shall result in a force and torque applied to the auxiliary steering gear which is at least as great as if it was being tested with the ship at its deepest seagoing draught and running ahead at one half of the speed corresponding to the number of maximum continuous revolutions of the main engine and maximum design pitch or 7 knots, whichever is greater; or
- .3 the rudder force and torque at the sea trial loading condition have been reliably predicted and extrapolated to the full load condition;'

(d) In Regulation II-1/C/15, the subtitle is replaced by the following:

'NEW CLASS B, C AND D SHIPS NOT COVERED UNDER REGULATION II-1/A-1/4';

(2) in Chapter II-2:

(a) the following Regulations II-2/A/2.28 and II-2/A/2.29 are added:

.28 Fire damper means, for the purpose of implementing Regulation II-2/B/9a, a device installed in a ventilation duct which under normal conditions remains open allowing flow in the duct and is closed during a fire, preventing the flow in the duct to restrict the passage of fire. In using the above definition, the following terms may be associated:

- .1 automatic fire damper means a fire damper that closes independently in response to exposure to fire products;
- .2 manual fire damper means a fire damper that is intended to be opened or closed by the crew by hand at the damper itself; and
- .3 remotely operated fire damper means a fire damper that is closed by the crew through a control located at a distance away from the controlled damper.

.29 Smoke damper means, for the purpose of implementing Regulation II-2/B/9a, a device installed in a ventilation duct which under normal conditions remains open allowing flow in the duct and is closed during a fire, preventing the flow in the duct to restrict the passage of smoke and hot gases. A smoke damper is not expected to contribute to the integrity of a fire rated division penetrated by a ventilation duct. In using the above definition the following terms may be associated:

- .1 automatic smoke damper means a smoke damper that closes independently in response to exposure to smoke or hot gases;
- .2 manual smoke damper means a smoke damper intended to be opened or closed by the crew by hand at the damper itself; and
- .3 remotely operated smoke damper means a smoke damper that is closed by the crew through a control located at a distance away from the controlled damper;'

(b) Regulation II-2/A/6.8.2.1 is replaced by the following:

.1 the fire hazard portions of internal combustion machinery used for the ship's main propulsion and power generation, and for ships built on or after 1 January 2018, the fire hazard portions of all internal combustion machinery;'

(c) the introductory wording of Regulation II-2/A/11.1 is replaced by the following:

.1 For ships constructed before 1 July 2019, a firefighter's outfit shall consist of:'

(d) the following Regulations II-2/A/11.1.1.3 and II-2/A/11.1a are added:

.1.3 Self-contained compressed air breathing apparatus of fire-fighter's outfits shall by 1 July 2019 comply with paragraph 2.1.2.2 of chapter 3 of the Fire Safety Systems Code.

.1a For ships constructed on or after 1 July 2019, the fire-fighter's outfits shall comply with the Fire Safety Systems Code;

(e) the following Regulation II-2/A/11.4a is inserted:

‘4a Fire-fighter's communication:

For ships required to carry on board at least one fire-fighter outfit and constructed on or after 1 January 2018, a minimum of two two-way portable radiotelephone apparatus for each fire party for fire-fighter's communication shall be carried on board. For LNG fuelled ships or Ro-Ro passenger ships with closed Ro-Ro spaces or special category spaces, those two-way portable radiotelephone apparatus shall be of an explosion-proof type or intrinsically safe. Ships constructed before 1 January 2018 shall comply with the requirements of this Regulation not later than the first survey after 1 July 2019.;

(f) the following Regulation II-2/A/15.2.6 is added:

‘6 In ships subject to Regulation II-2/A/11, breathing apparatus cylinders used during drills shall be refilled or replaced before departure.’;

(g) Regulation II-2/B/5.1 is replaced by the following:

‘1 In addition to complying with the specific provisions for fire integrity of bulkheads and decks mentioned elsewhere in this part, the minimum fire integrity of bulkheads and decks shall be as prescribed in tables 5.1 or 5.1(a), and 5.2 or 5.2(a), as appropriate.

When approving structural precautions for fire protection in new ships, account shall be taken of the risk of heat transfer between heat bridges at intersection points and of where the thermal barring devices terminate.’;

(h) the following table 5.1(a) is inserted after Table 5.1 in Regulation II-2/B/5.4:

‘The following table shall apply to ALL CLASS B, C and D SHIPS CONSTRUCTED ON OR AFTER 1 JANUARY 2018:

Table 5.1(a)

Fire integrity of bulkheads separating adjacent spaces

Spaces		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Control stations	(1)	A-0 ^e	A-0	60	A-0	A-15	A-60	A-15	A-60	A-60	*	A-60
Corridors	(2)		C ^c	B-0 ^e	A-0 ^e B-0 ^e	B-0 ^e	A-60	A-15	A-60	A-15 A-0 ^d	*	A-30
Accommodation spaces	(3)			C ^c	A-0 ^e B-0 ^e	B-0 ^e	A-60	A-0	A-0	A-15 A-0 ^d	*	A-30 A-0 ^d
Stairways	(4)				A-0 ^e B-0 ^e	A-0 ^e B-0 ^e	A-60	A-0	A-0	A-15 A-0 ^d	*	A-30
Service spaces (low risk)	(5)					C ^c	A-60	A-0	A-0	A-0	*	A-0
Machinery spaces of category A	(6)						*	A-0	A-0	A-60	*	A-60

Spaces		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Other machinery spaces	(7)							A-0 ^b	A-0	A-0	*	A-0
Cargo spaces	(8)								*	A-0	*	A-0
Service spaces (high risk)	(9)									A-0 ^b	*	A-30
Open decks	(10)											A-0
Special category and Ro-Ro spaces	(11)											A-30'

(i) the following table 5.2(a) is inserted after Table 5.2 in Regulation II-2/B/5.4:

The following table shall apply to ALL CLASS B, C and D SHIPS CONSTRUCTED ON OR AFTER 1 JANUARY 2018:

Table 5.2(a)

Fire integrity of decks separating adjacent spaces

Spaces Below ↓	Spaces → Above	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Control stations	(1)	A-0	A-0	A-0	A-0	A-0	A-60	A-0	A-0	A-0	*	A-60
Corridors	(2)	A-0	*	*	A-0	*	A-60	A-0	A-0	A-0	*	A-30
Accommodation spaces	(3)	A-60	A-0	*	A-0	*	A-60	A-0	A-0	A-0	*	A-30 A-0 ^d
Stairways	(4)	A-0	A-0	A-0	*	A-0	A-60	A-0	A-0	A-0	*	A-30
Service spaces (low risk)	(5)	A-15	A-0	A-0	A-0	*	A-60	A-0	A-0	A-0	*	A-0
Machinery spaces of category A	(6)	A-60	A-60	A-60	A-60	A-60	*	A-60 ^f	A-30	A-60	*	A-60
Other machinery spaces	(7)	A-15	A-0	A-0	A-0	A-0	A-0	*	A-0	A-0	*	A-0
Cargo spaces	(8)	A-60	A-0	A-0	A-0	A-0	A-0	A-0	*	A-0	*	A-0
Service spaces (high risk)	(9)	A-60	A-30 A-0 ^d	A-30 A-0 ^d	A-30 A-0 ^d	A-0	A-60	A-0	A-0	A-0	*	A-30
Open decks	(10)	*	*	*	*	*	*	*	*	*	—	A-0
Special category and Ro-Ro spaces	(11)	A-60	A-30	A-30 A-0 ^d	A-30	A-0	A-60	A-0	A-0	A-30	A-0	A-30

Notes to be applied to tables 5.1, 5.1(a), 5.2 and 5.2(a), as appropriate:

- (a) For clarification as to which applies, see Regulations II-2/B/3 and 8.
- (b) Where spaces are of the same numerical category and superscript b appears, a bulkhead or deck of the rating shown in the tables is only required when the adjacent spaces are for a different purpose, e.g. in category (9). A galley next to a galley does not require a bulkhead but a galley next to a paint room requires an "A-0" bulkhead.
- (c) Bulkheads separating the wheelhouse and chartroom from each other may be "B-0" rating.
- (d) See paragraph .2.3 and .2.4 of this Regulation.
- (e) For the application of Regulation 2.1.2, "B-0" and "C", where appearing in table 5.1 and 5.1a, shall be read as "A-0".
- (f) Fire insulation need not be fitted if the machinery space in category (7) has little or no fire risk.
- (*) Where an asterisk appears in the tables, the division is required to be of steel or other equivalent material but is not required to be of "A" class standard. In ships, which are constructed on or after 1 January 2003, however, where a deck, except in a category (10) space, is penetrated for the passage of electric cables, pipes and ventilation ducts, such penetration shall be made tight to prevent the passage of flame and smoke. Divisions between control stations (emergency generators) and open decks may have air intake openings without means for closure, unless a fixed gas fire-fighting system is fitted. For the application of Regulation II-2/B/2.1.2, an asterisk, where appearing in table 5.2 and 5.2(a), except for categories (8) and (10), shall be read as "A-0".;
- (j) the following Regulation II-2/B/6.3.4 is added:

'CLASS B, C AND D SHIPS CONSTRUCTED ON OR AFTER 1 JANUARY 2018

.3.4 Two means of escape shall be provided from the main workshop within a machinery space. At least one of those escape routes shall provide a continuous fire shelter to a safe position outside the machinery space.;

- (k) the title of Regulation II-2/B/9 is replaced by the following:

'9 Ventilation systems for ships built before the 1 January 2018 (R 32)';

- (l) the following Regulation II-2/B/9a is inserted:

'9a Ventilation systems in ships

CLASS B, C AND D SHIPS CONSTRUCTED ON OR AFTER 1 JANUARY 2018

.1 *General*

.1 Ventilation ducts, including single and double wall ducts, shall be of steel or an equivalent material, except for flexible bellows of short length not exceeding 600 mm used for connecting fans to the ducting in air-conditioning rooms. Unless expressly provided otherwise in paragraph .1.6, any other material used in the construction of ducts, including insulation, shall also be non-combustible. However, short ducts, not exceeding 2 m in length and with a free cross-sectional area (The term free cross-sectional area means, even in the case of a pre-insulated duct, the area calculated on the basis of the inner dimensions of the duct itself and not the insulation) not exceeding 0,02 m², need not be of steel or equivalent material, subject to the following conditions:

.1 the ducts shall be made of non-combustible material which may be faced internally and externally with membranes having low flame-spread characteristics and, in each case, a calorific

value not exceeding 45 MJ/m² of their surface area for the thickness used. The calorific value shall be calculated in accordance with the recommendations published by the International Organization for Standardization, in particular publication ISO 1716:2002, "Reaction to the fire tests for building products — Determination of the heat of combustion".;

- .2 the ducts are only used at the end of the ventilation device; and
 - .3 the ducts are not situated less than 600 mm, measured along the duct, from an opening in an "A" or "B" class division, including continuous "B" class ceiling.
- .2 The following arrangements shall be tested in accordance with the Fire Test Procedures Code:
- .1 fire dampers, including their relevant means of operation, although the testing is not required for dampers located at the lower end of the duct in exhaust ducts for galley ranges, which must be of steel and capable of stopping the draught in the duct; and
 - .2 duct penetrations through "A" class divisions, although the testing is not required where steel sleeves are directly joined to ventilation ducts by means of riveted or screwed connections or by welding.
 - .3 Fire dampers shall be easily accessible. Where they are placed behind ceilings or linings, those ceilings or linings shall be provided with an inspection hatch on which the identification number of the fire damper is marked. The fire damper identification number shall also be marked on any remote controls provided.
 - .4 Ventilation ducts shall be provided with hatches for inspection and cleaning. The hatches shall be located near the fire dampers.
 - .5 The main inlets and outlets of ventilation systems shall be capable of being closed from outside the spaces being ventilated. The means of closing shall be easily accessible as well as prominently and permanently marked and shall indicate the operating position of the closing device.
 - .6 Combustible gaskets in flanged ventilation duct connections are not permitted within 600 mm of openings in "A" or "B" class divisions and in ducts required to be of "A" class construction.
 - .7 Ventilation openings or air balance ducts between two enclosed spaces shall not be provided except as permitted by Regulation II-2/B/7.7.

.2 Arrangement of ducts

- .1 The ventilation systems for machinery spaces of category A, vehicle spaces, Ro-Ro spaces, galleys, special category spaces and cargo spaces shall be separated from each other and from the ventilation systems serving other spaces. However, the galley ventilation systems in passenger ships carrying not more than 36 passengers need not be completely separated from other ventilation systems, but may be served by separate ducts from a ventilation unit serving other spaces. In such a case, an automatic fire damper shall be fitted in the galley ventilation duct near the ventilation unit.
- .2 Ducts provided for the ventilation of machinery spaces of category A, galleys, vehicle spaces, Ro-Ro spaces or special category spaces shall not pass through accommodation spaces, service spaces, or control stations unless they comply with paragraph .2.4.
- .3 Ducts provided for the ventilation of accommodation spaces, service spaces or control stations shall not pass through machinery spaces of category A, galleys, vehicle spaces, Ro-Ro spaces or special category spaces unless they comply with paragraph .2.4.
- .4 As permitted by paragraphs .2.2 and .2.3 ducts shall be either:
 - .1.1 constructed of steel having a thickness of at least 3 mm for ducts with a free cross-sectional area of less than 0,075 m², at least 4 mm for ducts with a free cross-sectional area of between 0,075 m² and 0,45 m², and at least 5 mm for ducts with a free cross-sectional area of over 0,45 m²;

- .1.2 suitably supported and stiffened;
- .1.3 fitted with automatic fire dampers close to the boundaries penetrated; and
- .1.4 insulated to "A-60" class standard from the boundaries of the spaces they serve to a point at least 5 m beyond each fire damper;

or

- .2.1 constructed of steel in accordance with paragraphs .2.4.1.1 and .2.4.1.2; and
 - .2.2 insulated to "A-60" class standard throughout the spaces they pass through, except for ducts that pass through spaces of category (9) or (10) as defined in Regulation II-2/B/4.2.2.
- 5 For the purposes of paragraphs .2.4.1.4 and .2.4.2.2, ducts shall be insulated over their entire cross-sectional external surface. Ducts that are outside but adjacent to the specified space, and share one or more surfaces with it, shall be considered to pass through the specified space and shall be insulated over the surface they share with the space for a distance of 450 mm past the duct (Sketches of such arrangements are contained in the Unified Interpretations of SOLAS chapter II-2 (MSC.1/Circ.1276)).
- 6 Where it is necessary that a ventilation duct passes through a main vertical zone division, an automatic fire damper shall be fitted adjacent to the division. The damper shall also be capable of being manually closed from each side of the division. The control location shall be readily accessible and be clearly and prominently marked. The duct between the division and the damper shall be constructed of steel in accordance with paragraphs .2.4.1.1 and .2.4.1.2 and insulated to at least the same fire integrity as the division penetrated. The damper shall be fitted on at least one side of the division with a visible indicator showing the operating position of the damper.

.3 Details of fire dampers and duct penetrations

- .1 Ducts passing through "A" class divisions shall meet the following requirements:
 - .1 where a thin plated duct with a free cross sectional area equal to, or less than, 0,02 m² passes through "A" class divisions, the opening shall be fitted with a steel sheet sleeve having a thickness of at least 3 mm and a length of at least 200 mm, divided preferably into 100 mm on each side of a bulkhead or, in the case of a deck, wholly laid on the lower side of the decks penetrated;
 - .2 where ventilation ducts with a free cross-sectional area exceeding 0,02 m², but not more than 0,075 m², pass through "A" class divisions, the openings shall be lined with steel sheet sleeves. The ducts and sleeves shall have a thickness of at least 3 mm and a length of at least 900 mm. When passing through bulkheads, this length shall be divided preferably into 450 mm on each side of the bulkhead. These ducts, or sleeves lining such ducts, shall be provided with fire insulation. The insulation shall have at least the same fire integrity as the division through which the duct passes; and
 - .3 automatic fire dampers shall be fitted in all ducts with a free cross-sectional area exceeding 0,075 m² that pass through "A" class divisions. Each damper shall be fitted close to the division penetrated and the duct between the damper and the division penetrated shall be constructed of steel in accordance with paragraphs .2.4.2.1 and .2.4.2.2. The fire damper shall operate automatically, but shall also be capable of being closed manually from both sides of the division. The damper shall be fitted with a visible indicator which shows the operating position of the damper. Fire dampers are not required, however, where ducts pass through spaces surrounded by "A" class divisions, without serving those spaces, provided those ducts have the same fire integrity as the divisions which they penetrate. A duct of cross-sectional area exceeding 0,075 m² shall not be divided into smaller ducts at the penetration of an "A" class division and then recombined into the original duct once through the division to avoid installing the damper required by this provision.

- .2 Ventilation ducts with a free cross-sectional area exceeding 0,02 m² passing through “B” class bulkheads shall be lined with steel sheet sleeves of 900 mm in length, divided preferably into 450 mm on each side of the bulkheads unless the duct is of steel for this length.
- .3 All fire dampers shall be capable of manual operation. The dampers shall have a direct mechanical means of release or, alternatively, be closed by electrical, hydraulic, or pneumatic operation. All dampers shall be manually operable from both sides of the division. Automatic fire dampers, including those capable of remote operation, shall have a failsafe mechanism that will close the damper in a fire even upon loss of electrical power or hydraulic or pneumatic pressure loss. Remotely operated fire dampers shall be capable of being reopened manually at the damper.

.4 *Ventilation systems for passenger ships carrying more than 36 passengers*

- .1 In addition to the requirements in sections .1, .2 and .3, the ventilation system of a passenger ship carrying more than 36 passengers shall also meet the following requirements:
 - .1 In general, the ventilation fans shall be so arranged that the ducts reaching the various spaces remain within a main vertical zone.
 - .2 Stairway enclosures shall be served by an independent ventilation fan and duct system (exhaust and supply) which shall not serve any other spaces in the ventilation systems.
 - .3 A duct, irrespective of its cross-section, serving more than one “tween-deck” accommodation space, service space or control station, shall be fitted, near the penetration of each deck of such spaces, with an automatic smoke damper that shall also be capable of being closed manually from the protected deck above the damper. Where a fan serves more than one “tween-deck” space through separate ducts within a main vertical zone, whereby each one is dedicated to a single “tween-deck” space, each duct shall be provided with a manually operated smoke damper fitted close to the fan.
 - .4 Vertical ducts shall, where necessary, be insulated as required by tables 4.1 and 4.2. Ducts shall be insulated as required for decks between the space they serve and the space being considered, as applicable.

