

(Acts adopted pursuant to Title V of the Treaty on European Union)

COUNCIL COMMON POSITION

of 8 October 2001

**amending Common Position 96/184/CFSP concerning arms exports to the former Yugoslavia and
Common Position 98/240/CFSP on restrictive measures against the Federal Republic of Yugoslavia**

(2001/719/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 26 February 1996 the Council adopted Common Position 96/184/CFSP concerning arms exports to the former Yugoslavia ⁽¹⁾, which was amended by Decisions 98/498/CFSP ⁽²⁾ and 1999/481/CFSP ⁽³⁾ and by Common Position 2000/722/CFSP ⁽⁴⁾.
- (2) On 10 September 2001 the United Nations Security Council adopted Resolution 1367(2001) terminating the prohibition to sell or supply arms to the Federal Republic of Yugoslavia imposed by United Nations Security Council Resolution 1160(1998). Common Position 96/184/CFSP therefore needs to be amended accordingly.
- (3) It is understood that, with respect to arms exports to the Federal Republic of Yugoslavia, the Member States will apply strictly the European Union Code of Conduct for arms exports adopted on 8 June 1998.
- (4) Having regard to the progress accomplished by the Federal Republic of Yugoslavia towards the strengthening and democratisation of its political structures, the ban on the supply of equipment which might be used for internal repression or for terrorism to the Federal Republic of Yugoslavia laid down in Common Position 98/240/CFSP of 19 March 1998 on restrictive measures against the Federal Republic of Yugoslavia ⁽⁵⁾ has become redundant.
- (5) Community action is necessary to implement certain measures,

HAS ADOPTED THIS COMMON POSITION:

Article 1

Common Position 96/184/CFSP is hereby amended as follows:

1. in point 2(i) the words 'the Federal Republic of Yugoslavia' shall be deleted;
2. point 2(ii) shall be replaced by the following:
'(ii) Subject to the provisions of UN Security Council Resolutions 1021(1995) and 1244(1999), export licence applications to the Former Yugoslav Republic of Macedonia, to Croatia and to the Federal Republic of Yugoslavia shall be considered on a case-by-case basis.

This provision is adopted on the understanding that the Member States will apply strictly the European Union Code of Conduct for arms exports adopted on 8 June 1998. They will also take into account the objectives of the European Union policy in the region, fundamentally aimed at pacification and stabilisation in the area, including the need for arms control and reduction to the lowest possible level and confidence-building measures.'

Article 2

Article 2 of Common Position 98/240/CFSP is hereby repealed.

Article 3

This Common Position shall take effect on the day of its adoption.

Article 4

This Common Position shall be published in the Official Journal.

Done at Luxembourg, 8 October 2001.

For the Council

The President

L. MICHEL

⁽¹⁾ OJ L 58, 7.3.1996, p. 1.

⁽²⁾ OJ L 225, 12.8.1998, p. 1.

⁽³⁾ OJ L 188, 21.7.1999, p. 3.

⁽⁴⁾ OJ L 292, 21.11.2000, p. 1.

⁽⁵⁾ OJ L 95, 27.3.1998, p. 1.