

# ClientAlert

## International Trade

April 2012

### EU expands sanctions against Syria - prohibits supply of more products which could be used for internal repression and bans sale, supply, transfer or export of luxury goods to Syria



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#### I. Introduction

On 23 April 2012, the Council of the European Union (EU) agreed to impose additional restrictive measures against Syria in Council Decision 2012/206/CFSP<sup>1</sup>. This new set of sanctions amends Decision 2011/782/CFSP<sup>2</sup> and follows numerous other sanctions.<sup>3</sup>

The new restrictions, applicable as of 23 April 2012, apply to supply transactions by nationals of EU Member States (anywhere in the world) or by anyone from the territory of an EU Member State, or using the flag vessels or aircraft of a Member State, whether or not the goods originate in their territories. As always, non-EU businesses or non-EU nationals are affected if there is an EU nexus.

#### II. New restrictions related to the supply of goods and technology used for internal repression

Council Regulation 36/2012,<sup>4</sup> which implements the basic Decision 2011/782/CFSP, already contained a list of products in Annex I whose sale, supply, transfer or export was prohibited because of their possible use for internal repression purposes.

The new Council Decision 2012/206/CFSP now expands that **ban to additional equipment, goods and technology which might be used for internal repression** and to the manufacture or maintenance of such products. The provision of related technical assistance, brokering services or other services, as well as related financing or financial assistance, is also prohibited.

The new Decision **also subjects** the sale, supply, transfer or export of **certain other equipment, goods and technology** which could be used for internal repression to the prior **authorization** of the authorities of the exporting Member State. Related technical assistance, brokering services,

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<sup>1</sup> [Council Decision 2012/206/CFSP](#) of 23 April 2012 amending Decision 2011/782/CFSP concerning restrictive measures against Syria

<sup>2</sup> [Council Decision 2011/782/CFSP](#) of 1 December 2011 concerning restrictive measures against Syria and repealing Decision 2011/273/CFSP. This consolidated version of Decision 2011/782 does not reflect these most recent amendments and the amendments introduced by [Council Decision 2012/122/CFSP](#) and [Council Implementing Decision 2012/172/CFSP](#).

<sup>3</sup> For previous alerts on the sanctions imposed by the EU against Syria, see our alerts from [27 March 2012](#), [29 February 2012](#), [25 January 2012](#), [20 January 2012](#) and [6 December 2011](#).

<sup>4</sup> [Council Regulation \(EU\) No 36/2012](#) of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011. This consolidated version of Regulation 36/2012 does not reflect the amendments imposed by [Council Regulation \(EU\) No 168/2012](#) and [Council Implementing Regulation \(EU\) No 266/2012](#).

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and financing or financial assistance has also been made subject to the prior authorization of the competent Member State authorities.

The Regulations containing the implementing measures which will determine the items covered by these new restrictions, and which will have direct legal effect on individuals and companies, are not yet available.

### III. Restrictions on the supply of luxury goods

Council Decision 2012/206/CFSP introduces a new **ban on the sale, supply, transfer or export of luxury goods** to Syria. As with the new restrictions on internal repression products, the Council still has to publish the list of items covered by this ban.

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