

March 2011

Review

Export Control



On 3 March 2011 the EU published Council Decision 2011/137 and Regulation 204/2011 imposing restrictive measures in view of the situation in Libya in the [Official Journal](#).

The embargo sets out the following main prohibitions and requirements (references to Articles concern Regulation 204/2011 unless otherwise specified):

- it is prohibited to sell, supply, transfer or export arms and related material to or for use in Libya (Article 1 of Council Decision 2011/137 to be implemented by national law);
- it is prohibited to sell, supply, transfer, or export equipment that can be used for internal repression to or for use in Libya (Article 2.1 and Annex I of the Regulation);
- it is prohibited to import, transport or purchase equipment that can be used for internal repression from Libya (Article 2.2 and Annex I of the Regulation);
- it is prohibited to provide technical assistance or financing in relation to military goods and equipment for internal repression (Article 3);
- shipments to and from Libya are subject detailed per-arrival and pre-departure information and reporting requirements (Article 4);
- all funds and economic resources of persons listed in Annexes II and III are frozen (Article 5.1);
- funds and economic resources must not be made available to persons listed in Annexes II and III (Article 5.2);
- controlled individuals are subject to a travel ban to and through the EU (Article 5 of Council Decision 2011/137)
- Annex I includes a list of controlled equipment for internal repression including: firearms, ammunition and related accessories; bombs and grenades; certain vehicles for riot combating; explosive substances and related equipment; protective equipment such as body armour and helmets; simulators for training in the use of firearms; night vision, thermal imaging equipment; razor barbed wire; knives and bayonets; production equipment and technology for the above items;
- Annex II includes the UN list of sanctioned persons;
- Annex III includes the EU list of sanctioned persons; and
- Annex IV includes a list of the competent Member State authorities.

Regulation 204/2011 applies inside and outside the EU as follows:

- within the EU;
- on board of aircrafts and vessels under jurisdiction of a Member States;
- to any person inside or outside the EU that is a national of a Member State;
- to any legal person, entity or body which is incorporated or constituted under the law of a Member State; and
- to any legal person, entity or body in respect of any business done in whole or in part within the EU.

We hope this information is useful to you. Please let us know if we can be of any further help in this regard.

**Best Regards,
The Export Control Team**

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