

DECISIONS

COUNCIL DECISION (CFSP) 2022/395

of 9 March 2022

amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article 29 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 31 July 2014, the Council adopted Decision 2014/512/CFSP ⁽¹⁾.
- (2) The Union remains unwavering in its support for Ukraine's sovereignty and territorial integrity.
- (3) On 24 February 2022, the President of the Russian Federation announced a military operation in Ukraine and Russian armed forces began an attack on Ukraine. That attack is a blatant violation of the territorial integrity, sovereignty and independence of Ukraine.
- (4) In its conclusions of 24 February 2022, the European Council condemned in the strongest possible terms the Russian Federation's unprovoked and unjustified military aggression against Ukraine. By its illegal military actions, Russia is grossly violating international law and the principles of the United Nations Charter, and undermining European and global security and stability. The European Council called for the urgent preparation and adoption of a further individual and economic sanctions package.
- (5) On 25 February 2022, the Council adopted Decision (CFSP) 2022/327 ⁽²⁾, which amended Decision 2014/512/CFSP and introduced specific sectoral measures.
- (6) In view of the gravity of the situation, and in response to Russia's military aggression against Ukraine, it is appropriate to introduce further restrictive measures with regard to the export of maritime navigation goods and technology. It is also appropriate to expand the list of legal persons, entities and bodies subject to the prohibitions related to investment services, transferable securities, money market instruments, and loans. Moreover, certain clarifications are necessary to ensure the proper application of some of the specific sectoral restrictions introduced by Decision (CFSP) 2022/327.
- (7) Further action by the Union is needed in order to implement certain measures.
- (8) Decision 2014/512/CFSP should therefore be amended accordingly,

⁽¹⁾ Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 13).

⁽²⁾ Council Decision (CFSP) 2022/327 of 25 February 2022 amending Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 48, 25.2.2022, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

Decision 2014/512/CFSP is amended as follows:

(1) in Article 1a, paragraph 4 is replaced by the following:

'4. Transactions related to the management of reserves as well as of assets of the Central Bank of Russia, including transactions with any legal person, entity or body acting on behalf of, or at the direction of, the Central Bank of Russia, such as the Russian National Wealth Fund, are prohibited.';

(2) in Article 1b, paragraph 2 is replaced by the following:

'2. Paragraph 1 shall not apply to nationals of a Member State, of a country member of the European Economic Area, or of Switzerland, or to natural persons having a temporary or permanent residence permit in a Member State, in a country member of the European Economic Area or in Switzerland.';

(3) in Article 4b, paragraph 2, point (b) is replaced by the following:

'(b) the provision of public financing or financial assistance up to the total value of EUR 10 000 000 per project benefiting small and medium-sized enterprises established in the Union; or';

(4) the following Article is inserted after Article 4g:

'Article 4h

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, maritime navigation goods and technology, whether or not originating in the Union, to any natural or legal person, entity or body in Russia, for use in Russia, or for the placing on board of a Russian-flagged vessel.

2. It shall be prohibited to:

- (a) provide technical assistance, brokering services or other services related to the goods and technology referred to in paragraph 1 and to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly to any natural or legal person, entity or body in Russia or for use in Russia;
- (b) provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any sale, supply, transfer or export of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly to any natural or legal person, entity or body in Russia or for use in Russia.

3. The prohibitions in paragraphs 1 and 2 shall not apply to the sale, supply, transfer or export of the goods and technology referred to in paragraph 1 or to the related provision of technical and financial assistance, for non-military use and for a non-military end-user, intended for humanitarian purposes, health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment, or as a response to natural disasters.

4. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise the sale, supply, transfer or export of the goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such goods or technology or the related technical or financial assistance are intended for maritime safety.

5. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.';

(5) Annex VI to Decision 2014/512/CFSP is amended as set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 9 March 2022.

For the Council
The President
J.-Y. LE DRIAN

ANNEX

In Annex VI to Decision 2014/512/CFSP, an entry for the following entity is inserted:

'Russian Maritime Register of Shipping'.
