

EU Sanctions against Libya – Listing of Libyan Ports

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On 7 June 2011, the Council of the European Union agreed Council Decision 2011/332/CFSP. The Decision set out the Council's intention to freeze the assets of six port authorities in Libya. The asset freeze took effect on the publication of Council Regulation (EU) No 572/2011 (the "Regulation") on 17 June 2011.

The designated port authorities are as follows:

- Port authority of Tripoli
- Port authority of Al Khoms
- Port authority of Brega
- Port authority of Ras Lanuf
- Port authority of Zawia
- Port authority of Zuwara

No funds or economic resources should be made available, directly or indirectly to, or for the benefit of, the designated ports. Practically, this means that it is not possible to pay port dues or other fees or disbursements to these listed port authorities.

Ports are not new sanctions targets. Abidjan and San Pedro in Ivory Coast were designated by the EU in January 2011, although they have now been delisted.

Exemptions

Until 15 July 2011, exemptions may be authorised for payments to port authorities that are necessary in order to fulfill an existing contract (a contract concluded prior to 7 June 2011). A licence will be required from the "competent authority" of the relevant Member State (HM Treasury in the UK). It is not necessary for the existing contract to be with the port itself in order to gain an exemption, but the port can be the means of delivery for the contract.

This exemption does not apply to contracts relating to oil, gas and refined oil products.

Exemptions may also be authorised on humanitarian grounds, namely for *"the delivery and facilitation of delivery of humanitarian aid, the delivery of materials and supplies necessary for essential civilian needs, including food and agricultural materials for its production, medical products and the provision of electricity, or for evacuations from Libya."*

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