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## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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

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**COUNCIL DECISION (CFSP) 2022/...**

**of ...**

**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<sup>1</sup>.
- (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.

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<sup>1</sup> 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).

- (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. In particular, it is appropriate to prohibit all transactions with certain state-owned companies. It is also appropriate to prohibit the provision of any credit rating services, as well as access to any subscription services in relation to credit rating activities, to any Russian person or entity. Moreover, it is appropriate to tighten the export restrictions regarding dual-use goods and technology as well as goods and technology which might contribute to the technological enhancement of Russia's defence and security sector, and to expand the list of persons connected to Russia's defence and industrial base, which are subject to those restrictions. Furthermore, it is appropriate to prohibit new investments in the Russian energy sector, and to introduce a comprehensive export restriction on equipment, technology and services for the energy industry in Russia, with the exception of nuclear industry and the downstream sector of energy transport. Finally, it is appropriate to introduce further trade restrictions concerning iron and steel, as well as luxury goods.
- (6) Further action by the Union is needed in order to implement certain measures.
- (7) Decision 2014/512/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

## *Article 1*

Decision 2014/512/CFSP is amended as follows:

(1) the following Article is inserted:

### *‘Article 1aa*

1. It shall be prohibited to directly or indirectly engage in any transaction with:
  - (a) a legal person, entity or body established in Russia, which is publically controlled or with over 50 % public ownership or in which Russia, its Government or the Russian Central Bank has the right to participate in profits or with which Russia, its Government or the Russian Central Bank has other substantial economic relationship, as listed in Annex X;
  - (b) a legal person, entity or body established outside the Union whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in Annex X; or
  - (c) a legal person, entity or body acting on behalf or at the direction of an entity referred to in point (a) or (b) of this paragraph.

2. The prohibition in paragraph 1 shall not apply to the execution until [OJ: *please insert date 60 days after the date of entry into force of this amending Decision*] of contracts concluded before [OJ: *please insert the date of entry into force of this amending Decision*] or ancillary contracts necessary for the execution of such contracts.
3. The prohibition in paragraph 1 shall not apply to:
  - (a) transactions which are strictly necessary for the purchase, import or transport of fossil fuels, in particular coal, oil and natural gas, as well as titanium, aluminium, copper, nickel, palladium and iron ore from or through Russia into the Union;
  - (b) transactions related to energy projects outside Russia in which a legal person, entity or body listed in Annex X is a minority shareholder.’;

(2) the following Article is inserted:

*‘Article 1g*

1. It shall be prohibited as of [OJ: *please insert date 30 days after the entry into force of this amending Decision*] to provide credit rating services to any Russian national or natural person residing in Russia or any legal person, entity or body established in Russia.

2. It shall be prohibited as of [OJ: *please insert date 30 days after the entry into force of this amending Decision*] to provide access to any subscription services in relation to credit rating activities to any Russian national or natural person residing in Russia or any legal person, entity or body established in Russia.
3. Paragraphs 1 and 2 shall not apply to nationals of a Member State or natural persons having a temporary or permanent residence permit in a Member State.’;

(3) in Article 3, paragraph 7 is replaced by the following:

- ‘7. When deciding on requests for authorisations in accordance with paragraphs 4 and 5, the competent authorities shall not grant an authorisation if they have reasonable grounds to believe that:
- (i) the end-user might be a military end-user, a natural or legal person, entity or body listed in Annex IV or that the goods might have a military end-use;
  - (ii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance is intended for aviation or the space industry; or

(iii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance is intended for the energy sector, unless such a sale, supply, transfer or export or the related technical or financial assistance is allowed under the exceptions referred to in paragraphs 3 to 6 of Article 4.’;

(4) in Article 3a, paragraph 7 is replaced by the following:

‘7. When deciding on requests for authorisations in accordance with paragraphs 4 and 5 of this Article, the competent authorities shall not grant an authorisation if they have reasonable grounds to believe that:

(i) the end-user might be a military end-user, a natural or legal person, entity or body listed in Annex IV or that the goods might have a military end-use;

(ii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance is intended for aviation or the space industry; or

(iii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance is intended for the energy sector, unless such a sale, supply, transfer or export or the related technical or financial assistance is allowed under the exceptions referred to in paragraphs 3 to 6 of Article 4.’;



(5) in Article 3b, paragraph 1 is replaced by the following:

- ‘1. With regard to the natural or legal persons, entities or bodies listed in Annex IV, by way of derogation from Articles 3 and 3a of this Decision, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authorities of the Member States may only authorise the sale, supply, transfer or export of dual-use goods and technology and the goods and technology referred to in Article 3a of this Decision, or the provision of related technical or financial assistance after having determined:
- (a) that such goods or technology or the related technical or financial assistance are necessary for 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
  - (b) that such goods or technology or the related technical or financial assistance are due under contracts concluded before 26 February 2022, or ancillary contracts necessary for the execution of such a contract, provided that the authorisation is requested before 1 May 2022.’;

(6) Article 4 is replaced by the following:

*Article 4*

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, certain goods and technology suited to certain categories of exploration and production projects, whether or not originating in the Union, to any natural or legal person, entity or body in Russia, including its Exclusive Economic Zone and Continental Shelf, or for use in Russia, including its Exclusive Economic Zone and Continental Shelf.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this paragraph.

