

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

**COUNCIL COMMON POSITION 2004/510/CFSP
of 10 June 2004
amending Common Position 2004/31/CFSP concerning the imposition of an embargo on arms,
munitions and military equipment on Sudan**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas

- (1) On 9 January 2004 the Council adopted Common Position 2004/31/CFSP⁽¹⁾, imposing an embargo on arms, munitions and military equipment on Sudan.
- (2) Given developments in Sudan and the region, including the signature on 8 April 2004 of a Humanitarian Ceasefire Agreement on the Conflict in Darfur, and the subsequent plans for the deployment of an African Union-led Ceasefire Commission, the EU wishes to support efforts to promote lasting peace and reconciliation in Sudan.
- (3) It is therefore necessary to amend Common Position 2004/31/CFSP so as to allow exemptions to the embargo for the African Union-led Ceasefire Commission.
- (4) Action by the Community is needed in order to implement certain aspects of this amendment,

HAS ADOPTED THIS COMMON POSITION:

Article 1

Article 2(1) of Common Position 2004/31/CFSP shall be replaced by the following:

'(1) Article 1 shall not apply to:

- a) the sale, supply, transfer or export of non-lethal military equipment intended solely for humanitarian or protective

use, or for institution building programmes of the UN, the African Union, the EU and the Community, or of materiel intended for EU, UN and African Union crisis management operations;

- b) the sale, supply, transfer or export of de mining equipment and materiel for use in de mining operations;
- c) the provision of financing and financial assistance related to such equipment or for African Union crisis management operations;
- d) the provision of technical assistance related to such equipment or for African Union crisis management operations,

on condition that such exports have been approved in advance by the competent authority of the Member State in question.'

Article 2

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

Article 3

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

Done at Luxembourg, 10 June 2004.

For the Council

The President

D. AHERN

⁽¹⁾ OJ L 6, 10.1.2004, p. 55.