



**COUNCIL OF
THE EUROPEAN UNION**

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"I" ITEM NOTE

From : Foreign Relations Counsellors Working Party
To : Permanent Representatives Committee

Subject : Monitoring and evaluation of restrictive measures (sanctions) in the framework of CFSP
- Establishment of a 'Sanctions' formation of the Foreign Relations Counsellors Working party (RELEX/Sanctions)

The Council on 8 December 2003 adopted Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of EU Common Foreign and Security Policy¹. With regard to the monitoring and follow-up of such restrictive measures, it is suggested in these Guidelines that a specific Council body be dedicated to exchanging experience and developing best practice in the implementation and application of restrictive measures². The Guidelines to that end suggest that this work could be carried out by the establishment of a 'Sanctions formation' of the Foreign Relations Counsellors Working party (RELEX/Sanctions), to meet periodically, reinforced as necessary including with experts from capitals.

¹ Doc. 15579/03.

² Notably arms embargoes, financial restrictions and restrictions on admission, *cfr* "*Liste des mesures négatives appliquées par l'Union Européenne à l'égard de pays tiers*", updated 4 July 2003, EU Council website – CFSP section.

Following examination of the draft mandate for this 'RELEX/Sanctions' formation by the Foreign Relations Counsellors Working Party at its meetings on 15 and 19 January 2004, it is suggested that the Permanent Representatives Committee, in accordance with Article 19(3) of the Council's Rules of Procedure, mandates the Foreign Relations Counsellors Working Party, in addition to its existing mandate¹, to carry out the monitoring and evaluation of EU restrictive measures (sanctions), in accordance with the mandate as set out in the Annex. To this end, the Foreign Relations Counsellors Working Party shall meet in a specific 'Sanctions formation' (RELEX/Sanctions), reinforced by experts from capitals as necessary.

NOTE: It is suggested under the heading "C.1" in the list of Council preparatory bodies (doc. 9949/2/03 REV 2), to add a sub-heading (a) which would read 'Sanctions'. Furthermore, it is suggested to add a footnote under point "C.1.(a)" in that list, which would read as follows:

"This formation of the Foreign Relations Counsellors Working Party , reinforced by experts from capitals as necessary, carries out the monitoring and evaluation of EU restrictive measures (sanctions), in accordance with the mandate agreed by COREPER on ..."

¹ Discussions at the Political Committee meeting in Berlin on 12 July 1994 (cf. Coreu BON 853/94) and decision of Coreper of 26 July 1994 , as supplemented and amended by the guidelines adopted by the Council on 10 April 1995 (doc. 6384/95), and decision of Coreper of 24 November 1999 (doc. 13648/99, p. 28).

Mandate of the Foreign Relations Counsellors Working Party/Sanctions for the monitoring and evaluation of restrictive measures¹

In accordance with Part IV of the Guidelines on implementation and evaluation of restrictive measures (sanctions) as adopted by the Council on 8 December 2003 (doc. 15579/03 of 3 December 2003), the Council body to be designated for this purpose shall have the following mandate:

- Exchanging information and experiences on the implementation of specific restrictive measures regimes imposed by the EU;
- Contributing to developing best practices among Member States in implementation of restrictive measures;
- Collecting all information available on alleged circumvention of EU restrictive measures and other international sanctions regimes of interest to the EU by targeted states, persons and entities;
- Exchanging information and experience, including with third states and international organisations as appropriate, on the implementation of international sanctions regimes of interest to the EU;
- Assisting in evaluating the results and difficulties in the implementation of restrictive measures regimes;
- Exchanging views on ways and means to ensure the efficiency of management of restrictive measures regimes, including of their humanitarian provisions;
- Examining all relevant technical issues relating to the implementation of EU restrictive measures.

The activities of this Council body as set out above shall be conducted without prejudice to the competencies of the Member States and the Commission.

¹ With regard to the competences that the Foreign Relations Counsellors Working Party has been given for the examination of restrictive measures, please see the guidelines approved by the Council on 10 April 1995, doc. 6384/95.