

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

**COUNCIL COMMON POSITION**  
**of 10 December 2002**  
**concerning restrictive measures against Somalia**

(2002/960/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS COMMON POSITION:

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

*Article 1*

Whereas:

- (1) On 23 January 1992 the United Nations Security Council adopted Resolution 733 (1992), hereinafter referred to as 'UNSCR 733 (1992)', imposing a general and complete embargo on all deliveries of weapons and military equipment to Somalia (hereinafter referred to as 'the arms embargo').
- (2) On 19 June 2001 the United Nations Security Council adopted Resolution 1356 (2001), permitting certain exemptions to the arms embargo.
- (3) On 22 July 2002 the United Nations Security Council adopted Resolution 1425 (2002), extending the arms embargo to prohibit the direct or indirect supply to Somalia of technical advice, financial and other assistance, and training related to military activities.
- (4) On 22 July 2002, the Council affirmed its continuing support to the Intergovernmental Authority on Development (IGAD) resolutions of 24 November 2000 and 11 January 2002 which provide a general framework for the Somali reconciliation process, and outlined the objectives of the European Union with regard to Somalia.
- (5) On 15 October 2002 in Eldoret, Kenya, the Peace and Reconciliation Process was launched followed on 27 October 2002 by a declaration on the cessation of hostilities and the adoption of the structure and principles of the process by the Somali parties as a fundamental step that will ensure a wide consensual basis, which was welcomed by the European Union.

1. The supply or sale of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned to Somalia by nationals of Member States or from the territories of Member States shall be prohibited whether originating or not in their territories.

2. The direct or indirect supply to Somalia of technical advice, financial and other assistance and training related to military activities, including in particular technical training and assistance related to the provision, manufacture, maintenance or use of the items mentioned in paragraph 1, by nationals of Member States or from the territories of the Member States shall be prohibited.

3. Paragraphs 1 and 2 shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, or for material intended for institution building programmes of the Union, Community or Member States, including in the field of security, carried out within the framework of the Peace and Reconciliation Process, as approved in advance by the Committee established by paragraph 11 of UNSCR 751 (1992), nor shall they apply to protective clothing, including flak jackets and military helmets, temporarily exported to Somalia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

*Article 2*

Member States shall inform each other and the Commission of the measures taken under this Common Position and shall supply each other with any other relevant information at their disposal in connection with this Common Position.

*Article 3*

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

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

*Article 4*

This Common Position shall be published in the Official Journal.

Done at Brussels, 10 December 2002.

*For the Council*

*The President*

P. S. MØLLER

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