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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 31.5.2007
COM(2007) 296 final

Proposal for a

COUNCIL REGULATION

amending Regulation (EC) No 234/2004 concerning certain restrictive measures in respect of Liberia and repealing Regulation (EC) No 1030/2003

(presented by the Commission)

EXPLANATORY MEMORANDUM

- (1) Council Regulation (EC) No 234/2004 concerning Liberia, as amended, implements a ban on the provision of certain services related to arms and military equipment and a ban on the import of rough diamonds, in accordance with Common Position 2007/193/CFSP and related Common Positions, and UN Security Council Resolution 1521(2003) and other relevant UN Security Council Resolutions.
- (2) By means of Resolution 1753(2007) of 27 April 2007, the UN Security Council decided, *inter alia*, to terminate the measures on diamonds.
- (3) Subsequently, Liberia was admitted as of 4 May 2007 to the Kimberley Process Certification Scheme. Accordingly, Liberia will be listed by a Commission Regulation as a Participant in Annex II to Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds.
- (4) In view of this, the Commission proposes to repeal the provisions of Regulation (EC) No 234/2004 giving effect to the ban on import of rough diamonds from Liberia and the prohibition on circumvention of this ban.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Common Position 2007/.../CFSP amending Common Position 2007/193/CFSP concerning certain restrictive measures in respect of Liberia¹,

Having regard to the proposal from the Commission,

Whereas:

- (1) Common Position 2004/137/CFSP of 10 February 2004 concerning restrictive measures against Liberia provided for the implementation of the measures set out in UNSCR 1521(2003) concerning Liberia, including *inter alia*, a ban on the import of rough diamonds from Liberia. That ban was most recently renewed by Common Position 2007/193/CFSP² for a period of six months. On 27 April 2007, the UN Security Council adopted Resolution 1753(2007). It decided, *inter alia*, to terminate the measures on diamonds. Subsequently, Liberia was admitted as of 4 May 2007 to the Kimberley Process Certification Scheme. Accordingly, Liberia should be listed as a Participant in Annex II to Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds.
- (2) Council Regulation (EC) No 234/2004³ prohibits, *inter alia*, the import of rough diamonds from Liberia.
- (3) Article 6(1) of Regulation (EC) No 234/2004, which prohibits the import into the Community of rough diamonds from Liberia, and Article 6(3) which prohibits circumvention of that prohibition, should therefore be repealed with retroactive effect to 27 April 2007,

¹ OJ L [...], [...2007], p [...].

² OJ L 41, 13.2.2007, p 17.

³ OJ L 40, 12.2.2004, p. 1. Regulation as last amended by Council Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Paragraphs (1) and (3) of Article 6 of Regulation (EC) No 234/2004 are deleted.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 27 April 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President