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 goods or technology, or to the provision of technical or financial assistance, necessary for:
  - (a) the transport of fossil fuels, in particular coal, oil and natural gas, from or through Russia into the Union; or
  - (b) the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment.
- 4. The prohibitions in paragraphs 1 and 2 shall not apply to the execution until [OJ: *please insert date 6 months after the entry into force of this amending Decision*] of an obligation arising from a contract concluded before [OJ: *please insert the date of entry into force of this amending Decision*], or ancillary contracts necessary for the execution of such a contract, provided that the competent authority has been informed at least five working days in advance.

5. The prohibitions in paragraph 2 shall not apply to the provision of insurance or reinsurance to any legal person, entity or body that is incorporated or constituted under the law of a Member State with regard to its activities outside the energy sector in Russia.
6. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise, under such conditions as they deem appropriate, the sale, supply, transfer or export and the provision of technical or financial assistance, after having determined that:
  - (a) it is necessary for ensuring critical energy supply within the Union; or
  - (b) it is intended for the exclusive use of entities owned, or solely or jointly controlled by a legal person, entity or body which is incorporated or constituted under the law of a Member State.
7. The Member State or Member States concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 6 within two weeks of the authorisation.’;

(7) Article 4a is replaced by the following:

*Article 4a*

1. It shall be prohibited to:

- (a) acquire any new or extend any existing participation in any legal person, entity or body incorporated or constituted under the law of Russia or any other third country and operating in the energy sector in Russia;
- (b) grant or be part of any arrangement to grant any new loan or credit or otherwise provide financing, including equity capital, to any legal person, entity or body incorporated or constituted under the law of Russia or any other third country and operating in the energy sector in Russia, or for the documented purpose of financing such a legal person, entity or body;
- (c) create any new joint venture with any legal person, entity or body incorporated or constituted under the law of Russia or any other third country and operating in the energy sector in Russia;
- (d) provide investment services directly related to the activities referred to in points (a), (b) and (c).

2. By way of derogation from paragraph 1 the competent authorities may authorise, under such conditions as they deem appropriate, any activity referred to in paragraph 1 after having determined that:
  - (a) it is necessary for ensuring critical energy supply within the Union, as well as the transport of fossil fuels, in particular coal, oil and natural gas, from or through Russia into the Union; or
  - (b) it exclusively concerns a legal person, entity or body operating in the energy sector in Russia owned by a legal person, entity or body which is incorporated or constituted under the law of a Member State.
3. The Member State or Member States concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 2 within two weeks of the authorisation.’;

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

- ‘1. The Network Manager for air traffic management network functions of the single European sky shall support the Commission and the Member States in ensuring the implementation of, and compliance with, Article 4e. The Network Manager shall, in particular, reject all flight plans filed by aircraft operators indicating an intent to carry out activities over the territory of the Union that constitute a violation of this Decision, such that the pilot is not permitted to fly.’;

(9) the following Articles are inserted:

*‘Article 4i*

1. It shall be prohibited:

- (a) to import, directly or indirectly, iron and steel products into the Union if they:
  - (i) originate in Russia; or
  - (ii) have been exported from Russia;
- (b) to purchase, directly or indirectly, iron and steel products which are located or which originated in Russia;
- (c) to transport iron and steel products if they originated in Russia or are being exported from Russia to any other country;
- (d) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in points (a), (b) and (c).

The Union shall take the necessary measures in order to determine the relevant items to be covered by this paragraph.

2. The prohibitions in paragraph 1 shall not apply to the execution until [OJ: *please insert date 3 months after the entry into force of this amending Decision*] of contracts concluded before [OJ: *please insert the date of entry into force of this amending Decision*], or ancillary contracts necessary for the execution of such contracts.

*Article 4j*

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, luxury goods to any natural or legal person, entity or body in Russia or for use in Russia.
2. The prohibition referred to in paragraph 1 shall apply to luxury goods insofar as their value exceeds EUR 300 per item.
3. The prohibition referred to in paragraph 1 shall not apply to goods which are necessary for the official purposes of diplomatic or consular missions of Member States or partner countries in Russia or of international organisations enjoying immunities in accordance with international law, or to the personal effects of their staff.



