COUNCIL COMMON POSITION 2006/625/CFSP

of 15 September 2006

concerning a prohibition on the sale or supply of arms and related materiel and on the provision of related services to entities or individuals in Lebanon in accordance with UNSC Resolution 1701 (2006)

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

(1) On 7 August 2006, the Government of Lebanon decided to deploy the Lebanese armed forces in South Lebanon and to request the assistance of additional forces for the United Nations Interim Force in Lebanon (UNIFIL) as needed, to facilitate the entry of the Lebanese armed forces into the region and restated its intention to strengthen the Lebanese armed forces with materiel as needed to enable it to perform its duties.

(2) On 11 August 2006, the United Nations Security Council adopted Resolution 1701 (2006) (UNSCR 1701 (2006)) welcoming the decision of the Government of Lebanon to deploy its armed forces in South Lebanon as well as the commitment of the Government of Lebanon to extend its authority over its full territory, through its own legitimate armed forces. With a view to enabling the Government of Lebanon to exercise its full sovereignty over all Lebanese territory, so that there will be no weapons without the consent of the Government of Lebanon and no authority other than that of the Government of Lebanon, UNSCR 1701 (2006), *inter alia*, prohibits the sale or supply of arms and related materiel of all types as well as the provision of technical training or assistance related to the provision, manufacture, maintenance or use of arms and related materiel to any entity or individual in Lebanon unless authorised by the Government of Lebanon or by UNIFIL in the performance of its mission.

(3) The prohibition on the provision of assistance related to the sale or supply of arms and related materiel should also cover financing and financial assistance.

(4) Action by the Community is needed in order to implement certain measures,

HAS ADOPTED THIS COMMON POSITION:

Article 1

1. The direct or indirect sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned to any entity or individual in Lebanon by nationals of Member States or from the territories of Member States, or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.

2. It shall be prohibited:

(a) to provide technical assistance, brokering services and other services related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, directly or indirectly to any natural or legal person, entity or body in, or for use in, Lebanon;

(b) to provide financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance for any sale, supply, transfer or export of arms and related materiel, or for the provision of related technical assistance, brokering services and other services, directly or indirectly to any natural or legal person, entity or body in, or for use in, Lebanon;

(c) to participate, knowingly or intentionally, in activities the object or effect of which is to circumvent the prohibition referred to at points (a) or (b).

Article 2

1. Article 1 shall not apply to the sale, supply, transfer or export of arms and related materiel or the provision of technical assistance, financing and financial assistance, brokering services and other services related to arms and related materiel, provided that

(a) the goods or services are not supplied, directly or indirectly, to any militia for whose disarmament the UN Security Council has called in its Resolutions 1559 (2004) and 1680 (2006), and

(b) the transaction has been authorised by the Government of Lebanon or UNIFIL, or

(c) the goods or services are for the use by UNIFIL in the performance of its mission or by the Lebanese armed forces.

2. The sale, supply, transfer or export of arms and related materiel or the provision of technical assistance, financing and financial assistance, brokering services and other services referred to in paragraph 1 shall be subject to an authorisation granted by the competent authorities of the Member States.

Article 3

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

Article 4

This Common Position shall be reviewed no later than 12 months after its adoption, taking into account determinations of the Security Council, and every 12 months thereafter.

Article 5

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Brussels, 15 September 2006.

For the Council,
The President
E. TUOMIOJA