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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine

COUNCIL DECISION (CFSP) 2026/...

of ...

**amending Decision 2012/642/CFSP concerning restrictive measures
in view of the situation in Belarus and the involvement of Belarus
in the Russian aggression against 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 15 October 2012, the Council adopted Decision 2012/642/CFSP¹.
- (2) 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, including from the territory of Belarus. That attack was a blatant violation of the territorial integrity, sovereignty and independence of Ukraine.
- (3) In its conclusions of 19 February 2024, the Council strongly condemned the continued support provided by the Belarusian regime to Russia's war of aggression against Ukraine and called on Belarus to refrain from such action and to abide by its international obligations.
- (4) In view of the gravity of the situation, and in response to Belarus's continued involvement in Russia's aggression against Ukraine, it is appropriate to introduce additional restrictive measures.

¹ Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine (OJ L 285, 17.10.2012, p. 1, ELI: <http://data.europa.eu/eli/dec/2012/642/oj>).

- (5) In particular, it is appropriate to expand the list of items which might contribute to Belarus's military and technological enhancement or to the development of its defence and security sector, by listing items which have been used by Russia in its war of aggression against Ukraine and items which contribute to the development or production of Belarus's military systems, including: nickel powders, nickel metal and alloys of nickel used in corrosion-resistant coatings in jet engines; beryllium powders used in propellants and in high-performance alloys; self-adhesive films, tapes and strips used in the aerospace and defence sectors; aviation items specific to unmanned aerial vehicles (UAVs), such as ground support equipment, jamming/interception systems, launch systems, and servomotors; as well as flight termination systems for UAVs or missiles.
- (6) It is also appropriate to amend the derogations in order to ensure the continued provision of goods and services required to uphold internet infrastructure in Belarus for the general public.
- (7) Additionally, it is appropriate to introduce further restrictions on imports of goods which allow Belarus to diversify its sources of revenue, thereby enabling its involvement in Russia's war of aggression against Ukraine, including restrictions on copper ores, nickel ores, lead ores, precious-metals ores, unwrought zinc, alkaline-earth metals, certain inorganic chemicals (zinc oxides and chromium oxides), tall oil, glassware and car parts.

- (8) It is also appropriate to extend the prohibition for Belarusian nationals or natural persons residing in Belarus to own or control, or to hold any posts in the governing bodies of, certain legal persons, entities or bodies which are incorporated or constituted under the law of a Member State, so that the prohibition applies to any entity which is providing crypto-asset services, as defined in Regulation (EU) 2023/1114 of the European Parliament and of the Council².
- (9) Decision 2012/642/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

² Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937 (OJ L 150, 9.6.2023, p. 40, ELI: <http://data.europa.eu/eli/reg/2023/1114/oj>).

Article 1

Decision 2012/642/CFSP is amended as follows:

(1) Article 1b is amended as follows:

(a) paragraph 3d is deleted;

(b) paragraph 14a is replaced by the following:

‘14a. By way of derogation from paragraphs 1 and 3, the competent authorities may authorise the sale, supply, transfer or export of goods falling under CN codes 8517 62 and 8523 52, 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 related technical or financial assistance are intended for civilian electronic communications networks.’;

(2) in Article 2c(4), point (e) is replaced by the following:

‘(e) civilian electronic communications networks which are not the property of an entity that is publicly controlled or with over 50 % public ownership’;

(3) in Article 2d(4), point (e) is replaced by the following:

‘(e) civilian electronic communications networks which are not the property of an entity that is publicly controlled or with over 50 % public ownership’;

(4) Article 2ra is amended as follows:

- (a) paragraphs 9a and 9b are deleted;
- (b) paragraph 9c is replaced by the following:

‘9c. As of 26 January 2026 until 31 December 2026, the prohibitions in paragraphs 1 and 2 shall not apply to the purchase or import to Hungary of goods falling under CN code 2901 10 00 originating in Belarus or exported from Belarus, provided that the goods are intended for exclusive use in Hungary.’;

- (c) the following paragraph is inserted:

‘9f. With regard to the goods falling under CN codes 3803, 7006, 7008, 7009, 7011, 7013, 7014, 7017, 7018, 7020, 8707 and 8708, the prohibitions in paragraphs 1 and 2 shall not apply to the execution until ... *[OJ: please insert a date 3 months from 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 of ancillary contracts necessary for the execution of such contracts.’;

(5) in Article 2s, paragraph 3aa is replaced by the following:

‘3aa. By way of derogation from paragraph 1, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authorities may authorise the sale, supply, transfer or export of machinery falling under CN code 8471 80 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 machinery or the related technical or financial assistance are intended for civilian electronic communications networks.’;

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

‘1b. It shall be prohibited, as from 26 March 2025, to allow Belarusian nationals or natural persons residing in Belarus to directly or indirectly own or control, or to hold any posts in the governing bodies of, a legal person, entity or body which is incorporated or constituted under the law of a Member State and is providing crypto-asset wallet, account or custody services. As from ... [OJ: *date of entry into force of this amending Decision + 1 month*], that prohibition shall also apply to the case of a legal person, entity or body which is incorporated or constituted under the law of a Member State and is providing any other crypto-asset services, as defined in Regulation (EU) 2023/1114.’;

(7) in Article 2w, 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.’.

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 ..., ...

For the Council
The President
