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Legislation

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2022/345

of 1 March 2022

amending Regulation (EU) No 833/2014 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 the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2022/346 of 1 March 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine ⁽¹⁾,

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

Whereas:

- (1) On 31 July 2014, the Council adopted Regulation (EU) No 833/2014 ⁽²⁾.
- (2) Regulation (EU) No 833/2014 gives effect to certain measures provided for in Council Decision 2014/512/CFSP ⁽³⁾.
- (3) On 1 March 2022 the Council adopted Decision (CFSP) 2022/346, amending Decision 2014/512/CFSP and imposing further restrictive measures with regard to the provision of specialised financial messaging services to certain Russian credit institutions and their Russian subsidiaries, which are relevant for the Russian financial system and which are already the subject of restrictive measures imposed by the Union or by partner countries and, subject to certain exceptions, with regard to engagement with the Russian Direct Investment Fund. It also prohibits, subject to certain exceptions, the supply of euro banknotes to Russia.
- (4) These measures fall within the scope of the Treaty and, therefore, in particular with a view to ensuring their uniform application in all Member States, regulatory action at the level of the Union is necessary.
- (5) In order to ensure that the measures provided for in this Regulation are effective, it should enter into force on the date of its publication.
- (6) Regulation (EU) No 833/2014 should therefore be amended accordingly,

⁽¹⁾ OJ L 63, 2.3.2022.

⁽²⁾ Council Regulation (EU) No 833/2014 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. 1).

⁽³⁾ 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).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 833/2014 is amended as follows:

(1) in Article 2d, paragraphs 1 and 4 are replaced by the following:

'1. The competent authorities shall exchange information on authorisations granted and denials issued pursuant to Articles 2, 2a and 2b with the other Member States and the Commission. The exchange of information shall be carried out using the electronic system provided pursuant to Article 23(6) of Regulation (EU) 2021/821.

4. The Commission, in consultation with the Member States shall, where appropriate and on the basis of reciprocity, exchange information with partner countries, with a view to supporting the effectiveness of export control measures under this Regulation and the consistent application of export control measures applied by partner countries.;

(2) in Article 2e, the following paragraphs are added:

'3. It shall be prohibited to invest, participate or otherwise contribute to projects co-financed by the Russian Direct Investment Fund.

4. By way of derogation from paragraph 3, the competent authorities may authorise, under such conditions as they deem appropriate, an investment participation in, or contribution to, projects co-financed by the Russian Direct Investment Fund, after having determined that such an investment participation or contribution is due under contracts concluded before 2 March 2022 or ancillary contracts necessary for the execution of such contracts.;

(3) the following Articles are inserted:

'Article 5h

It shall be prohibited as of 12 March 2022 to provide specialised financial messaging services, which are used to exchange financial data, to the legal persons, entities or bodies listed in Annex XIV or to any legal person, entity or body established in Russia whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in Annex XIV.

Article 5i

1. It shall be prohibited to sell, supply, transfer or export euro denominated banknotes to Russia or to any natural or legal person, entity or body in Russia, including the government and the Central Bank of Russia, or for use in Russia.

2. The prohibition in paragraph 1 shall not apply to the sale, supply, transfer or export of euro denominated banknotes provided that such sale, supply, transfer or export is necessary for:

- (a) the personal use of natural persons travelling to Russia or members of their immediate families travelling with them; or
- (b) the official purposes of diplomatic missions, consular posts or international organisations in Russia enjoying immunities in accordance with international law.;

(4) Article 12 is replaced by the following:

'Article 12

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent prohibitions in this Regulation including by acting as a substitute for the natural or legal persons, entities or bodies referred to in Articles 2e(3), 5, 5a, 5b, 5e, 5f, 5h and 5i or by acting to their benefit by using the exceptions in Articles 2e(4), 5(6), 5a(2) 5b(2), 5e(2), 5f(2) or 5i(2).;

(5) the Annex to this Regulation is added as Annex XIV to Regulation (EU) No 833/2014.

Article 2

This Regulation shall enter into force on the date of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 1 March 2022.

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

ANNEX

'ANNEX XIV

List of legal persons, entities and bodies referred to in Article 5h

Bank Otkritie

Novikombank

Promsvyazbank

Bank Rossiya

Sovcombank

VNESHECONOMBANK (VEB)

VTB BANK'

DECISIONS

COUNCIL DECISION (CFSP) 2022/346

of 1 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 UN 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) 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 provision of specialised financial messaging services to certain Russian credit institutions and their Russian subsidiaries, which are relevant for the Russian financial system and which are already the subject of restrictive measures imposed by the Union or by partner countries and, subject to certain exceptions, with regard to engagement with the Russian Direct Investment Fund. It is also appropriate to prohibit, subject to certain exceptions, the supply of euro denominated banknotes to Russia.
- (6) Further action by the Union is needed in order to implement certain measures.
- (7) In order to ensure that the measures provided for in this Decision are effective, it should enter into force on the date of its publication.
- (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).

HAS ADOPTED THIS DECISION:

Article 1

Decision 2014/512/CFSP is amended as follows:

(1) the following Articles are inserted:

'Article 1e

It shall be prohibited as of 12 March 2022 to provide specialised financial messaging services, which are used to exchange financial data, to the legal persons, entities or bodies listed in Annex VIII or to any legal person, entity or body established in Russia whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in Annex VIII.

Article 1f

1. It shall be prohibited to sell, supply, transfer or export euro denominated banknotes to Russia or to any natural or legal person, entity or body in Russia, including the government and the Central Bank of Russia, or for use in Russia.

2. The prohibition in paragraph 1 shall not apply to the sale, supply, transfer or export of euro denominated banknotes provided that such sale, supply, transfer or export is necessary for:

- (a) the personal use of natural persons travelling to Russia or members of their immediate families travelling with them; or
- (b) the official purposes of diplomatic missions, consular posts or international organisations in Russia enjoying immunities in accordance with international law.;

(2) in Article 4b, the following paragraphs are added:

'3. It shall be prohibited to invest, participate or otherwise contribute to projects co-financed by the Russian Direct Investment Fund.

4. By way of derogation from paragraph 3, the competent authorities may authorise, under such conditions as they deem appropriate, an investment participation in, or contribution to, projects co-financed by the Russian Direct Investment Fund, after having determined that such an investment participation or contribution is due under contracts concluded before 2 March 2022 or ancillary contracts necessary for the execution of such contracts.;

(3) the Annex to this Decision is added as Annex VIII to Decision 2014/512/CFSP.

Article 2

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

Done at Brussels, 1 March 2022.

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

ANNEX

'ANNEX VIII

LIST OF LEGAL PERSONS, ENTITIES OR BODIES REFERRED TO IN ARTICLE 1e

Bank Otkritie

Novikombank

Promsvyazbank

Bank Rossiya

Sovcombank

VNESHECONOMBANK (VEB)

VTB BANK'

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