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

(10) in Article 7(1), point (a) is replaced by the following:

‘(a) legal persons, entities or bodies listed in Annex I, II, III, IV, V, VI, VIII, IX or X, or referred to in point (b) or (c) of Article 1(1), in point (b) or (c) of Article 1(2), in point (c) or (d) of Article 1(3), in point (b) or (c) of Article 1(4), in point (a), (b) or (c) of Article 1a, in point (b) or (c) of Article 1aa, in Article 1e, or in Article 1g;’;

(11) the Annexes are 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,

*For the Council*

*The President*

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## **ANNEX**

(1) In Annex IV to Decision 2014/512/CFSP, the following entries are inserted:

‘Amur Shipbuilding Factory PJSC

AO Center of Shipbuilding and Ship Repairing JSC

AO Kronshtadt

Avant Space LLC

Baikal Electronics

Center for Technological Competencies in Radiophotonics

Central Research and Development Institute Tsiklon

Crocus Nano Electronics

Dalzavod Ship-Repair Center

Elara

Electronic Computing and Information Systems

ELPROM

Engineering Center Ltd.

Forss Technology Ltd.

Integral SPB

JSC Element

JSC Pella-Mash

JSC Shipyard Vympel

Kranark LLC

Lev Anatolyevich Yershov (Ershov)

LLC Center

MCST Lebedev

Miass Machine-Building Factory

Microelectronic Research and Development Center Novosibirsk

MPI VOLNA

N.A. Dollezhal Order of Lenin Research and Design Institute of Power Engineering

Nerpa Shipyard

NM-Tekh

Novorossiysk Shipyard JSC

NPO Electronic Systems

NPP Istok

NTC Metrotek

OAo GosNIIkhimanalit

OAo Svetlovskeye Predpriyatiye Era

OJSC TSRY

OOO Elkomtekhn (Elkomtex)

OOO Planar

OOO Sertal

Photon Pro LLC

PJSC Zvezda

Production Association Strela

Radioavtomatika

Research Center Module

Robin Trade Limited

R.Ye. Alekseyev Central Design Bureau for Hydrofoil Ships

Rubin Sever Design Bureau

Russian Space Systems

Rybinsk Shipyard Engineering

Scientific Research Institute of Applied Chemistry

Scientific-Research Institute of Electronics

Scientific Research Institute of Hypersonic Systems

Scientific Research Institute NII Submikron

Sergey IONOV

Serniya Engineering

Severnaya Verf Shipbuilding Factory

Ship Maintenance Center Zvezdochka

State Governmental Scientific Testing Area of Aircraft Systems (GkNIPAS)

State Machine Building Design Bureau Raduga Bereznaya

State Scientific Center AO GNTs RF—FEI A.I. Leypunskiy Physico-Energy Institute

State Scientific Research Institute of Machine Building Bakhirev (GosNIIImash)

Tomsk Microwave and Photonic Integrated Circuits and Modules Collective Design Center

UAB Pella-Fjord

United Shipbuilding Corporation JSC “35th Shipyard”

United Shipbuilding Corporation JSC “Astrakhan Shipyard”

United Shipbuilding Corporation JSC “Aysberg Central Design Bureau”

United Shipbuilding Corporation JSC “Baltic Shipbuilding Factory”

United Shipbuilding Corporation JSC “Krasnoye Sormovo Plant OJSC”

United Shipbuilding Corporation JSC SC “Zvyozdochka”

United Shipbuilding Corporation “Pribaltic Shipbuilding Factory Yantar”

United Shipbuilding Corporation “Scientific Research Design Technological Bureau  
Onega”

United Shipbuilding Corporation “Sredne-Nevisky Shipyard”

Ural Scientific Research Institute for Composite Materials

Urals Project Design Bureau Detal

Vega Pilot Plant

Vertikal LLC

Vladislav Vladimirovich Fedorenko

VTK Ltd

Yaroslavl Shipbuilding Factory

ZAO Elmiks-VS

ZAO Sparta

ZAO Svyaz Inzhiniring’;

- (2) the following is added as Annex X to Decision 2014/512/CFSP:

‘ANNEX X

LIST OF STATE OWNED COMPANIES REFERRED TO IN ARTICLE 1aa

OPK OBORONPROM

UNITED AIRCRAFT CORPORATION

URALVAGONZAVOD

ROSNEFT

TRANSNEFT

GAZPROM NEFT

ALMAZ-ANTEY

KAMAZ

ROSTEC (RUSSIAN TECHNOLOGIES STATE CORPORATION)

JSC PO SEVMASH

SOVCOMFLOT

UNITED SHIPBUILDING CORPORATION’

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