



Basic information	
<p><b>2005/0234(CNS)</b></p> <p>CNS - Consultation procedure Regulation</p>	Procedure completed
<p>Foreign policy: freezing of funds and economic resources, restrictive measures against persons suspected of involvement in the assassination of former Prime Minister Rafiq Hariri in Lebanon</p> <p><b>Subject</b></p> <p>6.10.01 Foreign and common diplomatic policy 7.30.20 Action to combat terrorism</p> <p><b>Geographical area</b></p> <p>Lebanon</p>	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>LIBE</b>	Civil Liberties, Justice and Home Affairs	CAVADA Jean-Marie (ALDE)	16/01/2006
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<b>AFET</b>	Foreign Affairs	The committee decided not to give an opinion.	
	<b>ECON</b>	Economic and Monetary Affairs	The committee decided not to give an opinion.	
	Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>
General Affairs		2700	2005-12-12	
Justice and Home Affairs (JHA)		2709	2006-02-21	
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Justice and Consumers			

Key events			
Date	Event	Reference	Summary
29/11/2005	Legislative proposal published	15098/2005	Summary

15/12/2005	Committee referral announced in Parliament		
16/01/2006	Vote in committee		
16/01/2006	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0003/2006</a>	
18/01/2006	Decision by Parliament	<a href="#">T6-0013/2006</a>	<a href="#">Summary</a>
18/01/2006	Results of vote in Parliament		
21/02/2006	Act adopted by Council after consultation of Parliament		
21/02/2006	End of procedure in Parliament		
22/02/2006	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2005/0234(CNS)
<b>Procedure type</b>	CNS - Consultation procedure
<b>Procedure subtype</b>	Legislation
<b>Legislative instrument</b>	Regulation
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 060 EC Treaty (after Amsterdam) EC 308 EC Treaty (after Amsterdam) EC 301
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	LIBE/6/32198

Documentation gateway				
<b>European Parliament</b>				
<b>Document type</b>	<b>Committee</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>
Committee draft report		<a href="#">PE367.822</a>	10/01/2006	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0003/2006</a>	16/01/2006	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0013/2006</a>	18/01/2006	<a href="#">Summary</a>
<b>Council of the EU</b>				
<b>Document type</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>	
Legislative proposal	<a href="#">15098/2005</a>	29/11/2005	<a href="#">Summary</a>	
<b>European Commission</b>				
<b>Document type</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>	
Supplementary legislative basic document	<a href="#">COM(2005)0614</a> 	28/11/2005	<a href="#">Summary</a>	
Commission response to text adopted in plenary	<a href="#">SP(2006)0584</a>	09/02/2006		

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
<a href="#">Regulation 2006/0305</a> <a href="#">OJ L 051 22.02.2006, p. 0001-0008</a>	<a href="#">Summary</a>

## Foreign policy: freezing of funds and economic resources, restrictive measures against persons suspected of involvement in the assassination of former Prime Minister Rafiq Hariri in Lebanon

2005/0234(CNS) - 18/01/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Jean-Marie **Cavada** (ALDE, FR) and made a few amendments to the proposal. It deleted Annex I and referred instead in the text to "the list drawn up by the Commission pursuant to Article 8." Furthermore, the Commission is empowered to draw up and amend the list only after consulting the European Parliament. The list is a list of natural or legal persons, entities or bodies as referred to in Article 2 whose funds and economic resources should be frozen. The Commission is empowered also to correct the list if it is proven to contain an error.

Parliament added that the Commission will supply prior information, in confidence, to the committee of the European Parliament responsible for civil liberties, justice and home affairs and that responsible for development concerning the drawing-up and amendment of the list.

## Foreign policy: freezing of funds and economic resources, restrictive measures against persons suspected of involvement in the assassination of former Prime Minister Rafiq Hariri in Lebanon

2005/0234(CNS) - 28/11/2005 - Supplementary legislative basic document

PURPOSE: To impose specific restrictive measures against certain persons suspected of involvement in the assassination of former Lebanese Prime Minister Rafiq Hariri

PROPOSED ACT: Council Regulation

CONTENT: The purpose of this Regulation is to freeze the funds and economic resources of designated persons who are suspected of being involved in the assassination of Rafiq Hariri. This is in line with measures taken by the United Nations Security Council in October 2005 following an international independent investigation commission looking into the February 2005 bombing that killed the former Lebanese Prime Minister and 22 others.

Security Council Resolution 1636(2005) includes, amongst others, the freezing of funds and economic resources of persons suspected of involvement in the planning, sponsoring, organising or perpetrating of the assassination and others. The Commission reminds us that the freezing of funds and economic resources falls within the scope of the TEU and the measures are similar to those imposed on persons and entities associated with Usama bin Laden, the Al-Qaida network, the Taliban, the mandate of the International Criminal Tribunal for the former-Yugoslavia and restrictive measures in respect of the Democratic Republic of Congo.

## Foreign policy: freezing of funds and economic resources, restrictive measures against persons suspected of involvement in the assassination of former Prime Minister Rafiq Hariri in Lebanon

2005/0234(CNS) - 12/12/2005

The Council adopted a common position setting out the framework for imposing restrictive measures against persons suspected of involvement in the assassination of former Lebanese Prime Minister Rafiq Hariri.

