

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

**COUNCIL COMMON POSITION 2004/698/CFSP**  
**of 14 October 2004**  
**concerning the lifting of restrictive measures against Libya**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 12 September 2003, the United Nations Security Council (UNSC) adopted Resolution 1506(2003) lifting the restrictive measures imposed by UNSCR 748(1992) and 883(1993), while leaving in place the measures set forth in paragraph 8 of the latter, in view of steps taken by the Libyan Government to comply with the above-mentioned resolutions, particularly concerning acceptance of responsibility for the actions of Libyan officials, payment of appropriate compensation and renunciation of terrorism.
- (2) The Libyan Government has also taken steps towards a satisfactory settlement of claims in connection with the terrorist attacks perpetrated on Pan Am flight 103 over Lockerbie, Scotland, Union de Transports Aériens flight 772 over Niger and the discotheque 'La Belle' in Berlin.
- (3) The restrictive measures imposed by Decision 93/614/CFSP<sup>(1)</sup>, which were adopted to implement UNSCR 748(1992) and 883(1993), and the arms embargo decided upon by the Member States in 1986 and confirmed by Common Position 1999/261/CFSP<sup>(2)</sup>, should therefore be lifted.
- (4) The measures adopted pursuant to paragraph 8 of UNSCR 883(1993) should remain in force in accordance with UNSCR 1506(2003).

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

HAS ADOPTED THIS COMMON POSITION:

*Article 1*

Decision 93/614/CFSP and Common Position 1999/261/CFSP are hereby repealed.

*Article 2*

The measures adopted to protect operators against claims in relation to contracts and transactions the performance of which was affected by the imposition of restrictive measures by UNSCR 883 (1993) and related resolutions, shall remain in force.

*Article 3*

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

*Article 4*

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

Done at Luxembourg, 14 October 2004.

*For the Council*

*The President*

P. VAN GEEL

<sup>(1)</sup> OJ L 295, 30.11.1993, p. 7.

<sup>(2)</sup> OJ L 103, 20.4.1999, p. 1. Common Position as last amended by Common Position 1999/611/CFSP (OJ L 242, 14.9.1999, p. 31).