.5 *Exhaust ducts from galley ranges*

.1 Requirements for passenger ships carrying more than 36 passengers

- .1 In addition to the requirements in sections .1, .2 and .3, exhaust ducts from galley ranges shall be constructed in accordance with paragraphs .2.4.2.1 and .2.4.2.2 and insulated to “A-60” class standard throughout accommodation spaces, service spaces, or control stations they pass through. They shall also be fitted with:
 - .1 a grease trap readily removable for cleaning unless an alternative approved grease removal system is fitted;
 - .2 a fire damper located in the lower end of the duct at the junction between the duct and the galley range hood which is automatically and remotely operated and, in addition, a remotely operated fire damper located in the upper end of the duct close to the outlet of the duct;
 - .3 a fixed means for extinguishing a fire within the duct. The fire extinguishing systems shall comply with the recommendations published by the International Organization for Standardization, in particular publication ISO 15371:2009 “Ships and marine technology — Fire-extinguishing systems for protection of galley cooking equipment”;
 - .4 remote-control arrangements for shutting off the exhaust fans and supply fans, for operating the fire dampers mentioned in paragraph .5.1.1.2 and for operating the fire-extinguishing system, which shall be placed in a position outside the galley close to the entrance to the galley. Where a multi-branch system is installed, a remote means located with the above

controls shall be provided to close all branches exhausting through the same main duct before an extinguishing medium is released into the system; and

.5 suitably located hatches for inspection and cleaning, including one provided close to the exhaust fan and one fitted in the lower end where grease accumulates.

.2 Exhaust ducts from ranges for cooking equipment installed on open decks shall conform to paragraph .5.1.1, as applicable, when passing through accommodation spaces or spaces containing combustible materials.

.2 Requirements for passenger ships carrying not more than 36 passengers

When passing through accommodation spaces or spaces containing combustible materials, the exhaust ducts from galley ranges shall be constructed in accordance with paragraphs .2.4.1.1 and .2.4.1.2. Each exhaust duct shall be fitted with:

.1 a grease trap readily removable for cleaning;

.2 an automatically and remotely operated fire damper located in the lower end of the duct at the junction between the duct and the galley range hood and, in addition, a remotely operated fire damper in the upper end of the duct close to the outlet of the duct;

.3 arrangements, operable from within the galley, for shutting off the exhaust and supply fans; and

.4 fixed means for extinguishing a fire within the duct.

.6 *Ventilation rooms serving machinery spaces of category A containing internal combustion machinery*

.1 Where a ventilation room serves only such an adjacent machinery space and there is no fire division between the ventilation room and the machinery space, the means for closing the ventilation duct or ducts serving the machinery space shall be located outside of the ventilation room and machinery space.

.2 Where a ventilation room serves such a machinery space as well as other spaces and is separated from the machinery space by a "A-0" class division, including penetrations, the means for closing the ventilation duct or ducts for the machinery space can be located in the ventilation room.

.7 *Ventilation systems for laundries in passenger ships carrying more than 36 passengers*

Exhaust ducts from laundries and drying rooms of category (13) spaces as defined in Regulation II-2/B//.2.2 shall be fitted with:

.1 filters readily removable for cleaning purposes;

.2 a fire damper located in the lower end of the duct which is automatically and remotely operated;

.3 remote-control arrangements for shutting off the exhaust fans and supply fans from within the space and for operating the fire damper mentioned in paragraph .7.2; and

.4 suitably located hatches for inspection and cleaning;'

(m) the following Regulations II-2/B/13.4, II-2/B/13.5 and II-2/B/13.6 are added:

'CLASS B, C AND D SHIPS CONSTRUCTED ON OR AFTER 1 JANUARY 2018

.4 A fixed fire detection and fire alarm system of an approved type, in accordance with the relevant provisions of Regulation II-2/A/9, shall be installed in machinery spaces where:

.4.1 the installation of automatic and remote control systems and equipment has been approved in lieu of continuous manning of the space; and

- .4.2 the main propulsion and associated machinery including sources of main source of electrical power are provided with various degrees of automatic or remote control and are under continuous manned supervision from a control room.
- .5 A fixed fire detection and fire alarm system of an approved type, in accordance with the relevant provisions of Regulation II-2/A/9, shall be installed in enclosed spaces containing incinerators.
- .6 With regard to the fixed fire detection and fire alarm system required by Regulations II-2/B/13.4 and 13.5, the following shall apply:

The fire detection system shall be so designed and the detectors so positioned as to detect rapidly the onset of fire in any part of those spaces and under any normal conditions of operation of the machinery and variations of ventilation as required by the possible range of ambient temperatures. Except in spaces of restricted height and where their use is especially appropriate, detection systems using only thermal detectors shall not be permitted. The detection system shall initiate audible and visual alarms distinct in both respects from the alarms of any other system not indicating fire, in sufficient places to ensure that the alarms are heard and observed on the navigating bridge and by a responsible engineer officer.

When the navigating bridge is unmanned, the alarm shall sound in a place where a responsible member of the crew is on duty.

After installation, the system shall be tested under varying conditions of engine operation and ventilation.;

- (n) Regulation II-2/B/14.1.1.2 is replaced by the following:

.2 The requirements of Regulations II-2/A/12, II-2/B/7, II-2/B/9 and II-2/B/9a for maintaining the integrity of vertical zones shall be applied equally to decks and bulkheads forming the boundaries separating horizontal zones from each other and from the remainder of the ship.;

- (o) Regulation II-2/B/14.1.2.2 is replaced by the following:

.2 In new ships built before 1 January 2018 carrying not more than 36 passengers and existing class B ships carrying more than 36 passengers, the boundary bulkheads of special category spaces shall be insulated as required for category (11) spaces in table 5.1 of Regulation II-2/B/5 and the horizontal boundaries as required for category (11) in table 5.2 of Regulation II-2/B/5. In ships built on or after 1 January 2018 carrying not more than 36 passengers, the boundary bulkheads of special category spaces shall be insulated as required for category (11) spaces in table 5.1a of Regulation II-2/B/5 and the horizontal boundaries as required for category (11) in table 5.2a of Regulation II-2/B/5.;

- (3) in Chapter III:

- (a) the table in Regulation III/2.6 is replaced by the following:

'Spaces	B		C		D	
	> 250	≤ 250	> 250	≤ 250	> 250	≤ 250
Number of persons (N) Number of passengers (P)						
Survival craft capacity ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾ :						
— existing ships	1,10 N	1,10 N	1,10 N	1,10 N	1,10 N	1,10 N
— new ships	1,25 N	1,25 N	1,25 N	1,25 N	1,25 N	1,25 N
Rescue boats ⁽⁴⁾ ⁽⁵⁾	1	1	1	1	1	1

Spaces	B		C		D	
	> 250	≤ 250	> 250	≤ 250	> 250	≤ 250
Number of persons (N) Number of passengers (P)						
Lifebuoy (6)	8	8	8	4	8	4
Life jackets (8) (9) (12) (13)	1,05 N	1,05 N	1,05 N	1,05 N	1,05 N	1,05 N
Child life jackets (9) (13)	0,10 P	0,10 P	0,10 P	0,10 P	0,10 P	0,10 P
Infant life jackets (10) (13)	0,025 P	0,025 P	0,025 P	0,025 P	0,025 P	0,025 P
Distress flares (7)	12	12	12	12	6	6
Line-throwing appliances (14)	1	1	1	1	—	—
Radar transponders	1	1	1	1	1	1
Two-way VHF radiotelephone apparatus	3	3	3	3	3	2

(1) Survival craft may be lifeboats or life rafts or a combination of them in compliance with the provisions in Regulation III/2.2. When justified by the sheltered nature of the voyages and/or the favourable climatic conditions of the area of operation, having regard to the recommendations in IMO MSC/Circ.1046, the Administration of the flag State may accept, if this is not rejected by the host Member State:

- (a) open reversible inflatable life-rafts not complying with the section 4.2 or 4.3 of the LSA Code provided that such life-rafts entirely comply with the requirements in Annex 10 of 1994 High Speed Craft Code and for ships constructed on or after 1 January 2012, Annex 11 of the 2000 High Speed Craft Code.
- (b) life-rafts not complying with the requirements of paragraphs 4.2.2.2.1 and 4.2.2.2.2 of the LSA Code on the insulation against cold of the floor of the life-raft.

Survival craft for existing B, C and D ships shall comply with the relevant Regulations of SOLAS 74 for existing ships as amended on 17 March 1998. Ro-ro passenger ships shall comply with the requirements in Regulation III/5-1 as applicable.

A marine evacuation system or systems complying with section 6.2 of the LSA Code may be substituted for the equivalent capacity of life-rafts required by the table, including its launching appliances where applicable.

- (2) Survival craft shall, as far as practicable, be equally distributed on each side of the ship.
- (3) The total/aggregated capacity of survival craft, including additional life rafts, shall be in accordance with the requirements in the table above, i.e. 1,10 N = 110 % and 1,25 N = 125 % of the total number of persons (N) the ship is certified to carry. Sufficient number of survival craft has to be carried in order to ensure that any one survival craft being lost or rendered unserviceable, the remaining survival craft can accommodate the total number of persons the ship is certified to carry. If the stowage requirement for life rafts, in Regulation III/7.5 not is complied with, additional life rafts can be required.
- (4) The number of lifeboats and/or rescue boats, shall be sufficient to ensure that in providing for abandonment by the total number of persons the ship is certified to carry, no more than nine life-rafts need to be marshalled by each lifeboat or rescue boat.
- (5) Launching appliances for rescue boats shall comply with the requirements of Regulation III/10.
If a rescue boat complies with the requirements section 4.5 or 4.6 of the LSA Code it may be included in the capacity of the survival craft specified in the table above.
A lifeboat may be accepted as a rescue boat provided that it and its launching and recovery arrangements also comply with the requirements of a rescue boat.
At least one of the rescue boats, if such a boat is required to be carried, on ro-ro passenger ships shall be a fast rescue boat complying with the requirements of Regulation III/5-1.3.
When the Administration of the flag State considers that the installation, of a rescue boat or a fast rescue boat, on board of a ship is physically impossible, such ship may be exempted from carrying a rescue boat, provided the ship meets all of the following requirements:
 - (a) the ship is arranged to allow a helpless person to be recovered from the water;
 - (b) recovery of the helpless person can be observed from the navigating bridge; and
 - (c) the ship is sufficiently manoeuvrable to close and recover persons in the worst intended conditions.

- (6) At least one lifebuoy on each side shall be equipped with a buoyant lifeline equal in length to not less than twice the height at which it is stowed above the waterline in the lightest seagoing condition or 30 metres, whichever is the greater. Two lifebuoys shall be equipped with a self-activating smoke signal and a self-activating light; they shall be capable of quick release from the navigation bridge. The remainder of the lifebuoys shall be equipped with self-igniting lights, in compliance with the provisions of paragraph 2.1.2 of the LSA Code.
- (7) Distress flares, complying with the requirements of section 3.1 of the LSA Code, shall be stowed on the navigation bridge or steering position.
- (8) An inflatable life jacket shall be provided for each person that has to carry out work on board in exposed areas. These inflatable life jackets may be included in the total number of life jackets required by this Directive.
- (9) A number of lifejackets suitable for children equal to at least 10 % of the number of passengers on board shall be provided or such greater number as may be required to provide a lifejacket for each child.
- (10) A number of lifejackets suitable for infant equal to at least 2,5 % of the number of passengers on board shall be provided or such greater number as may be required to provide a lifejacket for each infant.
- (11) All ships shall carry a sufficient number of lifejackets for persons on watch and for use at remotely located survival craft stations. The lifejackets carried for persons on watch should be stowed on the bridge, in the engine control room and at any other manned watch station.
Not later than the first periodical survey after 1 January 2012 all passenger ships shall comply with the provisions in footnote 12 and 13.
- (12) If the adult lifejackets provided are not designed to fit persons weighing up to 140 kg and with a chest girth of up to 1 750 mm, a sufficient number of suitable accessories shall be available on board to allow them to be secured to such persons.
- (13) On all passenger ships, each life jacket shall be fitted with light complying with the requirements of paragraph 2.2.3 of the LSA Code. All ro-ro passenger ships shall comply with the provisions in Regulation III/5.5.2.
- (14) Ships with less than 24 m in length are not required to carry on-board line-throwing appliances.'

(b) the following Regulation III/9/2a is inserted:

'2a Not later than the first scheduled dry-docking after 1 January 2018, but not later than 1 July 2019, lifeboat on-load release mechanisms not complying with paragraphs 4.4.7.6.4 to 4.4.7.6.6 of the LSA Code shall be replaced with equipment that complies with the Code (*).

(*) Refer to the Guidelines for evaluation and replacement of lifeboat release and retrieval systems (MSC.1/Circ.1392);

(c) the following Regulation III/10a is inserted:

'10a Recovery of persons from the water

CLASS B, C AND D SHIPS BUILT ON OR AFTER 1 JANUARY 2018

.1 All ships shall have ship-specific plans and procedures for recovery of persons from the water, taking into account the guidelines developed by the IMO (*). The plans and procedures shall identify the equipment intended to be used for recovery purposes and measures to be taken to minimize the risk to shipboard personnel involved in recovery operations. Ships constructed before 1 January 2018 shall comply with this requirement by the first periodical or renewal safety equipment survey.

.2 Ro-Ro passenger ships which comply with Regulation III/5-1.4 shall be deemed to comply with this regulation.

(*) Guidelines for the development of plans and procedures for recovery of persons from the water (MSC.1/Circ.1447).;

(d) the following Regulation III/13.9 is inserted:

'9 Crew members with enclosed space entry or rescue responsibilities shall participate in an enclosed space entry and rescue drill to be held on board of the ship with an interval to be established by the Administration, but not less than once a year:

.1 Enclosed space entry and rescue drills

.1 Enclosed space entry and rescue drills should be planned and conducted in a safe manner, taking into account, as appropriate, the guidance provided in the recommendations developed by the IMO (*).

.2 Each enclosed space entry and rescue drill shall include:

.1 checking and use of personal protective equipment required for entry;

- .2 checking and use of communication equipment and procedures;
- .3 checking and use of instruments for measuring the atmosphere in enclosed spaces;
- .4 checking and use of rescue equipment and procedures; and
- .5 instructions in first aid and resuscitation techniques.

(*) Refer to the Revised Recommendations for entering enclosed spaces aboard ships, adopted by the IMO by resolution A.1050(27).;

(e) the following Regulation III/14 is inserted:

‘14 Records (R 19.5)

NEW AND EXISTING CLASS B, C AND D SHIPS:

- .1 The date when musters are held, details of abandon ship drills and fire drills, enclosed space entry and rescue drills, drills of other life-saving appliances and on board training shall be recorded in such log-book as may be prescribed by the Administration. If a full muster, drill or training session is not held at the appointed time, an entry shall be made in the log-book stating the circumstances and the extent of the muster, drill or training session held.’.
-

DECISIONS

COUNCIL DECISION (EU) 2016/845

of 23 May 2016

on the position to be adopted on behalf of the European Union within the Joint Committee established by the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, in relation to the adoption of the rules of procedure of the Joint Committee, and the establishment of specialised working groups and the adoption of their terms of reference

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 207 and 212 in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part ⁽¹⁾ (the 'Agreement') entered into force on 1 June 2014.
- (2) In order to contribute to the effective implementation of the Agreement, its institutional framework should be completed as soon as possible through the adoption by the Joint Committee of its own rules of procedure.
- (3) In accordance with Article 44 of the Agreement, a Joint Committee was established, in order to ensure, inter alia, the proper functioning and implementation of the Agreement (the 'Joint Committee').
- (4) In order to contribute to the effective implementation of the Agreement, the rules of procedure of the Joint Committee should be adopted.
- (5) In order to allow for expert level discussions on the key areas falling within the scope of the Agreement, specialised working groups may be established.
- (6) Therefore, the position of the Union within the Joint Committee as regards the adoption of the rules of procedure of the Joint Committee and the establishment of specialised working groups should be based on the attached draft decisions of the Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be adopted on behalf of the European Union within the Joint Committee set up under Article 44 of the Agreement in relation to:
 - (a) the adoption of the rules of procedure of the Joint Committee; and

⁽¹⁾ Council Decision 2014/278/EU of 12 May 2014 on the conclusion of the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, with the exception of matters related to readmission (OJ L 145, 16.5.2014, p. 1).

(b) the establishment of specialised working groups and the adoption of their terms of reference;

shall be based on the draft decisions of the Joint Committee attached to this Decision.

2. Minor changes to the draft decisions may be agreed to by the representatives of the Union in the Joint Committee without further decision of the Council.

Article 2

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

Done at Brussels, 23 May 2016.

For the Council

The President

F. MOGHERINI

DRAFT

DECISION No 1/2016 OF THE EU-REPUBLIC OF KOREA JOINT COMMITTEE
of ...
adopting its rules of procedure

THE EU-REPUBLIC OF KOREA JOINT COMMITTEE,

Having regard to the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part (the 'Agreement'), and in particular Article 44 thereof,

Whereas:

- (1) The Agreement entered into force on 1 June 2014.
- (2) In order to contribute to the effective implementation of the Agreement, the rules of procedure of the Joint Committee should be adopted,

HAS ADOPTED THIS DECISION:

Sole Article

The rules of procedure of the Joint Committee, as set out in the Annex to this Decision, are hereby adopted.

Done at ...,

For the EU-Republic of Korea Joint Committee
The Chair

ANNEX

RULES OF PROCEDURE OF THE JOINT COMMITTEE*Article 1***Composition and Chair**

1. The Joint Committee, established in accordance with Article 44 of the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part (the 'Agreement'), shall perform its tasks as provided for in Article 44 of the Agreement.
2. The Joint Committee shall be composed of representatives of both Parties at the appropriate level.
3. The Joint Committee shall be chaired alternately by each of the Parties, for a period of one calendar year. The High Representative of the Union for Foreign Affairs and Security Policy or the Minister of Foreign Affairs of the Republic of Korea shall chair the Joint Committee. The Chair can delegate her or his authority.
4. The first period shall begin on the date of the first Joint Committee meeting and end on 31 December of the same year.

*Article 2***Meetings**

1. The Joint Committee shall normally meet once every year. The meetings of the Joint Committee shall be convened by the Chair and shall be held alternately in Brussels and Seoul, on a date fixed by mutual agreement. Extraordinary meetings of the Joint Committee may be held at the request of either Party, if the Parties so agree.
2. The Joint Committee shall normally meet at the level of senior official, unless otherwise agreed by the Parties.

*Article 3***Publicity**

Unless otherwise decided, meetings of the Joint Committee shall not be public.