The common position is aimed at implementing United Nations Security Council Resolution 1636(2005) acknowledging the report of the UN international investigation commission on the terrorist bombing in Beirut that killed 23 people, including Rafiq Hariri.

UNSCR 1636(2005) imposes measures to prevent the entry into or transit through EU Member States' territories of persons suspected of involvement in the planning, sponsoring, organising or perpetrating of the terrorist bombing, and the freezing of their funds and economic resources.

The list of persons and entities affected by the restrictive measures will be established in accordance with the list registered by a committee of the Security Council established by UNSCR 1636(2005).

On 7 November, the Council adopted conclusions on Syria and Lebanon deploring Syria's failure to cooperate fully with the investigating team and calling upon Syria to cooperate unconditionally with the investigators.

## **Foreign policy: freezing of funds and economic resources, restrictive measures against persons suspected of involvement in the assassination of former Prime Minister Rafiq Hariri in Lebanon**

2005/0234(CNS) - 29/11/2005 - Legislative proposal

In a document proposed by the Council on 29 November 2005, the delegations were called upon to produce a new version of the Commission's proposal (please refer to the summary dated 28 November 2005).

The revised text states that :

- For reasons of expediency, the Commission should be empowered to amend the Annexes to this Regulation, on the basis of notification or information by the relevant Sanctions Committee and Member States, as appropriate;

- Annex I of the proposal or the annex concerning the list of natural and legal persons, entities and bodies whose funds and economic resources have been frozen shall be completed after the persons and entities have been registered by the Sanctions Committee of the United Nations.

## **Foreign policy: freezing of funds and economic resources, restrictive measures against persons suspected of involvement in the assassination of former Prime Minister Rafiq Hariri in Lebanon**

2005/0234(CNS) - 21/02/2006 - Final act

**PURPOSE:** to impose specific restrictive measures against certain persons suspected of involvement in the assassination of the former Lebanese Prime Minister Rafiq Hariri.

**LEGISLATIVE ACT:** Council Regulation 305/2006/EC imposing specific restrictive measures against certain persons suspected of involvement in the assassination of former Lebanese Prime Minister Rafiq Hariri.

**BACKGROUND:** in response to the 14 February 2005 assassination of the former Lebanese Prime Minister, Rafiq Hariri, in which 22 people were killed and many more injured, the United Nations adopted Resolution 1636 (2005). This Resolution noted the conclusion of the International Investigation Commission Report issued in October 2005, which indicated that there was enough evidence to suspect the involvement of both Lebanese and Syrian officials in the terrorist act. As a result of this Report the United Nations decided to impose measures against all individuals suspected of involvement in the planning, sponsoring, organising or perpetrating of the terrorist act, without prejudice to the ultimate judicial determination of the guilt or innocence of any individual.

For its part, the Council adopted Common Position 2005/888/CFSP. This provides for the implementation of the measures set out in the UN Resolution and, in particular, the freezing of funds and economic resources of persons registered by the UN. It is necessary that these measures be implemented uniformly by all economic operators in all of the EU Member States. The purpose of this Regulation, therefore, is to implement the UN measures – and measures set out in the Council's common position – in Community legislation.

**CONTENT:** this Regulation, in Annex I, lists the names of all natural and legal persons entities and bodies to whom this Regulation applies. The list itself will be completed after the persons and entities have been registered by the UN "Sanctions Committee" as established by UN Resolution 1636 (2005). All funds and economic resources belonging to, owned, held or controlled by those listed will be frozen.

No funds or economic resources will be made available to those listed in Annex I. By way of derogation, the Member States may authorise the release of certain frozen funds if it is: a) necessary for basic expenses (such as food, rent or medicines etc.); b) intended exclusively for the payment of professional fees (such as legal services); or c) intended exclusively for the payment of fees for the routine holding or maintenance of the frozen funds. Any funds released by way of derogation must be notified to both the UN and the Commission.

The provisions of this Regulation will not prevent financial or credit institutions from crediting the accounts that receive funds transferred by third parties - on condition that any addition to the accounts of the frozen assets is also frozen. The financial or credit institutions will need to inform the authorities of such transactions without delay.

The Regulation also provides that, without prejudice to rules on reporting, confidentiality and professional secrecy, legal and natural persons and/or bodies will be obliged to supply immediate information to the authorities, as well as co-operate with the authorities, on any of the provisions set out in this Regulation.

The Commission will be empowered to amend Annex I based on decisions made by the UN Sanction Committee. The Member States will be responsible for laying down the rules on penalties which will apply to infringements of the Regulation. Lastly, the Regulation will apply: within the territory of the Community (including its airspace); on board any aircraft or vessel under the jurisdiction of a Member State; to any person inside or outside the territory of the Community who is a national of a Member State; to any legal person, entity or body which is incorporated under the law of a Member State; and to any legal person, entity or body in respect of any business done within the Community.

ENTRY INTO FORCE: 22 February 2006.