



EUROPEAN COMMISSION

HIGH REPRESENTATIVE OF THE  
EUROPEAN UNION FOR  
FOREIGN AFFAIRS AND  
SECURITY POLICY

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2012/0016 (NLE)

Joint Proposal for a

**COUNCIL REGULATION**

**amending Council Regulation (EC) No 765/2006 concerning restrictive measures in  
respect of Belarus**

## **EXPLANATORY MEMORANDUM**

- (1) Council Regulation (EC) No 765/2006 of 18 May 2006 provides for a freezing of the assets of President Lukashenko and certain officials of Belarus.
- (2) By Council Decision 2012/ ... /CFSP of ...January 2012, the Council has decided that the restrictions on the freezing of funds and economic resources should be applied to (i) persons responsible for serious violations of human rights or the repression of civil society and democratic opposition, including in particular persons in a leading position and (ii) persons and entities benefiting from or supporting the Lukashenko regime, including in particular persons and entities providing financial or material support to the regime.
- (3) This measure falls within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is therefore necessary in order to give effect to it, in particular with a view to ensuring its uniform application by economic operators in all Member States.
- (4) The High Representative of the Union for Foreign Affairs and Security Policy and the European Commission propose to amend Council Regulation (EC) No 765/2006 accordingly.

Joint Proposal for a

**COUNCIL REGULATION**

**amending Council Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus**

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 2012/.../CFSP of ... January 2012<sup>1</sup> amending Council Decision 2010/639/CFSP concerning restrictive measures against Belarus,

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

Whereas:

- (1) Council Regulation (EC) No 765/2006 of 18 May 2006<sup>2</sup> provides for a freezing of the assets of President Lukashenko and certain officials of Belarus.
- (2) By Council Decision 2012/ ... /CFSP of ...January 2012, the Council has decided that the restrictions on the freezing of funds and economic resources should be applied to (i) persons responsible for serious violations of human rights or the repression of civil society and democratic opposition, including in particular persons in a leading position and (ii) persons and entities benefiting from or supporting the Lukashenko regime, including in particular persons and entities providing financial or material support to the regime.
- (3) This measure falls within the scope of the Treaty on the Functioning of the European Union, and action at the level of the Union is therefore necessary in order to give effect to it, in particular with a view to ensuring its uniform application by economic operators in all Member States.
- (4) Regulation (EC) No 765/2006 should therefore be amended accordingly,

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<sup>1</sup> OJ L ... , ...1.2012, p. ... .

<sup>2</sup> OJ L 134, 20.5. 2006, p. 1

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 765/2006 is amended as follows:

Article 2 shall be replaced by the following Article:

*“Article 2*

1. All funds and economic resources belonging to, or owned, held or controlled by the natural or legal persons, entities or bodies listed in Annexes I, IA and IB shall be frozen.
2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annexes I, IA or IB.
3. The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent the measures referred to in paragraphs 1 and 2 shall be prohibited.
4. Annex I shall consist of the natural or legal persons, entities and bodies who, in accordance with Article 2(1)(a) of Council Decision 2010/639/CFSP, have been identified by the Council as being responsible for the violations of international electoral standards in the Presidential elections in Belarus on 19 March 2006 and the crackdown on civil society and democratic opposition, or as being associated with those responsible.
5. Annex IA shall consist of the natural or legal persons, entities and bodies who, in accordance with Article 2(1)(b) of Council Decision 2010/639/CFSP, have been identified by the Council as being responsible for the violations of international electoral standards in the Presidential elections in Belarus on 19 December 2010 and the crackdown on civil society and democratic opposition, or as being associated with those responsible.
6. Annex IB shall consist of the natural or legal persons, entities and bodies who, in accordance with sub-paragraphs (c) and (d) of Article 2(1) of Council Decision 2010/639/CFSP, have been identified by the Council as being either (i) responsible for serious violations of human rights or the repression of civil society and democratic opposition in Belarus, or (ii) persons or entities benefiting from or supporting the Lukashenko regime.”

*Article 2*

The Annex to this Regulation shall be added as Annex IB to Regulation (EC) No 765/2006.

*Article 3*

This Regulation shall enter into force on the day following 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,

*For the Council  
The President*

**“ANNEX IB**

There are no entries in this Annex”