*Article 4***Participants**

1. Before each meeting, the Chair shall be informed, through the Secretariat, of the intended composition of the delegation of each Party.
2. Where appropriate and by mutual agreement between the Parties, experts or representatives of other bodies may be invited to attend the meetings of the Joint Committee as observers or in order to provide information on a particular subject.

*Article 5***Secretariat**

A representative of the European External Action Service and a representative of the Ministry of Foreign Affairs of the Republic of Korea shall act jointly as Secretaries of the Joint Committee. All communications to and from the Chair of the Joint Committee shall be forwarded to the Secretaries. Correspondence to and from the Chair of the Joint Committee may be by any written means, including electronic mail.

*Article 6***Agendas for meetings**

1. The Chair shall draw up a provisional agenda for each meeting. The provisional agenda shall be forwarded, together with the relevant documents, to the other Party no later than 15 days before the start of the meeting.
2. The provisional agenda shall include items submitted to the Chair no later than 21 days before the beginning of the meeting.
3. The agenda shall be adopted by the Joint Committee at the beginning of each meeting. Items other than those on the provisional agenda may be placed on the agenda if the two Parties so agree.
4. The Chair may, in agreement with the two Parties, shorten the time limits referred to in paragraph 1 in order to take account of the requirements of a particular case.

*Article 7***Minutes**

1. Draft minutes of each meeting shall be drawn up jointly by the two Secretaries, normally within 30 calendar days from the date of the meeting. The draft minutes shall be based on a summing up by the Chair of the conclusions arrived at by the Joint Committee.
2. The minutes shall be approved by both Parties within 45 calendar days of the date of the meeting or by any date agreed by the Parties. Once there is agreement on the draft minutes, two original copies shall be signed by the Chair and by the Secretaries. Each Party shall receive one original copy.

*Article 8***Deliberations**

1. When the Joint Committee adopts decisions or recommendations, such acts shall be entitled 'Decision' or 'Recommendation' respectively, followed by a serial number, the date of their adoption and a description of the subject matter. Each decision shall state the date of its entry into force. Decisions and recommendations of the Joint Committee shall be made by mutual agreement of the Parties.
2. The Joint Committee may take decisions or make recommendations by written procedure if both Parties so agree. By mutual agreement of the Parties, a deadline may be foreseen for the completion of the written procedure, at the end of which the Chair of the Joint Committee may declare, unless any of the Parties communicates the contrary, that a mutual agreement of the Parties has been reached.
3. Decisions and recommendations adopted by the Joint Committee shall be authenticated by two original copies signed by the Chair of the Joint Committee.
4. Each Party may decide on the publication of the decisions and recommendations of the Joint Committee in its respective official publication.

*Article 9***Correspondence**

1. Correspondence addressed to the Joint Committee shall be directed to one of the Secretaries, who will in turn inform the other Secretary.
2. The Secretariat shall ensure that correspondence addressed to the Joint Committee is forwarded to the Chair and circulated, where appropriate, as documents referred to in Article 10 of these rules of procedure.
3. Correspondence from the Chair shall be sent to the Parties by the Secretariat and circulated, where appropriate, as documents referred to in Article 10 of these rules of procedure.

*Article 10***Documents**

1. Where the deliberations of the Joint Committee are based on written supporting documents, such documents shall be numbered and circulated by the Secretariat to the Members.
2. Each Secretary shall be responsible for circulating the documents to the appropriate Members of her or his side in the Joint Committee and systematically copying the other Secretary.

*Article 11***Expenses**

1. Each Party shall meet any expenses it incurs as a result of participating in the meetings of the Joint Committee with regard to staff, travel, and subsistence expenditure as well as postal and telecommunications expenditure.
2. Expenditure in connection with the organisation of meetings and reproduction of documents shall be borne by the Party hosting the meeting.

*Article 12***Amendment of rules of procedure**

These rules of procedure may be amended by mutual agreement of the Parties, in accordance with Article 8.

*Article 13***Specialised working groups**

1. The Joint Committee may decide to set up further specialised working groups to assist it in carrying out its duties.
 2. The Joint Committee may decide to abolish any existing specialised working group, to define or amend its terms of reference or to set up further specialised working groups.
 3. The specialised working groups shall report to the Joint Committee after each of their meetings.
 4. The specialised working groups shall not have any decision-making power but may submit recommendations to the Joint Committee.
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DRAFT

DECISION No 2/2016 OF THE EU-REPUBLIC OF KOREA JOINT COMMITTEE
of ...
on the establishment of specialised working groups and the adoption of their terms of reference

THE EU-REPUBLIC OF KOREA JOINT COMMITTEE,

Having regard to the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part ('the Agreement'), and in particular Articles 44 thereof, and to Article 13 of the rules of procedure of the Joint Committee,

Whereas:

- (1) In order to allow for expert level discussions on the key areas falling within the scope of the Agreement, specialised working groups should be established. Upon further agreement of the Parties both the list of specialised working groups and the scope of the individual specialised working groups can be modified.
- (2) Pursuant to Article 13 of the rules of procedure of the Joint Committee, the Joint Committee may set up specialised working groups in order to assist it in the performance of its tasks,

HAS ADOPTED THIS DECISION:

Sole Article

The specialised working groups listed in Annex I to this Decision are hereby established. The terms of reference of the specialised working groups shall be as set out in Annex II to this Decision.

Done at ...,

For the EU-Republic of Korea Joint Committee
The Chair

*ANNEX I***EU-REPUBLIC OF KOREA JOINT COMMITTEE SPECIALISED WORKING GROUPS**

- (1) Specialised working group on energy, environment, climate change.
 - (2) Specialised working group on counter-terrorism.
-

ANNEX II

TERMS OF REFERENCE OF SPECIALISED WORKING GROUPS ESTABLISHED UNDER THE FRAMEWORK AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, ON THE ONE PART, AND THE REPUBLIC OF KOREA, ON THE OTHER PART*Article 1*

1. At its meetings, each specialised working group may deal with the implementation of the Agreement in the areas it covers.
2. The specialised working groups may also discuss subjects or specific projects related to the relevant area of bilateral cooperation.
3. Individual cases may also be raised when either Party requires.

Article 2

The specialised working groups shall work under the authority of the Joint Committee. They shall report and transmit their minutes and conclusions to the Chair of the Joint Committee within 30 calendar days after each meeting.

Article 3

The specialised working groups shall be composed of representatives of the Parties.

Upon agreement of the Parties, the specialised working groups may invite experts to their meetings and may hear from them regarding specific points on the agenda, as appropriate.

Article 4

The specialised working groups shall be chaired by the Parties alternately, according to the rules of procedure of the Joint Committee.

Article 5

A representative of the European External Action Service and a representative of the Ministry of Foreign Affairs of the Republic of Korea shall act jointly as Secretaries of the specialised working groups. All communications concerning the specific specialised working groups shall be forwarded to the two Secretaries.

Article 6

1. The specialised working groups shall meet whenever circumstances require upon agreement of the Parties, on the basis of a written request from either Party. Each meeting shall be held at a place and date agreed by the Parties.
2. Upon receipt of a request by one of the Parties for a meeting of a specialised working group, the Secretary of the other Party shall reply within 15 working days.
3. In cases of particular urgency, specialised working groups meetings may be convened at shorter notice, subject to the agreement of both Parties.
4. Before each meeting, the Chair shall be informed of the intended composition of the delegation of both Parties.
5. Meetings of the specialised working groups are convened jointly by the two Secretaries.

Article 7

Items for inclusion on the agenda shall be submitted to the Secretaries at least 15 working days prior to the date of the specialised working group meeting in question. Any supporting documentation shall be provided to the Secretaries at least 10 working days before the meeting. The Secretaries will communicate the draft agenda no later than 5 working days before the meeting. The agenda shall be finalised upon the agreement of both Parties. In exceptional circumstances, upon agreement of the Parties, items may be added to the agenda at short notice.

Article 8

Minutes shall be taken for each meeting.

Unless otherwise decided, specialised working groups' meetings shall not be public.

DECISION (EU, Euratom) 2016/846 OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES**of 24 May 2016****appointing Judges to the General Court**

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 19 thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 254 and 255 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a(1) thereof,

Whereas:

- (1) Article 48 of Protocol No 3 on the Statute of the Court of Justice of the European Union, as amended by Regulation (EU, Euratom) 2015/2422 of the European Parliament and of the Council ⁽¹⁾, provides that the General Court consists of 40 Judges as from 25 December 2015. Article 2(a) of that Regulation determines the term of office of the 12 additional Judges in such a way that the end of their term of office corresponds to the partial replacements of the General Court which will take place on 1 September 2016 and 1 September 2019.
- (2) Ms Inga REINE, Mr Fredrik SCHALIN and Mr Peter George XUEREB have been nominated for the posts of additional Judges at the General Court.
- (3) The panel set up by Article 255 of the Treaty on the Functioning of the European Union has given an opinion on the suitability of Ms Inga REINE, Mr Fredrik SCHALIN and Mr Peter George XUEREB to perform the duties of Judges of the General Court,

HAVE ADOPTED THIS DECISION:

Article 1

The following are hereby appointed Judges of the General Court for the period from the date of entry into force of this Decision to 31 August 2019:

- Ms Inga REINE,
- Mr Fredrik SCHALIN,
- Mr Peter George XUEREB.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 24 May 2016.

The President
P. DE GOOIJER

⁽¹⁾ Regulation (EU, Euratom) 2015/2422 of the European Parliament and of the Council of 16 December 2015 amending Protocol No 3 on the Statute of the Court of Justice of the European Union (OJ L 341, 24.12.2015, p. 14).

**DECISION (EU, Euratom) 2016/847 OF THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES**

of 24 May 2016

appointing a Judge to the General Court

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 19 thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 254 and 255 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a(1) thereof,

Whereas:

- (1) The terms of office of 14 Judges of the General Court are due to expire on 31 August 2016. Appointments should therefore be made for the period from 1 September 2016 to 31 August 2022.
- (2) It has been proposed that the term of office of Mr Lauri MADISE should be renewed.
- (3) The panel set up by Article 255 of the Treaty on the Functioning of the European Union has given an opinion on the suitability of Mr Lauri MADISE to perform the duties of Judge of the General Court,

HAVE ADOPTED THIS DECISION:

Article 1

Mr Lauri MADISE is hereby appointed Judge of the General Court for the period from 1 September 2016 to 31 August 2022.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 24 May 2016.

The President
P. DE GOOIJER

COUNCIL DECISION (EU, Euratom) 2016/848**of 25 May 2016****appointing a member, proposed by the Kingdom of Denmark, of the European Economic and Social Committee**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 302 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,

Having regard to the proposal of the Danish Government,

Having regard to the opinion of the European Commission,

Whereas:

- (1) On 18 September 2015 and 1 October 2015, the Council adopted Decisions (EU, Euratom) 2015/1600 ⁽¹⁾ and (EU, Euratom) 2015/1790 ⁽²⁾ appointing the members of the European Economic and Social Committee for the period from 21 September 2015 to 20 September 2020.
- (2) A member's seat on the European Economic and Social Committee has become vacant following the end of the term of office of Mr Mikkel DALSGAARD,

HAS ADOPTED THIS DECISION:

Article 1

Mr Klaus MATTHIESEN, Head of Negotiations, Confederation of Professionals in Denmark (FTF), is hereby appointed as a member of the European Economic and Social Committee for the remainder of the current term of office, which runs until 20 September 2020.

Article 2

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

Done at Brussels, 25 May 2016.

For the Council

The President

J.R.V.A. DIJSSELBLOEM

⁽¹⁾ Council Decision (EU, Euratom) 2015/1600 of 18 September 2015 appointing the members of the European Economic and Social Committee for the period from 21 September 2015 to 20 September 2020 (OJ L 248, 24.9.2015, p. 53).

⁽²⁾ Council Decision (EU, Euratom) 2015/1790 of 1 October 2015 appointing the members of the European Economic and Social Committee for the period from 21 September 2015 to 20 September 2020 (OJ L 260, 7.10.2015, p. 23).

COUNCIL DECISION (CFSP) 2016/849**of 27 May 2016****concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 22 December 2010, the Council adopted Decision 2010/800/CFSP ⁽¹⁾ concerning restrictive measures against the Democratic People's Republic of Korea ('the DPRK'), which, inter alia, implemented United Nations Security Council Resolutions ('UNSCRs') 1718 (2006) and 1874 (2009).
- (2) On 7 March 2013, the UN Security Council adopted UNSCR 2094 (2013), condemning in the strongest terms the nuclear test conducted by the DPRK on 12 February 2013 in violation of and with flagrant disregard for the relevant UNSCRs.
- (3) On 22 April 2013, the Council adopted Decision 2013/183/CFSP ⁽²⁾, which replaced Decision 2010/800/CFSP and, inter alia, implemented UNSCRs 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013).
- (4) On 2 March 2016, the UN Security Council adopted UNSCR 2270 (2016), expressing its gravest concern at the nuclear test conducted by the DPRK on 6 January 2016 in violation of the relevant UNSCRs, condemning the DPRK's launch of 7 February 2016, which used ballistic-missile technology and was in serious violation of the relevant UNSCRs, and determining that there continues to exist a clear threat to international peace and security in the region and beyond.
- (5) On 31 March 2016, the Council adopted Decision (CFSP) 2016/476 ⁽³⁾, which amended Decision 2013/183/CFSP and implemented UNSCR 2270 (2016).
- (6) In view of the DPRK's actions earlier this year, considered to be a grave threat to international peace and security in the region and beyond, the Council has decided to impose additional restrictive measures.
- (7) UNSCR 2270 (2016), which expresses great concern that the DPRK's arms sales have generated revenues that are diverted to the pursuit of nuclear weapons and ballistic missiles, provides that the restrictions on arms should cover all arms and related materiel, including small arms and light weapons and their related materiel. It also further extends prohibitions on the transfer and procurement of any items that could contribute to the development of the operational capabilities of the DPRK's armed forces or to exports that support or enhance the operational capabilities of armed forces of another UN Member State outside the DPRK.
- (8) UNSCR 2270 (2016) specifies that the prohibition on the procurement of technical assistance related to arms prohibits UN Member States from engaging in the hosting of trainers, advisors or other officials for the purpose of military-, paramilitary- or police-related training.

⁽¹⁾ Council Decision 2010/800/CFSP of 22 December 2010 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Common Position 2006/795/CFSP (OJ L 341, 23.12.2010, p.32).

⁽²⁾ Council Decision 2013/183/CFSP of 22 April 2013 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2010/800/CFSP (OJ L 111, 23.4.2013, p. 52).

⁽³⁾ Council Decision (CFSP) 2016/476 of 31 March 2016 amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea (OJ L 85, 1.4.2016, p. 38).

- (9) UNSCR 2270 (2016) affirms that the prohibitions on the transfer, procurement and provision of technical assistance related to certain goods also apply with respect to the shipment of items to or from the DPRK for repair, servicing, refurbishing, testing, reverse-engineering and marketing, regardless of whether ownership or control is transferred, and underscores that the visa-ban measures are also to apply to any individual traveling for those purposes.
- (10) The Council considers it appropriate to prohibit the supply, sale or transfer to DPRK of further items, materials, equipment relating to dual-use goods and technology.
- (11) UNSCR 2270 (2016) extends the list of individuals and entities subject to asset freeze and visa-ban measures and provides that the asset freeze is to apply with respect to entities of the Government of the DPRK or the Worker's Party of Korea, where the UN Member State determines that they are associated with the DPRK's nuclear or ballistic-missile programmes or other activities prohibited by the relevant UNSCRs.
- (12) UNSCR 2270 (2016), which expresses concern that the DPRK is abusing the privileges and immunities accorded to it under the Vienna Conventions on Diplomatic and Consular Relations, lays down additional measures aimed at preventing DPRK diplomats or governmental representatives or individuals from third States from acting on behalf or at the direction of designated individuals or entities or from engaging in prohibited activities.
- (13) UNSCR 2270 (2016) further clarifies the scope of the obligation for UN Member States to prevent specialised training of DPRK nationals in certain sensitive disciplines.
- (14) UNSCR 2270 (2016) also expands the scope of the measures applicable to the transportation and financial sectors.
- (15) In the context of the measures applicable to the financial sector, the Council considers that it is appropriate to prohibit transfers of funds to and from the DPRK, unless specifically authorised in advance, as well as investment by the DPRK in the territories under the jurisdiction of Member States and investment by nationals or entities of the Member States in the DPRK.
- (16) In addition to the measures provided for in the relevant UNSCR, Member States should deny permission to land in, take off from or overfly their territory to any aircraft operated by DPRK carriers or originating from the DPRK. Member States should also prohibit the entry into their ports of any vessel that is owned, operated or crewed by the DPRK.
- (17) UNSCR 2270 (2016) prohibits the procurement of certain minerals and the export of aviation fuel.
- (18) The Council considers that the prohibition on the export of luxury goods should be extended to cover the import of such goods from the DPRK.
- (19) UNSCR 2270 (2016) further extends the prohibitions on the provision of financial support for trade with the DPRK.
- (20) Furthermore, the Council considers it appropriate to extend the prohibitions on public financial support for trade with the DPRK, in particular to avoid any financial support contributing to proliferation-sensitive nuclear activities or to the development of nuclear-weapon delivery systems.
- (21) UNSCR 2270 (2016) recalls that the Financial Action Task Force (FATF) has called upon countries to apply enhanced due diligence and effective countermeasures to protect their jurisdictions from the DPRK's illicit financial activity, and calls upon UN Member States to apply FATF Recommendation 7, its Interpretive Note and related guidance to effectively implement targeted financial sanctions related to proliferation.

