

EU Common Position 1999/261/CFSP

1999/261/CFSP: Common Position of 16 April 1999 defined by the Council on the basis of Article J.2 of the Treaty on European Union concerning Libya

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Amendments: Amended by (OJ L 242 14.09.99 p.31)

COMMON POSITION

of 16 April 1999

defined by the Council on the basis of Article J.2 of the Treaty on European Union concerning Libya (1999/261/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular, Article J.2 thereof,

Whereas on 22 November 1993 the Council adopted a Decision on the Common Position 93/614/CFSP(1) with regard to the reduction of economic relations with Libya, in accordance with the relevant provisions of United Nations Security Council Resolution (UNSCR) 883(1993);

Whereas on 27 August 1998, the United Nations Security Council (UNSC) adopted Resolution 1192(1998) through which it reaffirmed the measures set forth in its Resolutions 748(1992) and 883(1993) and decided that the aforementioned measures shall be suspended immediately if the UN Secretary-General reports to the UNSC that the two persons charged with the bombing of Pan Am flight 103 have arrived in the Netherlands for the purpose of trial as well as on the cooperation of the Libyan Government with the French judicial authorities with regard to the bombing of UTA 772;

Whereas the UN Secretary-General reported accordingly on 5 April 1999; whereas the measures taken against Libya on the basis of UNSC Resolutions 748(1992) and 883(1993) should therefore be suspended;

Whereas the UN Secretary-General will report on Libya's compliance with the remaining provisions of UNSC Resolutions 731(1992) and 748(1992) within 90 days from the suspension, with a view to lifting the suspended measures upon Libya's full compliance with the requests and decisions contained in those resolutions, in accordance with paragraph 16 of UNSC Resolution 883(1993);

Whereas in the meantime the Union considers it appropriate to continue implementing the measures which the Member States decided in 1986 against Libya for its support of terrorism,

HAS DEFINED THIS COMMON POSITION:

Article 1

In accordance with UNSC Resolution 1192(1998), the restrictive measures taken against Libya on the basis of UNSC Resolutions 748(1992) and 883(1993), shall be suspended, with the exception of measures taken in application of paragraph 8 of UNSC Resolution 883(1993).

Article 2

1. Measures decided by the Member States on 27 January and 14 April 1986, namely

- (a) embargo on the export of arms or other military equipment;
- (b) restrictions on the freedom of movement of diplomatic and consular personnel;
- (c) reduction of the staff of diplomatic and consular missions;
- (d) stricter visa requirements and procedures,

will remain in force.

2. In accordance with UNSC Resolution 1192(1998), the Netherlands shall be exempted from measures listed under paragraph 1(b) and (c) for the purpose of facilitating the holding of the "Lockerbie trial".

Article 3

This common position will be reviewed in the light of the UN Secretary-General's report on Libya's compliance with the remaining provisions of UNSC Resolutions 731(1992) and 748(1992).

Article 4

This common position shall take effect on 6 April 1999.

Article 5

This common position shall be published in the Official Journal.

Done at Luxembourg, 16 April 1999.

For the Council
The President
J. FISCHER

(1) OJ L 295, 30.11.1993, p. 7.