

Frequently Asked Questions on EU restrictive measures

1. Where can I find the official versions of the sanctions decisions and regulations adopted by the Council?

The Official Journal of the European Union is the only legally binding official record of the EU legal acts in force. To access the Official Journal please consult <http://eur-lex.europa.eu/JOIndex.do> or <http://eur-lex.europa.eu/>.

Decisions and Regulations concerning restrictive measures are most easy to find at the website of the Official Journal with the year of publication and document number. This allows finding the document through an easy “simple search”. Alternatively, it is possible to use the advanced search option depending on the information available to you.

Another option in case you know the sanctions regime you are interested in but not the number of the legal act is to first look for the act in the list of legal acts at the EEAS website (see Q 4). This will allow you to find the legal act number and proceed with a simple search at the website of the Official Journal.

2. Where can I find a consolidated version of the Decision or Regulation I am interested in?

The Official Journal of the European Union provides consolidated versions of the legal acts published on the Official Journal. It is noted that, contrary to the legal acts themselves, the consolidated versions are not legally binding and produced for ease of reference only.

To access the consolidated versions, consult the Official Journal website: <http://eur-lex.europa.eu/JOIndex.do> or <http://eur-lex.europa.eu/>. The information on the document includes an option to consult bibliographical notice information. Where consolidated versions are available, they can be found here.

Please note that consolidated versions are not always updated to include the most recent amendments to the legal act. In that case it is necessary to take into account those amendments that were published after the date of the consolidated act to obtain a full overview of the current status of the legal act in question.

3. Where can I find general information about EU restrictive measures?

You can find general information about EU restrictive measures on the following website http://eeas.europa.eu/cfsp/sanctions/index_en.htm. The website includes a comprehensive presentation about EU sanctions: http://eeas.europa.eu/cfsp/sanctions/docs/index_en.pdf.

4. Where can I find a list of EU restrictive measures?

For a compiled list of restrictive measures in force, please consult http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf where you will find a list of restrictive measures in force, sorted by country. This list is regularly updated to reflect amendments to the legal acts.

However, it is noted that the above document is only produced for ease of reference. The Official Journal of the European Union is the only legally binding official record of the EU restrictive measures in force (see Q 1).

5. How can I find general guidance on the implementation of EU restrictive measures?

For further guidance on the implementation of restrictive measures, please consult the Guidelines on implementation and evaluation of restrictive measures in the framework of the EU Common Foreign and Security Policy (<http://register.consilium.europa.eu/pdf/en/12/st11/st11205.en12.pdf>), or the EU Best Practices for the effective implementation of restrictive measures (<http://register.consilium.europa.eu/pdf/en/08/st08/st08666-re01.en08.pdf>). See also the new elements on the notions of ownership and control and the making available of funds or economic resources (<http://register.consilium.europa.eu/pdf/en/13/st09/st09068.en13.pdf>).

You may also find additional information on the website of the competent authority of your country, as identified on the websites listed in the Regulations on EU restrictive measures (see Q.9).

6. Where can I get a list of persons and entities which are subject to financial restrictive measures such as asset freeze?

The consolidated list of persons, groups and entities subject to EU financial sanctions can be downloaded here: http://eeas.europa.eu/cfsp/sanctions/consol-list_en.htm. You will find a “Day-to-day use” notice via the following link: http://ec.europa.eu/external_relations/cfsp/sanctions/list/version4/global/help_online/help.htm

In case of doubt about a listed person, group or entity, please refer to the competent authority of your country, as identified on the websites listed in the relevant Regulations, which, if necessary, will contact the relevant EU institutions or services.

It is noted that various other information relevant to the legal acts pertaining to the sanctions can be found under the bibliographic notice in the Official Journal, including information regarding judgments by the European courts.

7. Can I get regular automatic updates on restrictive measures?

You can subscribe to the RSS feeds on the EUR-Lex website: <http://eur-lex.europa.eu/homepage.html>. Once you have signed in, (i) click “advanced search” and run a search, for example, of all the Regulations with the words “restrictive measures” in the title only; (ii) click “create in my RSS feeds” at the top of the search results, and (iii) click “save” to create the feed. For more information on how to set up a personalised RSS feed, please consult the Help pages: <http://new.eur-lex.europa.eu/content/help/my-eurlex/intro.html#help3>.