- (22) UNSCR 2270 (2016) also underlines that measures imposed thereby are not intended to have adverse humanitarian consequences for the civilian population of the DPRK or to affect negatively activities that are not prohibited by the relevant UNSCRs, or the work of international organisations and non-governmental organisations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population.
- (23) UNSCR 2270 (2016) expresses its commitment to a peaceful, diplomatic and political solution to the situation. It reaffirms support for the Six-Party Talks and calls for their resumption.
- (24) UNSCR 2270 (2016) affirms that the DPRK's actions are to be kept under continuous review and that the UN Security Council is prepared to strengthen, modify, suspend or lift the measures as necessary in light of the DPRK's compliance and is determined to take further significant measures in the event of a further DPRK nuclear test or launch.
- (25) In February 2016, the Council carried out a review in accordance with Article 22(2) of Decision 2013/183/CFSP and Article 6(2) and (2a) of Regulation (EC) No 329/2007 ⁽¹⁾ and confirmed that the persons and entities that appear in Annex II to that Decision and in Annex V to that Regulation should remain listed.
- (26) This Decision respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, notably the right to an effective remedy and to a fair trial, the right to property and the right to the protection of personal data. This Decision should be applied in accordance with those rights and principles.
- (27) This Decision also fully respects the obligations of Member States under the Charter of the United Nations and the legally binding nature of UNSCRs.
- (28) For the sake of clarity, Decision 2013/183/CFSP should be repealed and replaced by a new Decision.
- (29) Further action by the Union is needed in order to implement certain measures,

HAS ADOPTED THIS DECISION:

CHAPTER I

EXPORT AND IMPORT RESTRICTIONS

Article 1

1. The direct or indirect supply, sale, transfer or export of the following items and technology, including software, to the DPRK by nationals of Member States or through or from the territories of Member States, or using the flag vessels or aircraft of Member States, shall be prohibited, whether or not originating in the territories of the Member States:
- (a) arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, with the exception of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection and are intended solely for protective use of personnel of the Union and its Member States in the DPRK;
- (b) all items, materials, equipment, goods and technology, as determined by the UN Security Council or the Committee established pursuant to paragraph 12 of UNSCR 1718 (2006) ('the Sanctions Committee') in accordance with paragraph 8(a)(ii) of UNSCR 1718 (2006), paragraph 5(b) of UNSCR 2087 (2013) and paragraph 20 of UNSCR 2094 (2013), which could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes;

⁽¹⁾ Council Regulation (EC) No 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea (OJ L 88, 29.3.2007, p. 1).

- (c) certain other items, materials, equipment, goods and technology which could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes or which could contribute to its military activities, including all dual-use goods and technology listed in Annex I to Council Regulation (EC) No 428/2009 ⁽¹⁾;
- (d) any further items, materials and equipment relating to dual-use goods and technology; the Union shall take the necessary measures in order to determine the relevant items to be covered by this point;
- (e) certain key components for the ballistic-missile sector, such as certain types of aluminium used in ballistic-missile-related systems; the Union shall take the necessary measures in order to determine the relevant items to be covered by this point;
- (f) any other item that could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes, to activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or by this Decision, or to the evasion of measures imposed by those UNSCRs or by this Decision; the Union shall take the necessary measures in order to determine the relevant items to be covered by this point.
- (g) any other item, except food or medicine, if a Member State determines that it could contribute directly to the development of the operational capabilities of the DPRK's armed forces or to exports that support or enhance the operational capabilities of armed forces of another State outside the DPRK.

2. It shall also be prohibited to:

- (a) provide technical training, advice, services, assistance or brokering services, or other intermediary services, related to items or technology referred to in paragraph 1 or to the provision, manufacture, maintenance or use of those items, directly or indirectly, to any person, entity or body in, or for use in, the DPRK;
- (b) provide financing or financial assistance related to items or technology referred to in paragraph 1, including, in particular, grants, loans and export credit insurance, as well as insurance and reinsurance, for any sale, supply, transfer or export of those items or that technology, or for the provision of related technical training, advice, services, assistance or brokering services, directly or indirectly, to any person, entity or body in, or for use in, the DPRK;
- (c) participate, knowingly or intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in points (a) and (b).

3. The procurement from the DPRK by nationals of Member States, or using the flag vessels or aircraft of Member States, of items or technology referred to in paragraph 1, as well as the provision to nationals of Member States by the DPRK of technical training, advice, services, assistance, financing and financial assistance referred to in paragraph 2, shall also be prohibited, whether or not originating in the territory of the DPRK.

Article 2

The measures imposed by Article 1(1)(g) shall not apply to the supply, sale or transfer of an item, or its procurement, where:

- (a) the Member State determines that such activity is exclusively for humanitarian purposes or exclusively for livelihood purposes which will not be used by DPRK persons or entities to generate revenue, and is not related to any activity prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or by this Decision, provided that the Member State notifies the Sanctions Committee in advance of such determination and informs the Sanctions Committee of measures taken to prevent the diversion of the item for such other purposes; or
- (b) the Sanctions Committee has determined on a case-by-case basis that a particular supply, sale or transfer would not be contrary to the objectives of UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016).

⁽¹⁾ Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (OJ L 134, 29.5.2009, p. 1).

Article 3

1. The direct or indirect sale, purchase, transport or brokering of gold and precious metals, as well as of diamonds, to, from or for the Government of the DPRK, its public bodies, corporations and agencies or the Central Bank of the DPRK, as well as persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, shall be prohibited.
2. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

Article 4

1. The procurement from the DPRK by nationals of Member States, or using the flag vessels or aircraft of Member States, of gold, titanium ore, vanadium ore and rare-earth minerals, shall be prohibited, whether or not originating in the territory of the DPRK.
2. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

Article 5

The delivery of newly printed or minted or unissued DPRK-denominated banknotes and coinage to or for the benefit of the Central Bank of the DPRK shall be prohibited.

Article 6

1. The direct or indirect supply, sale or transfer of luxury goods to the DPRK by nationals of Member States or through or from the territories of Member States, or using the flag vessels or aircraft of Member States, shall be prohibited whether or not originating in the territories of Member States.
2. The import, purchase or transfer of luxury goods from the DPRK shall be prohibited.
3. The Union shall take the necessary measures in order to determine the relevant items to be covered by paragraphs 1 and 2.

Article 7

1. The procurement from the DPRK by nationals of Member States, or using the flag vessels or aircraft of Member States, of coal, iron, and iron ore, shall be prohibited, whether or not originating in the territory of the DPRK. The Union shall take the necessary measures in order to determine the relevant items to be covered by this paragraph.
2. Paragraph 1 shall not apply with respect to coal that the procuring Member State confirms, on the basis of credible information, originates from outside the DPRK and was transported through the DPRK solely for export from the port of Rajin (Rason), provided that the Member State notifies the Sanctions Committee in advance and such transactions are unrelated to generating revenue for the DPRK's nuclear or ballistic-missile programmes or other activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or by this Decision.
3. Paragraph 1 shall not apply with respect to transactions that are determined to be exclusively for livelihood purposes and unrelated to generating revenue for the DPRK's nuclear or ballistic-missile programmes or other activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or by this Decision.

Article 8

1. The sale or supply of aviation fuel, including aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel and kerosene-type rocket fuel, to the DPRK by nationals of Member States or from the territories of Member States, or using the flag vessels or aircraft of Member States, shall be prohibited whether or not originating in the territories of Member States.
2. Paragraph 1 shall not apply if the Sanctions Committee has approved in advance on an exceptional case-by-case basis the transfer to the DPRK of such products for verified essential humanitarian needs and subject to specified arrangements for effective monitoring of delivery and use.
3. Paragraph 1 shall not apply with respect to the sale or supply of aviation fuel to a civilian passenger aircraft outside the DPRK exclusively for consumption during its flight to the DPRK and its return flight.

Article 9

The import, purchase or transfer from the DPRK of petroleum products not covered by UNSCR 2270 (2016) shall be prohibited. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

CHAPTER II

RESTRICTIONS ON FINANCIAL SUPPORT FOR TRADE*Article 10*

1. Member States shall not provide public financial support for trade with the DPRK, including the granting of export credits, guarantees or insurance, to their nationals or entities involved in such trade. This shall not affect commitments established prior to the entry into force of this Decision provided that such financial support does not contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes or activities, or other activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or by this Decision.
2. Private financial support for trade with the DPRK, including the granting of export credits, guarantees or insurance, to Member States' nationals or entities involved in such trade where such financial support could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes or activities, or other activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or by this Decision, or to the evasion of measures imposed by those UNSCRs or by this Decision, shall be prohibited.
3. Paragraphs 1 and 2 shall not concern trade for food, agricultural, medical or other humanitarian purposes.

CHAPTER III

RESTRICTIONS ON INVESTMENT*Article 11*

1. Investment in the territories under the jurisdiction of Member States by the DPRK, its nationals, or entities incorporated in the DPRK or subject to its jurisdiction, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them, shall be prohibited.

2. The following shall be prohibited:
- (a) the acquisition or extension of a participation in entities in the DPRK, or DPRK entities or DPRK-owned entities outside the DPRK, that are engaged in activities involving the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related activities or programmes, or in activities in the sectors of mining, refining and chemical industries, including the acquisition in full of such entities and the acquisition of shares or other securities of a participatory nature;
 - (b) the granting of any financing or financial assistance to entities in the DPRK, or DPRK entities or DPRK-owned entities outside the DPRK, that are engaged in activities referred to in point (a) or for the documented purpose of financing such entities in the DPRK;
 - (c) the creation of any joint venture with entities in the DPRK that are engaged in activities referred to in point (a) or with any subsidiary or affiliate under their control;
 - (d) the provision of investment services directly related to the activities referred to in points (a) to (c).

CHAPTER IV

FINANCIAL SECTOR

Article 12

Member States shall not enter into new commitments for grants, financial assistance or concessional loans to the DPRK, including through their participation in international financial institutions, except for humanitarian and developmental purposes directly addressing the need of the civilian population or the promotion of denuclearisation. Member States shall also exercise vigilance with a view to reducing current commitments and, if possible, putting an end to them.

Article 13

In order to prevent the provision of financial services or the transfer to, through, or from the territory of Member States, or to or by nationals of Member States or entities organised under their laws, or persons or financial institutions within their jurisdiction, of any financial or other assets or resources, including bulk cash, that could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes or activities, or other activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013) 2094 (2013) or 2270 (2016) or by this Decision, or to the evasion of measures imposed by those UNSCRs or by this Decision, the following shall apply:

- (1) No transfer of funds to or from the DPRK shall take place, except for transactions that fall within the scope of point (3) and have been authorised in accordance with point (4).
- (2) Financial institutions under the jurisdiction of Member States shall not enter into, or continue to participate in, any transactions with:
 - (a) banks domiciled in the DPRK, including the Central Bank of the DPRK;
 - (b) branches or subsidiaries within the jurisdiction of the Member States of banks domiciled in the DPRK;
 - (c) branches or subsidiaries outside the jurisdiction of the Member States of banks domiciled in the DPRK; or
 - (d) financial entities that are neither domiciled in the DPRK nor within the jurisdiction of the Member States but are controlled by persons or entities domiciled in the DPRK,

unless such transactions fall within the scope of point (3) and have been authorised in accordance with point (4).

- (3) The following transactions may be carried out, subject to the prior authorisation referred to in point (4):
- (a) transactions regarding foodstuffs, healthcare or medical equipment, or for agricultural or humanitarian purposes;
 - (b) transactions regarding personal remittances;
 - (c) transactions regarding the execution of the exemptions provided for in this Decision;
 - (d) transactions in connection with a specific trade contract not prohibited under this Decision;
 - (e) transactions regarding a diplomatic or consular mission or an international organisation enjoying immunities in accordance with international law, insofar as such transactions are intended to be used for official purposes of the diplomatic or consular mission or international organisation;
 - (f) transactions required exclusively for the implementation of projects funded by the Union or its Member States for development purposes directly addressing the need of the civilian population or the promotion of denuclearisation;
 - (g) transactions regarding payment to satisfy claims against the DPRK or DPRK persons or entities, on a case-by-case basis and subject to notification 10 days prior to authorisation, and transactions of a similar nature that do not contribute to activities prohibited under this Decision.
- (4) Any transfer of funds to or from the DPRK for the transactions referred to in point (3) shall require prior authorisation by the competent authority of the Member State concerned if above EUR 15 000. The relevant Member State shall inform the other Member States of any authorisation granted.
- (5) The prior authorisation referred to in point (4) shall not be required for any transfer of funds or transaction which is necessary for the official purposes of a diplomatic or consular mission of a Member State in the DPRK.
- (6) Financial institutions shall be required, in their activities with banks and financial institutions as set out in point (2), to:
- (a) exercise continuous vigilance over account activity, including through their programmes on customer due diligence and in accordance with their obligations relating to money-laundering and the financing of terrorism;
 - (b) require that all information fields of payment instructions which relate to the originator and the beneficiary of the transaction in question be completed and, if that information is not supplied, refuse the transaction;
 - (c) maintain all records of transactions for a period of five years and make them available to national authorities on request;
 - (d) promptly report their suspicions to the Financial Intelligence Unit (FIU) or another competent authority designated by the Member State concerned if they suspect, or have reasonable grounds to suspect, that funds contribute to the DPRK's nuclear-related, ballistic-missile related or other weapons of mass destruction-related programmes or activities; the FIU or other competent authority shall have access, directly or indirectly, on a timely basis to the financial, administrative and law-enforcement information that it requires to perform that function properly, including the analysis of suspicious transaction reports.

Article 14

1. The opening of branches, subsidiaries or representative offices of DPRK banks, including the Central Bank of the DPRK, its branches and subsidiaries, and of other financial entities referred to in point (2) of Article 13, in the territories of Member States shall be prohibited.
2. Existing branches, subsidiaries and representative offices shall be closed within 90 days of the adoption of UNSCR 2270 (2016).

3. Unless approved in advance by the Sanctions Committee, it shall be prohibited for DPRK banks, including the Central Bank of the DPRK, its branches and subsidiaries, and for other financial entities referred to in point (2) of Article 13, to:

- (a) establish new joint ventures with banks under the jurisdiction of Member States;
- (b) take an ownership interest in banks under the jurisdiction of Member States;
- (c) establish or maintain correspondent banking relationships with banks under the jurisdiction of Member States.

4. Existing joint ventures, ownership interests and correspondent banking relationships with DPRK banks shall be terminated within 90 days of the adoption of UNSCR 2270 (2016).

5. Financial institutions within the territories of Member States or under their jurisdiction shall be prohibited from opening representative offices, subsidiaries, branches or banking accounts in the DPRK.

6. Existing representative offices, subsidiaries or banking accounts in the DPRK shall be closed within 90 days of the adoption of UNSCR 2270 (2016) if the relevant Member State has credible information that provides reasonable grounds to believe that such financial services could contribute to the DPRK's nuclear or ballistic-missile programmes, or to other activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016).

7. Paragraph 6 shall not apply if the Sanctions Committee determines on a case-by-case basis that such offices, subsidiaries or accounts are required for the delivery of humanitarian assistance, the activities of diplomatic missions in the DPRK pursuant to the Vienna Conventions on Diplomatic and Consular Relations, the activities of the UN or its specialised agencies or related organisations, or any other purposes consistent with UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016).

8. Existing representative offices, subsidiaries or banking accounts in the DPRK shall be closed if the relevant Member State has credible information that provides reasonable grounds to believe that such financial services could contribute to the DPRK's nuclear or ballistic-missile programmes or to other activities prohibited by this Decision.

9. A Member State may grant exemptions from paragraph 8 if it determines on a case-by-case basis that such offices, subsidiaries or accounts are required for the delivery of humanitarian assistance, the activities of diplomatic missions in the DPRK pursuant to the Vienna Conventions on Diplomatic and Consular Relations, the activities of the UN or its specialised agencies or related organisations, or any other purposes consistent with this Decision. The Member State concerned shall inform the other Member States in advance of its intention to grant an exemption.

Article 15

The direct or indirect sale or purchase of, or brokering or assistance in the issuance of, DPRK public or public-guaranteed bonds issued after 18 February 2013 to or from the Government of the DPRK, its public bodies, corporations and agencies, the Central Bank of the DPRK, or banks domiciled in the DPRK, or branches and subsidiaries, within and outside the jurisdiction of Member States, of banks domiciled in the DPRK, or financial entities that are neither domiciled in the DPRK nor within the jurisdiction of the Member States, but are controlled by persons or entities domiciled in the DPRK, as well as any persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, shall be prohibited.

CHAPTER V

TRANSPORT SECTOR

Article 16

1. Member States shall inspect, in accordance with their national authorities and legislation and consistent with international law, including the Vienna Conventions on Diplomatic and Consular Relations, all cargo to and from the DPRK in their territory, or transiting through their territory, including at their airports, seaports and free-trade zones, or cargo brokered or facilitated by the DPRK or DPRK nationals, or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, or by persons or entities listed in Annex I, or cargo that is being transported on DPRK-flagged aircraft or maritime vessels, for the purposes of ensuring that no items are transferred in violation of UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016).

2. Member States shall inspect, in accordance with their national authorities and legislation and consistent with international law, including the Vienna Conventions on Diplomatic and Consular Relations, all cargo to and from the DPRK in their territory, or transiting through their territory, or cargo brokered or facilitated by the DPRK or DPRK nationals, or persons or entities acting on their behalf, including at their airports and seaports, if they have information that provides reasonable grounds to believe that the cargo contains items whose supply, sale, transfer or export is prohibited under this Decision.
3. Member States shall inspect vessels, with the consent of the flag State, on the high seas if they have information that provides reasonable grounds to believe that the cargo of such vessels contains items whose supply, sale, transfer or export is prohibited under this Decision.
4. Member States shall cooperate, in accordance with their national legislation, with inspections pursuant to paragraphs 1 to 3.
5. Aircrafts and vessels transporting cargo to and from the DPRK shall be subject to the requirement of additional pre-arrival or pre-departure information for all goods brought into or out of a Member State.
6. In cases where inspection referred to in paragraphs 1 to 3 is undertaken, Member States shall seize and dispose of items whose supply, sale, transfer or export is prohibited under this Decision in accordance with paragraph 14 of UNSCR 1874 (2009) and paragraph 8 of UNSCR 2087 (2013).
7. Member States shall deny entry into their ports of any vessel that has refused to allow an inspection after such an inspection has been authorised by the vessel's flag State, or if any DPRK-flagged vessel has refused to be inspected pursuant to paragraph 12 of UNSCR 1874 (2009).
8. Paragraph 7 shall not apply where entry is required for the purpose of an inspection, or in the case of an emergency or in the case of return to the vessel's port of origin.

Article 17

1. Member States shall deny permission to land in, take off from or overfly their territory to any aircraft, operated by DPRK carriers or originating from the DPRK in accordance with their national authorities and legislation and consistent with international law, in particular relevant international civil-aviation agreements.
2. Paragraph 1 shall not apply in the case of an emergency landing or under the condition of landing for inspection.
3. Paragraph 1 shall not apply in the event that the relevant Member State determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of this Decision.

Article 18

1. Member States shall prohibit the entry into their ports of any vessel that is owned, operated or crewed by the DPRK.
2. Member States shall prohibit the entry into their ports of any vessel if they have information that provides reasonable grounds to believe that the vessel is owned or controlled, directly or indirectly, by a person or entity listed in Annex I, II or III, or contains cargo whose supply, sale, transfer or export is prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or by this Decision.
3. Paragraph 1 shall not apply in the case of an emergency, in the case of return to the vessel's port of origination, where entry is required for the purpose of inspection or if the relevant Member State determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of this Decision.

