



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.04.1999
COM(1999) 184 final

Proposal for a

COUNCIL REGULATION (EC)

**suspending the application of Regulation No 3274/93 preventing the supply of
certain goods and services to Libya**

(presented by the Commission)

EXPLANATORY MEMORANDUM

On 27 August 1998 the United Nations Security Council adopted Resolution 1192 (1998). Paragraph 8 of this Resolution opens the possibility for a suspension of the economic and financial sanctions against Libya, after the Secretary-General of the UN has reported to the Security Council that the two accused of the bombing of Pan Am flight 103 have arrived in the Netherlands for the purpose of their trial before a Scottish court sitting in the Netherlands.

On 5 April 1999 the Secretary-General of the UN informed the UN Security Council that the two accused arrived in the Netherlands in conformity with Resolution 1192 (1998). Therefore, the sanctions against Libya can now be suspended. Consequently, the Council of the European Union should suspend the application of Council Regulation (EC) No 3274/93 preventing the supply of certain goods and services to Libya.

The present proposal of the Commission for a Council Regulation envisages this suspension of the application of Regulation No 3274/93.

Proposal for a

COUNCIL REGULATION (EC)

suspending the application of Regulation No 3274/93 preventing the supply of certain goods and services to Libya

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 228a thereof,

Having regard to Common Position 99/.../CFSP of ... 1999 defined by the Council on the basis of Article J.2 of the Treaty on European Union concerning the suspension of the economic and financial sanctions against Libya taken on the basis of UN Security Council Resolutions 748 (1992) and 883 (1993),

Having regard to the proposal of the European Commission,

- (1) Whereas the Council adopted Regulation (EC) No 3274/93 of 29 November 1993 preventing the supply of certain goods and services to Libya;
- (2) Whereas the United Nations Security Council has decided in its Resolution 1192 (1998) to suspend the measures set forth in its Resolutions 748 (1992) and 883 (1993) immediately after the UN Secretary-General has reported to the Council that the two accused of the bombing of Pan Am flight 103 have arrived in the Netherlands for the purpose of their trial before a Scottish court sitting in the Netherlands;
- (3) Whereas the UN Secretary-General has so reported on 5 April 1999,

HAS ADOPTED THIS REGULATION:

Article 1

The application of Regulation (EC) No 3274/93 is hereby suspended.

Article 2

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

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

Done at Brussels,

For the Council
The President