There is however no possibility to receive such updates by e-mail.

8. Can I export / import [this product] from [this country]?

First, you are invited to check if restrictive measures are in place in respect to the specific country (see Q.4).

If so, you are invited to check if the product is listed among the prohibited products in the annexes to the relevant Regulation. In case of doubts, the competent authority of the relevant Member State, as identified on the websites listed in the relevant Regulation can provide you with clarification whether the exports/imports of particular goods are authorised, or with an authorisation to export/import these goods, if this is allowed under the applicable legislation.

To obtain an authorisation to export/import a product subject to a specific authorisation requirement under restrictive measures, please contact the competent authority of the country you are operating from, as listed in the annexes to the relevant Regulations (see Q.9).

You should also check if the product falls within the scope of the arms embargo. For this purpose you are invited to consult the list of goods contained in the Common Military List. The Common Military List is updated on a yearly basis; the latest version is available here: (<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:090:0001:0037:EN:PDF>).

You should also check if the product is listed on the dual use goods list. For this purpose you are invited to consult Regulation (EC) No 428/2009 on dual use items setting up a regime for control of exports of items that have a dual (civil and military) use. The latest consolidated version of the regulation is available here: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2009R0428:20120615:EN:PDF>.

You must also make sure that the persons, groups or entities you are trading with are not listed, or that your transaction would not benefit them directly or indirectly. For further information on indirect supply of funds or economic resources and notions of ownership and control please consult the following document <http://register.consilium.europa.eu/pdf/en/13/st09/st09068.en13.pdf>.

You may also find additional information on the website of the competent authority of your country, as identified on the websites listed in the relevant Regulations (see Q.9).

9. How can I contact the competent authority of my country?

The competent authorities of EU Member States are identified on the websites listed in the relevant Regulations on restrictive measures.

10. How can I contact the Commission services responsible for restrictive measures?

You can contact the Commission services responsible for restrictive measures at the following e-mail address: relex-sanctions@ec.europa.eu.

11. Can I trade with / receive money from / make funds or economic resources available to [this person / group / entity]?

We invite you to check the consolidated lists of persons, groups and entities subject to EU financial sanctions: http://eeas.europa.eu/cfsp/sanctions/consol-list_en.htm. You will find a “Day-to-day use” notice in the following link:

http://ec.europa.eu/external_relations/cfsp/sanctions/list/version4/global/help_online/help.htm. See also Q 6.

You must make sure that the persons, groups or entities you are trading with are not listed, or that your transaction would not benefit them directly or indirectly. For further information on indirect supply of funds or economic resources and notions of ownership and control please consult the following document: <http://register.consilium.europa.eu/pdf/en/13/st09/st09068.en13.pdf>.

In case of doubt about a listed person, group or entity, please refer to the competent authority of your country, as identified on the websites listed in the annexes to the relevant Regulations, which, if necessary, will contact the relevant EU institutions or services.

12. The General Court has annulled the listing of [this person / group / entity]. However, the name of [this person / group / entity] is still included in the consolidated list of persons, groups and entities subject to EU financial sanctions. Do the restrictive measures against [this person / group /entity] still apply?

The annulment of the acts imposing restrictive measures against a person/group/entity does not take effect immediately after the judgment made by the General Court. The effects of any acts that have been annulled in the first instance by the General Court are maintained until expiry of the period for bringing an appeal (two months and ten days from notification of the judgment). During that period, the Council, or the Commission where appropriate, can remedy the infringements established by adopting, if appropriate, new restrictive measures with respect to the persons and entities concerned. Alternatively, the Council, or the

Commission where appropriate, can bring an appeal, in which case the listing remains in full force pending the appeal. After that period of two months and ten days, the restrictive measures against [this person /group/entity] will end or could remain in full force, depending on whether or not the Council, or the Commission where appropriate, or other actors, decide to take any of the steps mentioned above.

13. I know that [this person / group / entity] is breaching EU restrictive measures. What should I do?

Please contact the competent authority of the relevant Member State (as identified on the websites listed in the relevant Regulations, see Q.9). You can also contact the Commission (see Q.10) which will contact the relevant competent authority.