4. Paragraph 2 shall not apply in the case of an emergency, in the case of return to the vessel's port of origination, where entry is required for the purpose of inspection or if the Sanctions Committee determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of UNSCR 2270 (2016) or if the relevant Member State determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of this Decision. The Member State concerned shall inform the other Member States of any entry it has granted.

Article 19

The provision by nationals of Member States or from the territories of Member States of bunkering or ship-supply services, or other servicing of vessels, to DPRK vessels shall be prohibited if they have information that provides reasonable grounds to believe that the vessels carry items whose supply, sale, transfer or export is prohibited under this Decision, unless provision of such services is necessary for humanitarian purposes or until the cargo has been inspected, and seized and disposed of if necessary, in accordance with Article 16(1), (2), (3) and (6).

Article 20

1. It shall be prohibited to lease or charter Member States' flagged vessels or aircraft or to provide crew services to the DPRK, any persons or entities listed in Annex I, II or III, any other DPRK entities, any other persons or entities whom the Member State determines to have assisted in the evasion of sanctions or in the violation of the provisions of UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or of this Decision, any persons or entities acting on behalf or at the direction of any of the aforementioned, or any entities owned or controlled by any of the aforementioned.

2. Paragraph 1 shall not apply to the leasing, chartering or provision of crew services, provided that the relevant Member State has notified the Sanctions Committee in advance on a case-by-case basis and has provided the Sanctions Committee with the information demonstrating that such activities are exclusively for livelihood purposes which will not be used by DPRK persons or entities to generate revenue, as well as information on measures taken to prevent such activities from contributing to violations of the provisions of UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016).

3. A Member State may grant an exemption from paragraph 1 if it determines on a case-by-case basis that such activities are exclusively for livelihood purposes which will not be used by DPRK persons or entities to generate revenue, and provided that it has information on measures taken to prevent such activities from contributing to violations of the provisions of this Decision. The Member State concerned shall inform the other Member States in advance of its intention to grant the exemption.

Article 21

Member States shall deregister any vessel that is owned, operated or crewed by the DPRK and shall not register any such vessel that is deregistered by another State pursuant to paragraph 19 of UNSCR 2270 (2016).

Article 22

1. It shall be prohibited to register vessels in the DPRK, to obtain authorisation for a vessel to use the DPRK flag, or own, lease, operate, or provide any vessel classification, certification or associated service, or to insure any vessel flagged by the DPRK.

2. Paragraph 1 shall not apply to activities notified in advance to the Sanctions Committee on a case-by-case basis, provided that the relevant Member State has provided the Sanctions Committee with detailed information on the activities, including the names of persons and entities involved in them, information demonstrating that such activities are exclusively for livelihood purposes which will not be used by DPRK persons or entities to generate revenue and information on measures taken to prevent such activities from contributing to violations of UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016).

CHAPTER VI

RESTRICTIONS ON ADMISSION AND RESIDENCE

Article 23

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of:
 - (a) the persons designated by the Sanctions Committee or by the UN Security Council as being responsible for, including through supporting or promoting, the DPRK's policies in relation to its nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes, together with their family members, or persons acting on their behalf of or at their direction, as listed in Annex I;
 - (b) the persons not covered by Annex I, as listed in Annex II, who:
 - (i) are responsible for, including through supporting or promoting, the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes or persons acting on their behalf or at their direction,
 - (ii) provide financial services or the transfer to, through, or from the territory of Member States, or involving nationals of Member States or entities organised under their laws, or persons or financial institutions in their territory, of any financial or other assets or resources that could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes,
 - (iii) are involved in, including through the provision of financial services, the supply to or from the DPRK of arms and related materiel of all types, or the supply to the DPRK of items, materials, equipment, goods and technology which could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes;
 - (c) the persons not covered by Annex I or Annex II working on behalf or at the direction of a person or entity listed in Annex I or Annex II or persons assisting in the evasion of sanctions or violating the provisions of UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or of this Decision, as listed in Annex III to this Decision.
2. Point (a) of paragraph 1 shall not apply where the Sanctions Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Sanctions Committee concludes that an exemption would otherwise further the objectives of UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016).
3. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.
4. Paragraph 1 shall be without prejudice to cases where a Member State is bound by an obligation of international law, namely:
 - (a) as a host country of an international intergovernmental organisation;
 - (b) as a host country to an international conference convened by, or under the auspices of, the UN;
 - (c) under a multilateral agreement conferring privileges and immunities;
 - (d) under the 1929 Treaty of Conciliation (Lateran pact) concluded by the Holy See (Vatican City State) and Italy.

5. Paragraph 4 shall also be considered to apply in cases where a Member State is host country of the Organisation for Security and Cooperation in Europe (OSCE).
6. The Council shall be duly informed in all cases where a Member State grants an exemption pursuant to paragraph 4 or 5.
7. Member States may grant exemptions from the measures imposed in point (b) of paragraph 1 where travel is justified on the grounds of urgent humanitarian need, or on grounds of attending intergovernmental meetings and those promoted or hosted by the Union, or hosted by a Member State holding the chairmanship in office of the OSCE, where a political dialogue is conducted that directly promotes the policy objectives of restrictive measures, including democracy, human rights and the rule of law in the DPRK.
8. A Member State wishing to grant exemptions referred to in paragraph 7 shall notify the Council thereof in writing. The exemption shall be deemed to be granted unless one or more of the Council members raises an objection in writing within two working days of receiving notification of the proposed exemption. Should one or more of the Council members raise an objection, the Council, acting by a qualified majority, may decide to grant the proposed exemption.
9. Point (c) of paragraph 1 shall not apply in case of transit of representatives of the Government of the DPRK to the UN Headquarters to conduct UN business.
10. In cases where, pursuant to paragraphs 4, 5, 7 and 9, a Member State authorises the entry into, or transit through, its territory of persons listed in Annex I, II or III, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.
11. Member States shall exercise vigilance and restraint regarding the entry into, or transit through their territories of persons working on behalf or at the direction of a designated person or entity listed in Annex I.

Article 24

1. Member States shall expel DPRK nationals who they determine are working on behalf of or at the direction of a person or entity listed in Annex I or Annex II, or who they determine are assisting in the evasion of sanctions or violating the provisions of UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or of this Decision, from their territories for the purpose of repatriation to the DPRK, consistent with applicable national and international law.
2. Paragraph 1 shall not apply where the presence of a person is required for the fulfilment of a judicial process or exclusively for medical, safety or other humanitarian purposes.

Article 25

1. Member States shall expel DPRK diplomats, government representatives or other DPRK nationals acting in a governmental capacity who they determine are working on behalf of or at the direction of a person or entity listed in Annex I, II or III, or of a person or entity assisting in the evasion of sanctions or violating the provisions of UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or of this Decision, from their territories for the purpose of repatriation to the DPRK, consistent with applicable national and international law.
2. Paragraph 1 shall not apply in case of transit of representatives of the Government of the DPRK to the UN Headquarters or other UN facilities to conduct UN business.
3. Paragraph 1 shall not apply where the presence of a person is required for the fulfilment of a judicial process or exclusively for medical, safety or other humanitarian purposes, or the Sanctions Committee has determined on a case-by-case basis that the expulsion of a person would be contrary to the objectives of UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), or the relevant Member State has determined on a case-by-case basis that the expulsion of a person would be contrary to the objectives of this Decision. The Member State concerned shall inform the other Member States of any decision not to expel a person referred to in paragraph 1.

Article 26

1. Member States shall expel any national of a third country who they determine is working on behalf of or at the direction of a person or entity listed in Annex I or II, assisting in the evasion of sanctions or violating the provisions of UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or of this Decision, from their territories for the purpose of repatriation to that person's State of nationality, consistent with applicable national and international law.
2. Paragraph 1 shall not apply where the presence of a person is required for the fulfilment of a judicial process or exclusively for medical, safety or other humanitarian purposes, or the Sanctions Committee has determined on a case-by-case basis that the expulsion of a person would be contrary to the objectives of UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), or if the relevant Member State has determined on a case-by-case basis that the expulsion of a person would be contrary to the objectives of this Decision. The Member State concerned shall inform the other Member States of any decision not to expel a person referred to in paragraph 1.
3. Paragraph 1 shall not apply in case of transit of representatives of the Government of the DPRK to the UN Headquarters or other UN facilities to conduct UN business.

CHAPTER VII

FREEZING OF FUNDS AND ECONOMIC RESOURCES*Article 27*

1. All funds and economic resources belonging to or owned, held or controlled, directly or indirectly, by the following persons and entities shall be frozen:
 - (a) the persons and entities designated by the Sanctions Committee or by the UN Security Council as being engaged in or providing support for, including through illicit means, the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes, or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, including through illicit means, as listed in Annex I;
 - (b) the persons and entities not covered by Annex I, as listed in Annex II, that:
 - (i) are responsible for, including through supporting or promoting, the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction related programmes or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, including through illicit means,
 - (ii) provide financial services or the transfer to, through, or from the territory of Member States, or involving nationals of Member States or entities organised under their laws, or persons or financial institutions in their territory, of any financial or other assets or resources that could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes, or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them,
 - (iii) are involved, including through the provision of financial services, in the supply to or from the DPRK of arms and related materiel of all types, or the supply to the DPRK of items, materials, equipment, goods and technology which could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes;
 - (c) the persons and entities not covered by Annex I or Annex II working on behalf or at the direction of a person or entity listed in Annex I or Annex II or persons assisting in the evasion of sanctions or violating the provisions of UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or of this Decision, as listed in Annex III to this Decision;
 - (d) the entities of the Government of the DPRK or the Worker's Party of Korea, or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, that the Member State determines are associated with the DPRK's nuclear or ballistic-missile programmes or other activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016).

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of persons or entities referred to in paragraph 1.

3. Exemptions may be made for funds and economic resources which are:

- (a) necessary to satisfy basic needs, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public-utility charges;
- (b) intended exclusively for the payment of reasonable professional fees or the reimbursement of incurred expenses associated with the provision of legal services; or
- (c) intended exclusively for the payment of fees or service charges, in accordance with national laws, for the routine holding or maintenance of frozen funds and economic resources,

after notification, where appropriate, by the Member State concerned to the Sanctions Committee of the intention to authorise access to such funds and economic resources and in the absence of a negative decision by the Sanctions Committee within five working days of such notification.

4. Exemptions may also be made for funds and economic resources which are:

- (a) necessary for extraordinary expenses. Where appropriate, the Member State concerned shall first notify and get approval from the Sanctions Committee; or
- (b) the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds and economic resources may be used to satisfy that lien or judgment, provided that the lien was entered into or the judgment delivered prior to the date on which the person or entity referred to in paragraph 1 was designated by the Sanctions Committee, the UN Security Council or the Council, and is not for the benefit of a person or entity referred to in paragraph 1. Where appropriate the Member State concerned shall first notify the Sanctions Committee.

5. Paragraph 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 before the date on which those accounts became subject to the restrictive measures,

provided that any such interest, other earnings and payments continue to be subject to paragraph 1.

6. Paragraph 1 shall not prevent a designated person or entity listed in Annex II from making a payment due under a contract entered into before the listing of that person or entity, provided that the relevant Member State has determined that:

- (a) the contract is not related to any of the prohibited items, materials, equipment, goods, technologies, assistance, training, financial assistance, investment, brokering or services referred to in Article 1;
- (b) the payment is not directly or indirectly received by a person or entity referred to in paragraph 1,

and after notification by the relevant Member State of the intention to make or receive such payments or to authorise, where appropriate, the unfreezing of funds or economic resources for this purpose, 10 working days prior to such authorisation.

7. With regard to Korea National Insurance Corporation (KNIC):

- (a) The relevant Member States may authorise the receipt by Union persons and entities of payments by KNIC provided that:
 - (i) the payment is due:
 - (a) in accordance with the provisions of a contract for insurance services provided by KNIC necessary for the activities of the Union person or entity in the DPRK, or
 - (b) in accordance with the provisions of a contract for insurance services provided by KNIC in respect of damage caused within the territory of the Union by any party to such a contract;

- (ii) the payment is not directly or indirectly received by a person or entity referred to in paragraph 1; and
 - (iii) the payment is not directly or indirectly related to activities prohibited under this Decision.
- (b) The relevant Member State may authorise Union persons and entities to make payments to KNIC exclusively for the purpose of obtaining insurance services necessary for the activities of such persons or entities in the DPRK, provided that those activities are not prohibited under this Decision.
- (c) No such authorisation shall be required for payments by or to KNIC which are necessary for the official purposes of a diplomatic or consular mission of a Member State in the DPRK.
- (d) Paragraph 1 shall not prevent KNIC from making a payment due under a contract concluded before its listing, provided that the relevant Member State has determined that:
- (i) the contract is not related to any of the prohibited items, materials, equipment, goods, technologies, assistance, training, financial assistance, investment, brokering or services referred to in this Decision;
 - (ii) the payment is not directly or indirectly received by a person or entity referred to in paragraph 1.

A Member State shall inform the other Member States of any authorisation granted pursuant to this paragraph.

Article 28

Point (d) of Article 27(1) shall not apply with respect to funds, other financial assets or economic resources that are required to carry out the activities of the DPRK's missions to the UN and its specialised agencies and related organisations or other diplomatic and consular missions of the DPRK, or to any funds, other financial assets or economic resources that the Sanctions Committee determines in advance on a case-by-case basis are required for the delivery of humanitarian assistance, denuclearisation or any other purpose consistent with the objectives of UNSCR 2270 (2016).

Article 29

1. Representative offices of entities listed in Annex I shall be closed.
2. The direct or indirect participation in joint ventures or any other business arrangements by entities listed in Annex I, as well as persons or entities acting for or on their behalf, is prohibited.

CHAPTER VIII

OTHER RESTRICTIVE MEASURES

Article 30

Member States shall take the necessary measures to exercise vigilance and prevent specialised teaching or training of DPRK nationals, within their territories or by their nationals, in disciplines which would contribute to the DPRK's proliferation-sensitive nuclear activities and the development of nuclear-weapon delivery systems, including teaching or training in advanced physics, advanced computer simulation and related computer sciences, geospatial navigation, nuclear engineering, aerospace engineering, aeronautical engineering and related disciplines.

Article 31

Member States shall, in accordance with international law, exercise enhanced vigilance over DPRK diplomatic personnel so as to prevent such persons from contributing to the DPRK's nuclear or ballistic-missile programmes, or other activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016) or by this Decision, or to the evasion of measures imposed by those UNSCRs or by this Decision.

CHAPTER IX

GENERAL AND FINAL PROVISIONS

Article 32

No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, wholly or in part, by the measures imposed pursuant to UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016), including measures of the Union or of any Member State in accordance with, as required by or in any connection with the implementation of the relevant decisions of the UN Security Council or measures covered by this Decision, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, notably a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:

- (a) designated persons or entities listed in Annex I, II or III;
- (b) any other person or entity in the DPRK, including the Government of the DPRK, its public bodies, corporations and agencies; or
- (c) any person or entity acting through or on behalf of one of the persons or entities referred to in points (a) or (b).

Article 33

1. The Council shall adopt modifications to Annex I on the basis of the determinations made by the UN Security Council or by the Sanctions Committee.
2. The Council, acting by unanimity on a proposal from Member States or the High Representative of the Union for Foreign Affairs and Security Policy, shall establish the lists in Annex II or III and adopt modifications thereto.

Article 34

1. Where the UN Security Council or the Sanctions Committee lists a person or entity, the Council shall include that person or entity in Annex I.
2. Where the Council decides to subject a person or entity to the measures referred to in points (b) or (c) of Article 23(1) or point (b) of Article 27(1), it shall amend Annex II or III accordingly.
3. The Council shall communicate its decision to the person or entity referred to in paragraphs 1 and 2, including the grounds for listing, either directly, if the address is known, or through the publication of a notice, providing that person or entity with an opportunity to present observations.
4. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the person or entity accordingly.

Article 35

1. Annexes I, II and III shall include the grounds for listing of listed persons and entities, as provided by the UN Security Council or by the Sanctions Committee with regard to Annex I.
2. Annexes I, II and III shall also include, where available, information necessary to identify the persons or entities concerned, as provided by the UN Security Council or by the Sanctions Committee with regard to Annex I. With regard to persons, such information may include names, including aliases, date and place of birth, nationality, passport and ID card numbers, gender, address, if known, and function or profession. With regard to entities, such information may include names, place and date of registration, registration number and place of business. Annex I shall also include the date of designation by the UN Security Council or by the Sanctions Committee.

Article 36

1. This Decision shall be reviewed, and, if necessary, amended, in particular as regards the categories of persons, entities or items or additional persons, entities or items to be covered by the restrictive measures, or in accordance with relevant UNSCRs.
2. The measures referred to in points (b) and (c) of Article 23(1) and points (b) and (c) of Article 27(1) shall be reviewed at regular intervals and at least every 12 months. They shall cease to apply in respect of the persons and entities concerned if the Council determines, in accordance with the procedure referred to in Article 33(2), that the conditions for their application are no longer met.

Article 37

Decision 2013/183/CFSP is repealed.

Article 38

This Decision shall enter into force on the date following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 27 May 2016.

For the Council
The President
A.G. KOENDERS

ANNEX I

List of persons referred to in point (a) of Article 23(1) and of persons and entities referred to in point (a) of Article 27(1)

A. Persons

	Name	Alias	Date of birth	Date of UN designation	Statement of reasons
1.	Yun Ho-jin	a.k.a. Yun Ho-chin	13.10.1944	16.7.2009	Director of Namchongang Trading Corporation; oversees the import of items needed for the uranium enrichment programme.
2.	Re Je-Son	Korean name: 리제선 Chinese name: 善济李 a.k.a. Ri Che Son	1938	16.7.2009	Minister of Atomic Energy Industry since April 2014. Former Director of the General Bureau of Atomic Energy (GBAE), chief agency directing DPRK's nuclear programme; facilitated several nuclear endeavours including GBAE's management of Yongbyon Nuclear Research Centre and Namchongang Trading Corporation.
3.	Hwang Sok-hwa			16.7.2009	Director in the General Bureau of Atomic Energy (GBAE); involved in the Democratic People's Republic of Korea's nuclear programme; as Chief of the Scientific Guidance Bureau in the GBAE, served on the Science Committee inside the Joint Institute for Nuclear Research.
4.	Ri Hong-sop		1940	16.7.2009	Former director, Yongbyon Nuclear Research Centre, oversaw three core facilities that assist in the production of weapons-grade plutonium: the Fuel Fabrication Facility, the Nuclear Reactor, and the Reprocessing Plant
5.	Han Yu-ro			16.7.2009	Director of Korea Ryongaksan General Trading Corporation; involved in the Democratic People's Republic of Korea's ballistic missile programme.
6.	Paek Chang-Ho	Pak Chang-Ho; Paek Ch'ang-Ho	Passport: 381420754 Passport date of issue: 7.12.2011 Passport date of expiration:7.12.2016 D.O.B. 18.6.1964; P.O.B. Kaesong, DPRK	22.1.2013	Senior official and head of the satellite control centre of Korean Committee for Space Technology.

