



Brussels, 22 November 2023
(OR. en)

15113/23

LIMITE

**CORLX 1009
CFSP/PESC 1491
RELEX 1277
COASI 191
COEST 591
COLAC 141
COAFR 394
MAMA 164
MOG 145
COHOM 213
CYBER 279**

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Council Decision and Regulation amending certain Decisions and Regulations concerning restrictive measures in order to insert provisions on humanitarian exceptions

1. On 9 December 2022, the United Nations Security Council (UNSC) adopted United Nations Security Council Resolution (UNSCR) 2664 (2022), recalling its previous resolutions imposing sanctions measures in response to threats to international peace and security, and emphasising that measures taken by United Nations Member States to implement sanctions comply with their obligations under international law and are not intended to have adverse humanitarian consequences for civilian populations or adverse consequences for humanitarian activities or those carrying them out.
2. On 14 February 2023, the Council adopted Decision (CFSP) 2023/338, which introduced the humanitarian exemption pursuant to UNSCR 2664 (2022) in the Union restrictive measures regimes that give effect to measures decided upon by the UNSC or its Sanctions Committees.

3. On 31 March 2023, the Council adopted Decision (CFSP) 2023/726, which introduced the humanitarian exemption pursuant to UNSCR 2664 (2022) in the Union restrictive measures regimes that give effect to measures decided upon by the UNSC or its Sanctions Committees and in complementary measures decided upon by the Council.
4. On 7 November 2023, the High Representative submitted to the Council a proposal for a Council Decision amending certain Council Decisions concerning restrictive measures in order to insert provisions on humanitarian exceptions (15109/23). On 8 November 2023, the High Representative and the Commission submitted to the Council a proposal for a Council Regulation amending certain Council Regulations concerning restrictive measures in order to insert provisions on humanitarian exceptions (15111/23).
5. On 13 November 2023, the Foreign Relations Counsellors Working Party (RELEX) agreed on the texts of the draft Council Decision and draft Council Regulation.
6. In these circumstances, COREPER is invited to:
 - confirm the agreement on the draft Council Decision and draft Council Regulation;
 - recommend that the Council:
 - adopt the Council Decision amending certain Council Decisions concerning restrictive measures in order to insert provisions on humanitarian exceptions, as set out, after finalisation by the lawyer-linguists in document 15110/23;
 - adopt the Council Regulation amending certain Council Regulations concerning restrictive measures in order to insert provisions on humanitarian exceptions, as set out, after finalisation by the lawyer-linguists in document 15112/23.