	Name	Alias	Date of birth	Date of UN designation	Statement of reasons
7.	Chang Myong- Chin	Jang Myong-Jin	19.2.1968; Alt. D.O.B. 1965 or 1966	22.1.2013	General Manager of the Sohae Satellite Launching Station and head of launch centre at which the 13 April and 12 December 2012 launches took place.
8.	Ra Ky'ong-Su	Ra Kyung-Su Chang, Myong Ho	4.6.1954; Passport: 645120196	22.1.2013	Ra Ky'ong-Su is a Tanchon Commercial Bank (TCB) official. In this capacity he has facilitated transactions for TCB. Tanchon was designated by the Sanctions Committee in April 2009 as the main DPRK financial entity responsible for sales of conventional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons.
9.	Kim Kwang-il		1.9.1969; Passport: PS381420397	22.1.2013	Kim Kwang-il is a Tanchon Commercial Bank (TCB) official. In this capacity, he has facilitated transactions for TCB and the Korea Mining Development Trading Corporation (KOMID). Tanchon was designated by the Sanctions Committee in April 2009 as the main DPRK financial entity responsible for sales of conventional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons. KOMID was designated by the Sanctions Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.
10.	Yo'n Cho'ng Nam			7.3.2013	Chief Representative for the Korea Mining Development Trading Corporation (KOMID). The KOMID was designated by the Sanctions Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons
11.	Ko Ch'o'l-Chae			7.3.2013	Deputy Chief Representative for the Korea Mining Development Trading Corporation (KOMID). The KOMID was designated by the Sanctions Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.

	Name	Alias	Date of birth	Date of UN designation	Statement of reasons
12.	Mun Cho'ng- Ch'o'l			7.3.2013	Mun Cho'ng-Ch'o'l is a TCB official. In this capacity he has facilitated transactions for TCB. Tanchon was designated by the Sanctions Committee in April 2009 and is the main DPRK financial entity for sales of conventional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons.
13.	Choe Chun-Sik	Choe Chun Sik; Ch'oe Ch'un Sik	DOB: 12.10.1954; Nationality: DPRK	2.3.2016	Choe Chun-sik was the director of the Second Academy of Natural Sciences (SANS) and was the head of the DPRK's long-range missile programme.
14.	Choe Song Il		Passport: 472320665 Date of expiration: 26.9.2017; Passport: 563120356 Nationality: DPRK	2.3.2016	Tanchon Commercial Bank Representative in Vietnam.
15.	Hyon Kwang Il	Hyon Gwang Il	DOB: 27.5.1961; Nationality: DPRK	2.3.2016	Hyon Kwang Il is the Department Director for Scientific Development at the National Aerospace Development Administration.
16.	Jang Bom Su	Jang Pom Su	DOB: 15.4.1957; Nationality: DPRK	2.3.2016	Tanchon Commercial Bank Representative in Syria.
17.	Jang Yong Son		DOB: 20.2.1957; Nationality: DPRK	2.3.2016	Korea Mining Development Trading Corporation (KOMID) Representative in Iran.
18.	Jon Myong Guk	Cho 'n Myo 'ng-kuk	Passport: 4721202031; Passport date of expiration: 21.2.2017; Nationality: DPRK; DOB: 18.10.1976	2.3.2016	Tanchon Commercial Bank Representative in Syria.

	Name	Alias	Date of birth	Date of UN designation	Statement of reasons
19.	Kang Mun Kil	Jiang Wen-ji	Passport: PS472330208; Passport date of expiration: 4.7.2017; Nationality: DPRK;	2.3.2016	Kang Mun Kil has conducted nuclear procurement activities as a representative of Namchongang, also known as Namhung.
20.	Kang Ryong		DOB: 21.8.1969; Nationality: DPRK	2.3.2016	Korea Mining Development Trading Corporation (KOMID) Representative in Syria.
21.	Kim Jung Jong	Kim Chung Chong	Passport: 199421147 Passport date of expiration: 29.12.2014; Passport: 381110042, Passport date of expiration: 25.1.2016; Passport: 563210184, Passport date of expiration: 18.6.2018; DOB: 7.11.1966, Nationality: DPRK	2.3.2016	Tanchon Commercial Bank Representative in Vietnam.
22.	Kim Kyu		DOB: 30.7.1968, Nationality: DPRK	2.3.2016	Korea Mining Development Trading Corporation (KOMID) External Affairs Officer.
23.	Kim Tong My'ong	Kim Chin-So'k; Kim Tong-Myong; Kim Jin-Sok; Kim, Hyok-Chol	DOB: 1964; Nationality: DPRK	2.3.2016	Kim Tong My'ong is the President of Tanchon Commercial Bank and has held various positions within Tanchon Commercial bank since at least 2002. He has also played a role in managing Amroggang's affairs.
24.	Kim Yong Chol		DOB. 18.2.1962; Nationality: DPRK	2.3.2016	KOMID Representative in Iran.

	Name	Alias	Date of birth	Date of UN designation	Statement of reasons
25.	Ko Tae Hun	Kim Myong Gi	Passport: 563120630; Passport date of expiration: 20.3.2018, D.O.B. 25.5.1972; Nationality: DPRK	2.3.2016	Tanchon Commercial Bank Representative.
26.	Ri Man Gon		DOB: 29.10.1945; Passport number: P0381230469; Passport date of expiration: 6.4.2016; Nationality: DPRK	2.3.2016	Ri Man Gon is the Minister of the Munitions Industry Department.
27.	Ryu Jin		DOB: 7.8.1965; Passport number: 563410081; Nationality: DPRK	2.3.2016	KOMID Representative in Syria.
28.	Yu Chol U		Nationality: DPRK		Yu Chol U is the Director of the National Aerospace Development Administration.

B. Entities

	Name	Alias	Location	Date of UN designation	Other information
1.	Korea Mining Development Trading Corporation	a.k.a. CHANGGWANG SINYONG CORPORATION; a.k.a. EXTERNAL TECHNOLOGY GENERAL CORPORATION; a.k.a. DPRKN MINING DEVELOPMENT TRADING COOPERATION; a.k.a. 'KOMID'	Central District, Pyongyang, DPRK	24.4.2009	Primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.

	Name	Alias	Location	Date of UN designation	Other information
2.	Korea Ryonbong General Corporation	a.k.a. KOREA YONBONG GENERAL CORPORATION; f.k.a. LYON-GAKSAN GENERAL TRADING CORPORATION	Pot'onggang District, Pyongyang, DPRK; Rakwon- dong, Pothinggang District, Pyongyang, DPRK	24.4.2009	Defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales.
3.	Tanchon Commercial Bank	f.k.a. CHANGGWANG CREDIT BANK; f.k.a., KOREA CHANGGWANG CREDIT BANK	Saemul 1- Dong Pyongchon District, Pyongyang, DPRK	24.4.2009	Main DPRK financial entity for sales of conventional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons.
4.	Namchongang Trading Corporation	NCG; NAMCHONGANG TRADING; NAM CHONGANG CORPORATION; NOMCHONGANG TRADING CO.; NAM CHONGANG TRADING CORPORATION; Namhung Trading Corporation	Pyongyang, DPRK	16.7.2009	Namchongang is a DPRK trading company subordinate to the General Bureau of Atomic Energy (GBAE). Namchongang has been involved in the procurement of Japanese-origin vacuum pumps that were identified at a DPRK nuclear facility, as well as nuclear-related procurement associated with a German individual. It has further been involved in the purchase of aluminium tubes and other equipment specifically suitable for a uranium enrichment programme from the late 1990s. Its representative is a former diplomat who served as DPRK's representative for the International Atomic Energy Agency (IAEA) inspection of the Yongbyon nuclear facilities in 2007. Namchongang's proliferation activities are of grave concern given the DPRK's past proliferation activities.
5.	Hong Kong Electronics	a.k.a. HONG KONG ELECTRONICS KISH CO	Sanaee St., Kish Island, Iran.	16.7.2009	Owned or controlled by, or acts or purports to act for or on behalf of Tanchon Commercial Bank and KOMID. Hong Kong Electronics has transferred millions of dollars of proliferation-related funds on behalf of Tanchon Commercial Bank and KOMID (both designated by the Sanctions Committee in April 2009) since 2007. Hong Kong Electronics has facilitated the movement of money from Iran to the DPRK on behalf of KOMID.
6.	Korea Hyoksin Trading Corporation	a.k.a. KOREA HYOKSIN EXPORT AND IMPORT CORPORATION	Rakwon-dong, Pothinggang District, Pyongyang, DPRK.	16.7.2009	A DPRK company based in Pyongyang that is subordinate to Korea Ryonbong General Corporation (designated by the Sanctions Committee in April 2009) and is involved in the development of weapons of mass destruction.

	Name	Alias	Location	Date of UN designation	Other information
7.	General Bureau of Atomic Energy (GBAE)	a.k.a. General Department of Atomic Energy (GDAE)	Haeudong, Pyongchen District, Pyongyang, DPRK.	16.7.2009	<p>The GBAE is responsible for the DPRK's nuclear programme, which includes the Yongbyon Nuclear Research Centre and its 5 MWe (25 MWt) plutonium production research reactor, as well as its fuel fabrication and reprocessing facilities.</p> <p>The GBAE has held nuclear-related meetings and discussions with the International Atomic Energy Agency. GBAE is the primary DPRK Government agency that oversees nuclear programmes, including the operation of the Yongbyon Nuclear Research Centre.</p>
8.	Korean Tangun Trading Corporation		Pyongyang, DPRK.	16.7.2009	<p>Korea Tangun Trading Corporation is subordinate to DPRK's Second Academy of Natural Sciences and is primarily responsible for the procurement of commodities and technologies to support DPRK's defence research and development programmes, including, but not limited to, weapons of mass destruction and delivery system programmes and procurement, including materials that are controlled or prohibited under relevant multilateral control regimes.</p>
9.	Korean Committee for Space Technology	DPRK Committee for Space Technology; Department of Space Technology of the DPRK; Committee for Space Technology; KCST	Pyongyang, DPRK	22.1.2013	<p>The Korean Committee for Space Technology (KCST) orchestrated the DPRK's launches on 13 April 2012 and 12 December 2012 via the satellite control centre and Sohae launch area.</p>
10.	Bank of East Land	Dongbang Bank; Tongbang U'Nhaeng; Tongbang Bank	P.O.32, BEL Building, Jon-seung-Dung, Moranbong District, Pyongyang, DPRK.	22.1.2013	<p>DPRK financial institution Bank of East Land facilitates weapons-related transactions for, and other support to, arms manufacturer and exporter Green Pine Associated Corporation (Green Pine). Bank of East Land has actively worked with Green Pine to transfer funds in a manner that circumvents sanctions. In 2007 and 2008, Bank of East Land facilitated transactions involving Green Pine and Iranian financial institutions, including Bank Melli and Bank Sepah. The Security Council designated Bank Sepah in Resolution 1747 (2007) for providing support to Iran's ballistic missile programme. Green Pine was designated by the Sanctions Committee in April 2012.</p>

	Name	Alias	Location	Date of UN designation	Other information
11.	Korea Kumryong Trading Corporation			22.1.2013	Used as an alias by the Korea Mining Development Trading Corporation (KOMID) to carry out procurement activities. KOMID was designated by the Sanctions Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.
12.	Tosong Technology Trading Corporation		Pyongyang, DPRK	22.1.2013	The Korea Mining Development Corporation (KOMID) is the parent company of Tosong Technology Trading Corporation. KOMID was designated by the Sanctions Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.
13.	Korea Ryonha Machinery Joint Venture Corporation	Chosun Yunha Machinery Joint Operation Company; Korea Ryenha Machinery J/V Corporation; Ryonha Machinery Joint Venture Corporation; Ryonha Machinery Corporation; Ryonha Machinery; Ryonha Machine Tool; Ryonha Machine Tool Corporation; Ryonha Machinery Corp; Ryonhwa Machinery Joint Venture Corporation; Ryonhwa Machinery JV; Huichon Ryonha Machinery General Plant; Unsan; Unsan Solid Tools; and Millim Technology Company	Tongan-dong, Central District, Pyongyang, DPRK; Mangungdae-gu, Pyongyang, DPRK; Mangyongdae District, Pyongyang, DPRK. Email addresses: ryonha@silibank.com; sjc117@hotmail.com; and millim@silibank.com Telephone numbers: 8502-18111; 8502-18111-8642; and 850 2 181113818642 Facsimile number: 8502-381-4410	22.1.2013	Korea Ryonbong General Corporation is the parent company of Korea Ryonha Machinery Joint Venture Corporation. Korea Ryonbong General Corporation was designated by the Sanctions Committee in April 2009 and is a defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales.

	Name	Alias	Location	Date of UN designation	Other information
14.	Leader (Hong Kong) International	Leader International Trading Limited; Leader (Hong Kong) International Trading Limited	LM-873, RM B, 14/F, Wah Hen Commercial Centre, 383 Hennessy Road, Wanchai, Hong Kong, China.	22.1.2013	Leader International (Hong Kong company registration number 1177053), facilitates shipments on behalf of the Korea Mining Development Trading Corporation (KOMID). KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.
15.	Green Pine Associated Corporation	Cho'ngsong United Trading Company; Chongsong Yonhap; Ch'o'ngsong Yo'nhap; Chosun Chawo'n Kaebal Tuja Hoesa; Jindallae; Ku'm- haeryong Company LTD; Natural Resources Development and Investment Corporation; Saeingp'il Company	c/o Reconnaissance General Bureau Headquarters, HyongjesanGuyok, Pyongyang, DPRK; Nungrado, Pyongyang, DPRK	2.5.2015	Green Pine Associated Corporation ('Green Pine') has taken over many of the activities of the Korea Mining Development Trading Corporation (KOMID). KOMID was designated by the Sanctions Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. Green Pine is also responsible for approximately half of the arms and related materiel exported by the DPRK. Green Pine has been identified for sanctions for exporting arms or related materiel from North Korea. Green Pine specialises in the production of maritime military craft and armaments, such as submarines, military boats and missile systems, and has exported torpedoes and technical assistance to Iranian defence-related firms.
16.	Amroggang Development Banking Corporation	Amroggang Development Bank; Amnokkang Development Bank	Tongan-dong, Pyongyang, DPRK	2.5.2012	Amroggang, which was established in 2006, is a Tanchon Commercial Bank-related company managed by Tanchon officials. Tanchon plays a role in financing KOMID's sales of ballistic missiles and has also been involved in ballistic missile transactions from KOMID to Iran's Shahid Hemmat Industrial Group (SHIG). Tanchon Commercial Bank was designated by the Sanctions Committee in April 2009 and is the main DPRK financial entity for sales of conventional arms, ballistic missiles and goods related to the assembly and manufacture of such weapons. KOMID was designated by the Sanctions Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. The Security Council designated SHIG in Resolution 1737 (2006) as an entity involved in Iran's ballistic missile programme.

	Name	Alias	Location	Date of UN designation	Other information
17.	Korea Heungjin Trading Company	Hunjin Trading Co.; Korea Henjin Trading Co.; Korea Hengjin Trading Company	Pyongyang, DPRK.	2.5.2012	The Korea Heungjin Trading Company is used by KOMID for trading purposes. It is suspected it has been involved in supplying missile-related goods to Iran's Shahid Hemmat Industrial Group (SHIG). Heungjin has been associated with KOMID, and, more specifically, KOMID's procurement office. Heungjin has been used to procure an advanced digital controller with applications in missile design. KOMID was designated by the Sanctions Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. The Security-Council designated SHIG in Resolution 1737 (2006) as an entity involved in Iran's ballistic missile programme.
18.	Second Academy of Natural Sciences	2nd Academy of Natural Sciences; Che 2 Chayon Kwahakwon; Academy of Natural Sciences; Chayon Kwahak-Won; National Defense Academy; Kukpang Kwahak-Won; Second Academy of Natural Sciences Research Institute; Sansri	Pyongyang, DPRK	7.3.2013	The Second Academy of Natural Sciences is a national-level organisation responsible for research and development of the DPRK's advanced weapons systems, including missiles and probably nuclear weapons. The Second Academy of Natural Sciences uses a number of subordinate organisations to obtain technology, equipment, and information from overseas, including Tangun Trading Corporation, for use in the DPRK's missile and probably nuclear weapons programmes. Tangun Trading Corporation was designated by the Sanctions Committee in July 2009 and is primarily responsible for the procurement of commodities and technologies to support DPRK's defence research and development programmes, including, but not limited to, weapons of mass destruction and delivery system programmes and procurement, including materials that are controlled or prohibited under relevant multilateral control regimes.
19.	Korea Complex Equipment Import Corporation		Rakwon-dong, Pothong-gang District, Pyongyang, DPRK.	7.3.2013	Korea Ryonbong General Corporation is the parent company of Korea Complex Equipment Import Corporation. Korea Ryonbong General Corporation was designated by the Sanctions Committee in April 2009 and is a defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales.

	Name	Alias	Location	Date of UN designation	Other information
20.	Ocean Maritime Management Company, Limited (OMM)		Donghung Dong, Central District. PO BOX 120. Pyongyang, DPRK; Dongheung-dong Changwang Street, Chung-Ku, PO Box 125, Pyongyang.	28.7.2014	Ocean Maritime Management Company, Limited (IMO Number: 1790183) is the operator/manager of the vessel Chong Chon Gang. It played a key role in arranging the shipment of concealed cargo of arms and related materiel from Cuba to the DPRK in July 2013. As such, Ocean Maritime Management Company, Limited contributed to activities prohibited by the resolutions, namely the arms embargo imposed by resolution 1718 (2006), as modified by resolution 1874 (2009), and contributed to the evasion of the measures imposed by these resolutions.
	Vessels with IMO Number:				
	(a) Chol Ryong (Ryong Gun Bong) 8606173			2.3.2016	
	(b) Chong Bong (Greenlight) (Blue Nouvelle) 8909575			2.3.2016	
	(c) Chong Rim 2 8916293			2.3.2016	
	(d) Dawnlight 9110236			2.3.2016	
	(e) Ever Bright 88 (J Star) 8914934			2.3.2016	
	(f) Gold Star 3 (benevolence) 8405402			2.3.2016	
	(g) Hoe Ryong 9041552			2.3.2016	

Name	Alias	Location	Date of UN designation	Other information
(h) Hu Chang (O Un Chong Nyon) 8330815			2.3.2016	
(i) Hui Chon (Hwang Gum San 2) 8405270			2.3.2016	
(j) Ji Hye San (Hyok Sin 2) 8018900			2.3.2016	
(k) Kang Gye (Pi Ryu Gang) 8829593			2.3.2016	
(l) Mi Rim 8713471			2.3.2016	
(m) Mi Rim 2 9361407			2.3.2016	
(n) O Rang (Po Thong Gang) 8829555			2.3.2016	
(o) Orion Star (Richocean) 9333589			2.3.2016	
(p) Ra Nam 2 8625545			2.3.2016	
(q) RaNam 3 9314650			2.3.2016	

Name	Alias	Location	Date of UN designation	Other information
(r) Ryo Myong 8987333			2.3.2016	
(s) Ryong Rim (Jon Jin 2) 8018912			2.3.2016	
(t) Se Pho (Rak Won 2) 8819017			2.3.2016	
(u) Songjin (Jang Ja San Chong Nyon Ho) 8133530			2.3.2016	
(v) South Hill 2 8412467			2.3.2016	
(w) South Hill 5 9138680			2.3.2016	
(x) Tan Chon (Ryon Gang 2) 7640378			2.3.2016	
(y) Thae Pyong San (Petrel 1) 9009085			2.3.2016	
(z) Tong Hung San (Chong Chon Gang) 7937317			2.3.2016	
(aa) Tong Hung 1 8661575			2.3.2016	

	Name	Alias	Location	Date of UN designation	Other information
21.	Academy of National Defense Science		Pyongyang, DPRK	2.3.2016	The Academy of National Defense Science is involved in the DPRK's efforts to advance the development of its ballistic missile and nuclear weapons programmes.
22.	Chongchongang Shipping Company	Chong Chon Gang Shipping Co. Ltd.	Address: 817 Haeun, Donghung-dong, Central District, Pyongyang, DPRK; Alternate Address: 817, Haeum, Tonghun-dong, Chung-gu, Pyongyang, DPRK; IMO Number: 5342883	2.3.2016	The Chongchongang Shipping Company, through its vessel, the Chong Chon Gang, attempted to directly import the illicit shipment of conventional weapons and arms to the DPRK in July 2013.
23.	Daedong Credit Bank (DCB)	DCB; Taedong Credit Bank	Address: Suite 401, Potong-gang Hotel, Ansan-Dong, Pyongchon District, Pyongyang, DPRK; Alternate Address: Ansan-dong, Botong-gang Hotel, Pongchon, Pyongyang, DPRK; SWIFT: DCBK KKPY	2.3.2016	Daedong Credit Bank has provided financial services to the Korea Mining Development Trading Corporation (KOMID) and Tanchon Commercial Bank. Since at least 2007, DCB has facilitated hundreds of financial transactions worth millions of dollars on behalf of KOMID and Tanchon Commercial Bank. In some cases, DCB has knowingly facilitated transactions by using deceptive financial practices.
24.	Hesong Trading Company		Pyongyang, DPRK	2.3.2016	The Korea Mining Development Corporation (KOMID) is the parent company of Hesong Trading Corporation.
25.	Korea Kwangson Banking Corporation (KKBC)	KKBC	Jungson-dong, Sungri Street, Central District, Pyongyang, DPRK	2.3.2016	KKBC provides financial services in support to Tanchon Commercial Bank and Korea Hyoksin Trading Corporation, a subordinate of the Korea Ryonbong General Corporation. Tanchon Commercial Bank has used KKBC to facilitate funds transfers likely amounting to millions of dollars, including transfers involving Korea Mining Development Corporation related funds.

	Name	Alias	Location	Date of UN designation	Other information
26.	Korea Kwangsong Trading Corporation		Rakwon-dong, Pothong-gang District, Pyongyang, DPRK	2.3.2016	The Korea Ryongbong General Corporation is the parent company of Korea Kwangsong Trading Corporation.
27.	Ministry of Atomic Energy Industry	MAEI	Haeun-2-dong, Pyongchon District, Pyongyang, DPRK	2.3.2016	The Ministry of Atomic Energy Industry was created in 2013 for the purpose of modernising the DPRK's atomic energy industry to increase the production of nuclear materials, improve their quality, and further develop an independent DPRK nuclear industry. As such, the MAEI is known to be a critical player in the DPRK's development of nuclear weapons and is in charge of day-to-day operation of the country's nuclear weapons programme, and under it are other nuclear-related organisations. Under this ministry are a number of nuclear-related organisations and research centres, as well as two committees: an Isotope Application Committee and a Nuclear Energy Committee. The MAEI also directs a nuclear research centre at Yongbyun, the site of the DPRK's known plutonium facilities. Furthermore, in the 2015 Panel of Experts (POE) report, the POE stated that Ri Je-son, a former director of the GBAE who was designated by the Committee established pursuant to resolution 1718 (2006) in 2009 for engagement in or support for nuclear related programmes, was appointed as head of the MAEI on April 9, 2014.
28.	Munitions Industry Department	Military Supplies Industry Department	Pyongyang, DPRK	2.3.2016	The Munitions Industry Department is involved in key aspects of the DPRK's missile programme. MID is responsible for overseeing the development of the DPRK's ballistic missiles, including the Taepo Dong-2. The MID oversees the DPRK's weapons production and R&D programmes, including the DPRK's ballistic missile programme. The Second Economic Committee and the Second Academy of Natural Sciences — also designated in August 2010 — are subordinate to the MID. The MID in recent years has worked to develop the KN08 road-mobile ICBM.
29.	National Aerospace Development Administration	NADA	DPRK	2.3.2016	NADA is involved in the DPRK's development of space science and technology, including satellite launches and carrier rockets.

	Name	Alias	Location	Date of UN designation	Other information
30.	Office 39	Office #39; Office No. 39; Bureau 39; Central Committee Bureau 39; Third Floor; Division 39	DPRK	2.3.2016	DPRK government entity.
31.	Reconnaissance General Bureau	Chongch'al Ch'ongguk; KPA Unit 586; RGB	Hyongjesan- Guyok, Pyongyang, DPRK; Alternate Address: Nungrado, Pyongyang, DPRK	2.3.2016	The Reconnaissance General Bureau is the DPRK's premiere intelligence organisation, created in early 2009 by the merger of existing intelligence organisations from the Korean Workers' Party, the Operations Department and Office 35, and the Reconnaissance Bureau of the Korean People's Army. The Reconnaissance General Bureau trades in conventional arms and controls the DPRK conventional arms firm Green Pine Associated Corporation.
32.	Second Economic Committee		Kangdong, DPRK	2.3.2016	The Second Economic Committee is involved in key aspects of the DPRK's missile programme. The Second Economic Committee is responsible for overseeing the production of the DPRK's ballistic missiles, and directs the activities of KOMID.

ANNEX II

List of persons referred to in point (b) of Article 23(1) and of persons and entities referred to in point (b) of Article 27(1)

- I. Persons and entities responsible for the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them.

A. Persons

	Name	Alias	Date of birth	Date of designation	Statement of reasons
1.	CHON Chi Bu			22.12.2009	Member of the General Bureau of Atomic Energy, former technical director of Yongbyon.
2.	CHU Kyu-Chang	JU Kyu-Chang	DOB: 25.11.1928 POB: South Hamgyo'ng Province	22.12.2009	Member of the National Defence Commission, which is a key body for national defence matters in the DPRK. Former director of the department of munitions of the Central Committee of the Korean Workers' Party. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
3.	HYON Chol-hae		1934 (Manchuria, China)	22.12.2009	Deputy Director of the General Political Department of the People Armed Forces (military adviser to late Kim Jong-Il)
4.	KIM Yong-chun	Young-chun	4.3.1935 Passport number: 554410660	22.12.2009	Deputy Chairman of the National Defence Commission, Minister for the People's Armed Forces, special adviser to late Kim Jong-Il on nuclear strategy.
5.	O Kuk-Ryol		1931 (Jilin Province, China)	22.12.2009	Deputy Chairman of the National Defence Commission, supervising the acquisition abroad of advanced technology for nuclear and ballistic programmes.
6.	PAEK Se-bong		Year of birth: 1946	22.12.2009	Former Chairman of the Second Economic Committee (responsible for the ballistics programme) of the Central Committee of the Korean Workers' Party. Member of the National Defence Commission.

	Name	Alias	Date of birth	Date of designation	Statement of reasons
7.	PAK Jae-gyong	Chae-Kyong	1933 Passport number: 554410661	22.12.2009	Deputy Director of the General Political Department of the People's Armed Forces and Deputy Director of the Logistics Bureau of the People's Armed Forces (military adviser to late Kim Jong-II).
8.	PYON Yong Rip	Yong-Nip	20.9.1929 Passport number: 645310121 (issued on 13.9.2005)	22.12.2009	President of the Academy of Science, involved in WMD-related biological research.
9.	RYOM Yong			22.12.2009	Director of the General Bureau of Atomic Energy (entity designated by the United Nations), in charge of international relations.
10.	SO Sang-kuk		between 1932 and 1938	22.12.2009	Head of the Department of Nuclear Physics, Kim Il Sung University.
11.	Lieutenant General KIM Yong Chol	KIM Yong-Chol; KIM Young-Chol; KIM Young-Cheol; KIM Young-Chul	1946 (Pyongan-Pukto, DPRK)	19.12.2011	Kim Yong Chol is the commander of Reconnaissance General Bureau (RGB).
12.	PAK To-Chun		9.3.1944 (Jagang, Rangrim)	19.12.2011	Member of the National Security Council. He is in charge of the arms industry. It is reported that he commands the office for nuclear energy. This institution is decisive for DPRK's nuclear and rocket launcher programme.
13.	CHOE Kyong-song			20.5.2016	Colonel General in the army of the DPRK. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

	Name	Alias	Date of birth	Date of designation	Statement of reasons
14.	CHOE Yong-ho			20.5.2016	Colonel General in the army of the DPRK. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in the DPRK. Commander of the air forces. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
15.	HONG Sung-Mu	HUNG Sung Mu	DOB: 1.1.1942	20.5.2016	Deputy-director of the Munitions Industry Department (MID). In charge of the development of programmes concerning conventional arms and missiles, including ballistic missiles. One of the main persons responsible for the industrial development programmes for nuclear arms. As such, responsible for DPRK nuclear arms-related, ballistic-missile-related, or other weapons of mass destruction-related programmes.
16.	JO Chun Ryong	CHO Chun Ryo'ng; JO Chun-Ryong, JO Cho Ryong	DOB: 4.4.1960	20.5.2016	Chairman of the Second Economic Committee (SEC) since 2014 and responsible for managing the DPRK's munitions factories and production sites. The SEC was designated under UNSCR 2270 (2016) for its involvement in key aspects of the DPRK's missile programme, its responsibility for overseeing the production of the DPRK's ballistic missiles, and for directing the activities of KOMID — the DPRK's primary arms trading entity. Member of the National Defence Commission. Has participated in several ballistic-missile-related programmes. One of the key principals in the arms industry of the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
17.	JO Kyongchol			20.5.2016	General in the army of the DPRK. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Director of the Military Security Command. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

	Name	Alias	Date of birth	Date of designation	Statement of reasons
18.	KIM Chun-sam			20.5.2016	Lieutenant General, former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Director of the Operations Department of the Military Headquarters of the Army of the DPRK and first vice chief of the Military Headquarters. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
19.	KIM Chun-sop			20.5.2016	Member of the National Defense Commission, which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
20.	KIM Jong-gak		DOB: 20.7.1941 POB: Pyongyang	20.5.2016	Vice Marshal in the army of the DPRK, former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
21.	KIM Rak Kyom	KIM Rak-gyom		20.5.2016	Four Star General, Commander of the Strategic Forces (aka Strategic Rocket Forces), which now reportedly command four strategic and tactical missile units, including the KN-08 (ICBM) brigade. The United States has designated the Strategic Forces for engaging in activities that have materially contributed to the proliferation of weapons of mass destruction or their means of delivery. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in the DPRK. Media reports identified KIM as attending the April 2016 ICBM engine test with KIM Jung Un. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

	Name	Alias	Date of birth	Date of designation	Statement of reasons
22.	KIM Won-hong		DOB: 7.1.1945 POB: Pyongyang Passport no: 745310010	20.5.2016	General, Director of the State Security Department. Minister of State Security. Member of the Central Military Commission of the Workers Party of Korea and National Defense Commission, which are the key bodies for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
23.	PAK Jong-chon			20.5.2016	Colonel General in the army of the DPRK, Chief of the Korean People's Armed Forces, Deputy Chief of Staff and Director of the Firepower Command Department. Chief of the Military Headquarters and Director of the Artillery Command Department. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
24.	RI Jong-su			20.5.2016	Vice Admiral. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in the DPRK. Commander in chief of the Korean Navy, which is involved in the development of ballistic missile programmes and in the development of the nuclear capacities of the DPRK naval forces. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
25.	SON Chol-ju			20.5.2016	Colonel General of the Korean People's Armed Forces and Political director of the Air and Anti-Air forces, which oversees the development of modernised anti-aircraft rockets. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

	Name	Alias	Date of birth	Date of designation	Statement of reasons
26.	YUN Jong-rin			20.5.2016	General, former member of the Central Military Commission of the Workers Party of Korea and member of the National Defense Commission, which are the key bodies for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
27.	PAK Yong-sik			20.5.2016	Four Star General, member of the State Security Department, Minister of defence. Member of the Central Military Commission of the Workers Party of Korea and of the National Defense Commission, which are the key bodies for national defence matters in the DPRK. Was present at the testing of ballistic missiles in March 2016. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
28.	HONG Yong Chil			20.5.2016	Deputy Director of the Munitions Industry Department (MID). The Munitions Industry Department — designated by the UNSC on 2 March 2016 — is involved in key aspects of the DPRK's missile programme. MID is responsible for overseeing the development of the DPRK's ballistic missiles, including the Taepo Dong-2, weapons production and R&D programmes. The Second Economic Committee and the Second Academy of Natural Sciences — also designated in August 2010 — are subordinate to the MID. The MID in recent years has worked to develop the KN08 road-mobile ICBM. HONG has accompanied KIM Jong Un to a number of events related to the development of the DPRK's nuclear and ballistic-missile programmes and is thought to have played a significant role in the DPRK's nuclear test on 6 January 2016. Vice-Director of the Workers Party of Korea Central Committee. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

	Name	Alias	Date of birth	Date of designation	Statement of reasons
29.	RI Hak Chol	RI Hak Chul; RI Hak Cheol	DOB: 19.1.1963 or 8.5.1966 Passport nos: 381320634, PS- 563410163	20.5.2016	President of Green Pine Associated Corporation ('Green Pine'). According to the UN Sanctions Committee, Green Pine has taken over many of the activities of the Korea Mining Development Trading Corporation (KOMID). KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. Green Pine is also responsible for approximately half of the arms and related materiel exported by the DPRK. Green Pine has been identified for sanctions for exporting arms or related materiel from North Korea. Green Pine specialises in the production of maritime military craft and armaments, such as submarines, military boats and missile systems, and has exported torpedoes and technical assistance to Iranian defence-related firms. Green Pine has been designated by the United Nations Security Council.
30.	YUN Chang Hyok		DOB: 9.8.1965	20.5.2016	Deputy Director of the Satellite Control Centre, National Aerospace Development Administration (NADA). NADA is subject to sanctions under UNSCR 2270 (2016) for involvement in the DPRK's development of space science and technology, including satellite launches and carrier rockets. UNSCR 2270 (2016) condemned the DPRK's satellite launch of 7 February 2016 for using ballistic missile technology and being in serious violation of resolutions 1718 (2006), 1874 (2009), 2087 (2013), and 2094 (2013). As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

B. Entities

	Name	Alias	Location	Date of designation	Other information
1.	Korea Pugang mining and Machinery Corporation Ltd			22.12.2009	Subsidiary of Korea Ryongbong General Corporation (entity designated by the United Nations, 24.4.2009); operates facilities for the production of aluminium powder, which can be used in missiles.

	Name	Alias	Location	Date of designation	Other information
2.	Korea Taesong Trading Company		Pyongyang	22.12.2010	Pyongyang-based entity used by the Korea Mining Development Trading Corporation (KOMID) for trading purposes (KOMID was designated by the United Nations, 24.4.2009). Korea Taesong Trading Company has acted on behalf of KOMID in dealings with Syria.
3.	Korean Ryengwang Trading Corporation		Rakwon-dong, Pothong-gang District, Pyongyang, DPRK	22.12.2009	Subsidiary of Korea Ryongbong General Corporation (entity designated by the United Nations, 24.4.2009).
4.	Sobaeku United Corp	Sobaeksu United Corp.		22.12.2009	State-owned company, involved in research into, and the acquisition, of sensitive products and equipment. It possesses several deposits of natural graphite, which provide raw material for two processing facilities, which, inter alia, produce graphite blocks that can be used in missiles.
5.	Yongbyon Nuclear Research Centre			22.12.2009	Research centre which has taken part in the production of military-grade plutonium. Centre maintained by the General Bureau of Atomic Energy (entity designated by the United Nations, 16.7.2009).
6.	Korea International Chemical Joint Venture Company	Chosun International Chemicals Joint Operation Company; Chosun International Chemicals Joint Operation Company; International Chemical Joint Venture Corporation	Hamhung, South Hamgyong Province, DPRK; Man gyongdae-kuyok, Pyongyang, DPRK; Mangyungdae-gu, Pyongyang, DPRK	19.12.2011	Controlled by Korea Ryonbong General Corporation (designated by the UNSCR 1718 Sanctions Committee in April 2009): defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales.
7.	Strategic Rocket Forces			20.5.2016	Within the DPRK national armed forces, this entity is involved in the development and operational implementation of ballistic-missile-related or other weapons of mass destruction-related programmes.

II. Persons and entities providing financial services that could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes

A. Persons

	Name	Alias	Date of birth	Date of designation	Statement of reasons
1.	Jon Il-chun		24.8.1941	22.12.2010	In February of 2010 KIM Tong-un was discharged from his office as director of Office 39, which is, among other things, in charge of purchasing goods out of the DPRK diplomatic representations by-passing sanctions. He was replaced by JON Il-chun. JON Il-chun is also said to be one of the leading figures in the State Development Bank.
2.	Kim Tong-un			22.12.2009	Former director of 'Office 39' of the Central Committee of the Workers' Party, which is involved in proliferation financing.
3.	KIM Il-Su		2.9.1965 (Pyongyang, DPRK)	3.7.2015	Manager in the reinsurance department of Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang and former authorised chief representative of KNIC in Hamburg, acting on behalf of KNIC or at its direction.
4.	KANG Song-Sam		5.7.1972 (Pyongyang, DPRK)	3.7.2015	Former authorised representative of Korea National Insurance Corporation (KNIC) in Hamburg, continues to act for or on behalf of KNIC or at its direction.
5.	CHOE Chun-Sik		23.12.1963 (Pyongyang, DPRK) Passport number: 745132109 Valid until 12.2.2020	3.7.2015	Director in the reinsurance department of Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang acting on behalf of KNIC or at its direction.
6.	SIN Kyu-Nam		12.9.1972 (Pyongyang, DPRK) Passport number: PO472132950	3.7.2015	Director in the reinsurance department of Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang and former authorised representative of KNIC in Hamburg, acting on behalf of KNIC or at its direction.

	Name	Alias	Date of birth	Date of designation	Statement of reasons
7.	PAK Chun-San		18.12.1953 (Pyongyang, DPRK) Passport number: PS472220097	3.7.2015	Director in the reinsurance department of Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang at least until December 2015 and former authorised chief representative of KNIC in Hamburg, continues to act for or on behalf of KNIC or at its direction.
8.	SO Tong Myong		10.9.1956	3.7.2015	President of Korea National Insurance Corporation (KNIC), acting on behalf of KNIC or at its direction.

B. Entities

	Name	Alias	Location	Date of designation	Other information
1.	Korea Daesong Bank	Choson Taesong Unhaeng; Taesong Bank	Segori-dong, Gyongheung St., Potonggang District, Pyongyang Phone: 850 2 381 8221 Phone: 850 2 18111 ext. 8221 Fax: 850 2 381 4576	22.12.2010	North Korean financial institution that is directly subordinated to Office 39 and is involved in facilitating North Korea's proliferation financing projects.
2.	Korea Daesong General Trading Corporation	Daesong Trading; Daesong Trading Company; Korea Daesong Trading Company; Korea Daesong Trading Corporation	Pulgan Gori Dong 1, Potonggang District, Pyongyang Phone: 850 2 18111 ext. 8204/8208 Phone: 850 2 381 8208/4188 Fax: 850 2 381 4431/4432	22.12.2010	Company that is subordinated to Office 39 and is used to facilitate foreign transactions on behalf of Office 39. Office 39's Director of Office, Kim Tong-un is listed in Annex V of Council Regulation (EC) No 329/2007.

	Name	Alias	Location	Date of designation	Other information
3.	Korea National Insurance Corporation (KNIC) and its branch offices	Korea Foreign Insurance Company	Haebangsan-dong, Central District, Pyongyang, DPRK Rahlstedter Strasse 83 a, 22149 Hamburg. Korea National Insurance Corporation of Alloway, Kidbrooke Park Road, Blackheath, London SE30LW	3.7.2015	Korea National Insurance Corporation (KNIC), a State-owned and controlled company, is generating substantial foreign exchange revenue which could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes. Furthermore, the KNIC headquarters Pyongyang is linked to Office 39 of the Korean Worker's Party, a designated entity.

III. Persons and entities involved in the supply to or from the DPRK of arms and related materiel of all types, or of items, materials, equipment, goods or technology which could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes

A. Persons

B. Entities

ANNEX III

List of persons referred to in point (c) of Article 23(1) and point (c) of Article 27(1)

...

COUNCIL DECISION (CFSP) 2016/850
of 27 May 2016
amending Decision 2013/255/CFSP concerning restrictive measures against Syria

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 31 May 2013, the Council adopted Decision 2013/255/CFSP ⁽¹⁾.
- (2) On 28 May 2015, the Council adopted Decision 2015/837/CFSP ⁽²⁾, extending the restrictive measures set out in Decision 2013/255/CFSP until 1 June 2016.
- (3) On the basis of a review of Decision 2013/255/CFSP, the restrictive measures should be further extended until 1 June 2017.
- (4) Two persons should no longer be kept on the list of natural and legal persons, entities or bodies subject to the restrictive measures in Annex I to Decision 2013/255/CFSP.
- (5) The information relating to certain persons listed in Annex I to Decision 2013/255/CFSP should be updated.
- (6) Decision 2013/255/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 34 of Decision 2013/255/CFSP is replaced by the following:

'Article 34

This Decision shall apply until 1 June 2017. 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

Annex I to Decision 2013/255/CFSP is amended as set out in the Annex to this Decision.

Article 3

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 27 May 2016.

For the Council
The President
A.G. KOENDERS

⁽¹⁾ Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria (OJ L 147, 1.6.2013, p. 14).

⁽²⁾ Council Decision (CFSP) 2015/837 of 28 May 2015 amending Decision 2013/255/CFSP concerning restrictive measures against Syria (OJ L 132, 29.5.2015, p. 82).

ANNEX

- I. The entries concerning the following persons are deleted from the list of persons set out in Section A of Annex I to Decision 2013/255/CFSP:

No 15. Mohamed Farahat (a.k.a. Muhammad Farahat)

No 17. Muhammad (محمد) Nasif (نأسيف) (a.k.a. Naseef, Nassif, Nasseef) Khayrbik (خيربك).

- II. The entries concerning the persons listed below, as set out in Section A of Annex I to Decision 2013/255/CFSP, are replaced by the following entries:

	Name	Identifying information	Reasons	Date of listing
8.	Rami (رامي) Makhlouf (مخلوف)	Born: 10 July 1969; Place of birth: Damascus; passport No 454224	Leading businessman operating in Syria with interests in the telecommunications, financial services, transport and property sectors; he has financial interest in and/or holds senior and executive positions in Syriatel, the leading mobile telephone operator in Syria, the investment funds Al Mashreq, Bena Properties and Cham Holding. He furnishes financing and support to the Syrian regime, through his business interests. He is an influential member of the Makhlouf family and closely connected to the Assad family; cousin of President Bashar al-Assad.	9.5.2011
18.	Mohammed (محمد) Hamcho (حمشو)	Born: 20 May 1966; Passport No 002954347	Leading businessman operating in Syria, with interests in the engineering and construction, media, hospitality and health sector. He has financial interest in and/or holds senior and executive positions within a number of companies in Syria, in particular Hamsho international, Hamsho Communication, Mhg International, Jupiter for Investment and Tourism project and Syria Metal industries. He plays an important role in the business community in Syria as general secretary of the Damascus Chamber of Commerce (appointed by the then Minister for economy Khodr Orfali in December 2014), chairman of the China-Syria Bilateral Business Councils (since March 2014) and chairman of the Syrian Metal and Steel Council (since December 2015). He has close business relationships with key figures of the Syrian regime, including Maher Al-Assad. Mohammed Hamcho benefits from and provides support to the Syrian regime through his business interests, and is associated with persons benefiting from and providing support to this regime.	27.1.2015

	Name	Identifying information	Reasons	Date of listing
22.	Ihab (إيهاب) (a.k.a. Ehab, Iehab) Makhlouf (مخلوف)	Born: 21 January 1973; Place of birth: Damascus; Passport No N002848852	Leading businessman operating in Syria. Ihab Makhlouf is Vice President of, and shareholder in Syriatel, the leading mobile telephone operator in Syria. He also has business interests in several other Syrian companies and entities, including Ramak Construction Co and Syrian International Private University for Science and Technology (SIUST). As Vice President of Syriatel, which transfers a significant part of its profits to the Syrian government by way of its licensing contract, Ihab Makhlouf is also directly supporting the Syrian regime. He is an influential member of the Makhlouf family and closely connected to the Assad family; cousin of President Bashar al-Assad.	23.5.2011
28.	Khalid (خالد) (a.k.a. Khaled) Qaddur (قدور) (a.k.a. Qadour, Qaddour, Kaddour)		Leading businessperson operating in Syria, with interests and/or activities in the telecommunications, oil and plastic industry sectors and close business relations with Maher Al-Assad. He benefits from and provides support to the Syrian regime, through his business activities. Associate of Maher Al-Assad, including through his business activities.	27.1.2015
29.	Ra'if (رئيف) Al-Quwatly (القواتلي) (a.k.a. Ri'af Al-Quwatli a.k.a. Raef Al-Kouatly)	Born: 3.2.1967; Place of birth: Damascus	Business associate of Maher Al-Assad and responsible for managing some of his business interests; provides funding to the regime.	23.6.2011
32.	Mr Mohammed (محمد) Makhlouf (مخلوف) (a.k.a. Abu Rami)	Born: 19.10.1932; Place of birth: Latakia, Syria	Influential member of the Makhlouf family, business associate and father of Rami, Ihab and Iyad Makhlouf. Closely associated with the Assad family and maternal uncle of Bashar and Mahir al-Assad. Also referred to as Abu Rami. Leading businessperson operating in Syria, with interests and/or activities in multiple sectors of Syria's economy, including interests in and/or significant influence in the General Organisation of Tobacco and the oil and gas, arms and banking sectors.	1.8.2011

	Name	Identifying information	Reasons	Date of listing
			Involved in business dealings for the Assad regime in arms procurement and banking. Given the extent of his business and political ties to the regime he provides support to and benefits from the Syrian regime.	
33.	Ayman (أيمن) Jabir (جابر) (a.k.a. Aiman Jaber)	Place of birth: Latakia	<p>Leading businessman operating in Syria, involved in the steel, media, consumable goods and oil sectors, including in trading these goods. He has financial interest and/or holds senior executive positions in a number of companies and entities in Syria, in particular Al Jazira (aka Al Jazerra; El Jazireh), Dunia TV, and Sama Satellite Channel.</p> <p>Through his company Al Jazira, Ayman Jaber has facilitated the importation of oil from Overseas Petroleum Trading to Syria.</p> <p>Ayman Jaber benefits from and provides support to the regime, through his business interests.</p> <p>Provides direct support for and plays leading role in activities of regime affiliated militias known as Shabiha and/or Suqur as-Sahraa.</p> <p>Associate of Rami Makhoul through his business activities and an associate of Maher Al-Assad through his role in regime affiliated militias.</p>	27.1.2015
41.	Ali (علي) Douba (دوبا)	Born: 1933 Place of birth: Karfis, Syria	Responsible for killings in Hama in 1980, has been called back to Damascus as special advisor to President Bashar Al-Assad.	23.8.2011
48.	Samir (سامير) Hassan (حسن)		<p>Leading businessperson operating in Syria, with interests and/or activities in multiple sectors of Syria's economy. He holds interests in and/or has significant influence in the Amir Group and Cham Holdings, two conglomerates with interests in the real estate, tourism, transport and finance sectors. Since March 2014, he has held the position of Chairman for Russia of the Bilateral Business Councils following his appointment by Minister of Economy, Khodr Orfali.</p> <p>Samir Hassan supports the regime's war effort with cash donations.</p>	27.9.2014

	Name	Identifying information	Reasons	Date of listing
			Samir Hassan is associated with persons benefitting from or supporting the regime. In particular, he is associated with Rami Makhoul and Issam Anboub, who have been designated by the Council and benefits from the Syrian regime.	
108.	Mohammad (محمد) (a.k.a. Mohamed, Muhammad, Mohammed) Al-Jleilati (الجيلاتي, جليلاتي)	Born: 1945; Place of birth: Damascus	Former Minister of Finance, in office until 9 February 2013. As former Government Minister, shares responsibility for the regime's violent repression against the civilian population.	1.12.2011
111.	Joseph (جوزيف) Suwaid (سويد)	Born: 1958; Place of Birth: Damascus	Former Minister of State, in office until at least 21 January 2014. As former Government Minister, shares responsibility for the regime's violent repression against the civilian population.	23.3.2012
112.	Hussein (حسين) (a.k.a. Hussain) Mahmoud (محمود) Farzat (فرزات) (a.k.a.: Hussein Mahmud Farzat)	Born: 1957; Place of Birth: Hama	Former Minister of State, in office until at least 2014. As former Government Minister, shares responsibility for the regime's violent repression against the civilian population.	23.3.2012
114.	Emad (عماد) Abdul-Ghani (عبدالغني) Sabouni (صابوني) (a.k.a.: Imad Abdul Ghani Al Sabuni)	Born: 1964; Place of birth: Damascus	Former Minister of Telecommunications and Technology, in office until at least April 2014. As former Government Minister, shares responsibility for the regime's violent repression against the civilian population.	27.2.2012
117.	Adnan (عدنان) Hassan (حسن) Mahmoud (محمود)	Born: 1966; Place of birth: Tartous	Former Minister of Information. As former Government Minister, shares responsibility for the regime's violent repression against the civilian population.	23.9.2011

	Name	Identifying information	Reasons	Date of listing
192.	Hashim Anwar al-Aqqad a.k.a. Hashem Aqqad, Hashem Akkad, Hashim Akkad	Born: 1961 Place of birth: Mohagirine, Syria	<p>Leading businessperson operating in Syria, with interests and/or activities in multiple sectors of Syria's economy. He holds interests in and/or has significant influence in Anwar Akkad Sons Group (AASG) and its subsidiary United Oil. AASG is a conglomerate with interests in sectors such as oil, gas, chemicals, insurance, industrial machinery, real estate, tourism, exhibitions, contracting, insurance, and medical equipment.</p> <p>Hashim Anwar al-Aqqad also worked as a member of the Syrian Parliament as recently as 2012.</p> <p>Al-Aqqad could not have remained successful without assistance from the regime. Given the extent of his business and political ties to the regime he provides support to and benefits from the Syrian regime.</p>	23.7.2014
201.	Wael Abdulkarim (a.k.a. Wael Al Karim)	Al Karim for Trade and Industry, PO Box 111, 5797 Damascus, Syria	<p>Leading businessperson operating in Syria in the oil, chemicals and manufacturing industries. Specifically, he represents Abdulkarim Group, a.k.a Al Karim Group/Alkarim for Trade and Industry/Al Karim Trading and Industry/Al Karim for Trade and Industry. Abdulkarim Group is a leading manufacturer of lubricants, greases and industrial chemicals in Syria.</p>	7.3.2015
203.	George Haswani (a.k.a. Heswani; Hasawani; Al Hasawani)	Address: Damascus Province, Yabroud, Al Jalaa St, Syria	<p>Leading businessperson operating in Syria, with interests and/or activities in the engineering, construction and oil and gas sectors. He holds interests in and/or has significant influence in a number of companies and entities in Syria, in particular HESCO Engineering and Construction Company, a major engineering and construction company.</p> <p>George Haswani has close ties to the Syrian regime. He provides support and benefits from the regime through his role as a middleman in deals for the purchase of oil from ISIL by the Syrian regime. He also benefits from the regime through favourable treatment including the award of a contract (as a subcontractor) with Stroytransgaz, a major Russian oil company.</p>	7.3.2015

COMMISSION IMPLEMENTING DECISION (EU) 2016/851**of 26 May 2016****amending the Annex to Decision 2009/719/EC as regards the authorisation for Croatia to revise its BSE annual monitoring programme***(notified under document C(2016) 3097)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) Regulation (EC) No 999/2001 lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in animals. It requires each Member State to carry out an annual monitoring programme for TSEs based on active and passive surveillance, in accordance with Annex III thereto. In addition, Article 6(1b) of Regulation (EC) No 999/2001 provides that the Member States which can demonstrate an improvement in the epidemiological situation of their country, according to certain criteria set out in point 7 of Part I of Chapter A of Annex III to that Regulation, may have their annual monitoring programme revised.
- (2) Commission Decision 2009/719/EC ⁽²⁾ authorises the Member States listed in the Annex thereto to revise their Bovine Spongiform Encephalopathy (BSE) annual monitoring programme in accordance with Article 6(1b) of Regulation (EC) No 999/2001. There are currently 25 Member States listed in that Annex, namely all the Member States except Bulgaria, Croatia and Romania.
- (3) On 22 January 2015, Croatia submitted an application to the Commission to revise its BSE annual monitoring programme.
- (4) On 8 February 2016, the European Food Safety Authority (EFSA) published a scientific report on the evaluation of the revision of the BSE monitoring regime in Croatia ⁽³⁾ ('the EFSA report'). The EFSA report indicates that the addition of Croatia to the epidemiological unit comprising the 25 Member States currently listed in the Annex to Decision 2009/719/EC, assuming the implementation of the current surveillance regime as authorised by Decision 2009/719/EC for those 25 Member States, would result in it being possible, in an epidemiological unit made up of those 25 Member States plus Croatia, to detect BSE with a design prevalence of at least 1 per 3 789 838 of the adult cattle population at a confidence level of 95 %. That design prevalence is more sensitive than the minimum design prevalence requirement for Type A surveillance, which is defined in point 1(a) of Chapter D of Annex II to Regulation (EC) No 999/2001 as 1 case per 100 000 in the adult bovine animals' population of the country or region, at a confidence level of 95 %.
- (5) From 14 to 23 June 2010 and from 26 November to 6 December 2012, the Commission carried out audits in Croatia in order to evaluate measures concerning BSE ('the Commission audits'). The Commission audits covered the identification and traceability system of bovine animals and the implementation of the feed ban in Croatia. The outcome of the Commission audits was therefore used as an element to evaluate compliance of the application submitted by Croatia with the criteria set out in points 7.1(b) and (c) of Part I of Chapter A of Annex III to Regulation (EC) No 999/2001.

⁽¹⁾ OJ L 147, 31.5.2001, p. 1.

⁽²⁾ Commission Decision 2009/719/EC of 28 September 2009 authorising certain Member States to revise their annual BSE monitoring programmes (OJ L 256, 29.9.2009, p. 35).

⁽³⁾ EFSA Journal 2016;14(2):4399.

- (6) Based on the information included in the application submitted by Croatia to revise its BSE annual monitoring programme, on the information provided by the EFSA report, and on the information resulting from the Commission audits, the application submitted by Croatia has been favourably evaluated. It is therefore appropriate to authorise Croatia to revise its BSE annual monitoring programme under the same conditions as granted to the 25 Member States currently listed in the Annex to Decision 2009/719/EC.
- (7) The Annex to Decision 2009/719/EC should therefore be amended accordingly.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

In the Annex to Decision 2009/719/EC, the entry '— Croatia' is inserted after the entry '— France' and before the entry '— Italy'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 May 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

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