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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

COUNCIL DECISION (CFSP) 2025/...

of ...

**amending Decision 2014/145/CFSP concerning restrictive measures
in respect of actions undermining or threatening
the territorial integrity, sovereignty and independence of 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 17 March 2014, the Council adopted Decision 2014/145/CFSP¹.
- (2) The Council has assessed that a relationship of mutual benefit and support exists between the Government of the Russian Federation and leading businesspersons operating in Russia. In particular, the Government of the Russian Federation has systematically enabled prominent Russian businesspersons to accumulate their wealth through the exploitation of natural and other public resources. In that environment, political backing and privileged access to state resources have been given to leading businesspersons in return for their loyalty and aligning their actions closely with regime interests, and have been crucial to their economic success. The Council's decisions against certain leading businesspersons were, inter alia, based on an assessment of the importance of their activities to the Russian economy and in view of their socio-economic status, as observed at the time of initial listing.

¹ Council Decision 2014/145/CFSP of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 78, 17.3.2014, p. 16, ELI: [http://data.europa.eu/eli/dec/2014/145\(1\)/oj](http://data.europa.eu/eli/dec/2014/145(1)/oj)).

- (3) The Council has assessed that leading businesspersons operating in Russia continue to benefit from the Government of the Russian Federation, and vice versa, since the imposition of restrictive measures by the Union in response to Russia's war of aggression against Ukraine. Such benefit is derived, in particular, through decisions by the Government of the Russian Federation aimed at mitigating the impact of Union restrictive measures against listed individuals and entities. Such decisions include legislation that enables such individuals and entities to obscure relevant ownership structures, effectively shielding their assets and interests, further demonstrating a sustained relationship of interdependence between leading businesspersons and the Government of the Russian Federation. In addition, access to corporate registries has become increasingly restricted, limiting the possibility to obtain reliable information about business holdings and activities within Russia. In the absence of investigative powers in Russia, assessment by the Union authorities is reliant on publicly available sources of information. In those particular circumstances, the Council has observed growing difficulties in obtaining specific evidence and objective information about the economic importance, capital holdings, business activities or professional and socio-economic situation of persons identified as leading businesspersons by the Council since February 2022. In cases where Russian legislation allows for the suppression or the concealment of information contained in national public registers or databases, or the entry of false or misleading information therein, it is appropriate for the last available information dating from before 24 February 2022 to be considered accurate unless more recent and reliable information is available.

- (4) The Council has also observed that certain leading businesspersons have engaged in a systematic practice of transferring shares or resigning from leading functions, often in order to hide their assets or to circumvent Union restrictive measures while maintaining control over the resources available to them. Therefore, the Council considers that persons who have participated in or enabled transfers of ownership, control or economic benefit of the business interests of leading businesspersons operating in Russia should also be designated as listed persons as appropriate, in order both to avoid the risk of frustration of Union restrictive measures and to increase pressure on the Government of the Russian Federation to bring an end to its war of aggression against Ukraine.
- (5) Furthermore, it is also appropriate to presume that modifications to the ownership structures concerning, or to the positions of, leading businesspersons following their initial listing do not affect their socio-economic situation as demonstrated at the time of initial listing. It is also appropriate to presume that transfers that happened on or after 24 February 2022 involving, directly or indirectly, leading businesspersons facilitated the obfuscation of ownership interests or control and thereby significantly frustrate Union restrictive measures.

- (6) It is therefore justified to maintain the designation as listed persons of leading businesspersons under the criteria set out in Article 1(1), point (e), and Article 2(1), point (g), of Decision 2014/145/CFSP, unless claims regarding transfers of shares, resignations from functions or similar actions are supported by recent and reliable information that can reasonably be viewed as sufficient to consider that the situation of the listed persons concerned has changed in a relevant manner, thereby demonstrating that such persons no longer meet the relevant criteria. Such a change in situation could be, for example, that the persons concerned can no longer be considered to be important and influential in light, in particular, of their professional status, the importance of their economic activities, the extent of their capital holdings or their functions within one or more undertakings or one or more business associations in which they pursue those activities. The Council should also take into account, as appropriate, whether the person concerned has unambiguously condemned Russia's war of aggression against Ukraine, which constitutes a manifest violation of the Charter of the United Nations, and actions and policies which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine.
- (7) Decision 2014/145/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2014/145/CFSP is amended as follows:

(1) in Article 1(1), the following point is added:

‘(j) natural persons that have participated in or enabled transfers of ownership, control or economic benefit of the business interests of leading businesspersons who are subject to Union restrictive measures pursuant to the criterion set out in point (e) of this paragraph and listed in the Annex to this Decision, thereby significantly frustrating those measures, with the exception of transfers expressly permitted pursuant to derogations and exemptions laid down in this Decision, Decision 2014/512/CFSP, or Regulation (EU) No 269/2014 or (EU) No 833/2014,’;

(2) in Article 2(1), the following point is added:

‘(m) natural or legal persons, entities or bodies that have participated in or enabled transfers of ownership, control or economic benefit of the business interests of leading businesspersons who are subject to Union restrictive measures pursuant to the criterion set out in point (g) of this paragraph and listed in the Annex to this Decision, with the exception of transfers expressly permitted pursuant to derogations and exemptions laid down in this Decision, Decision 2014/512/CFSP, or Regulation (EU) No 269/2014 or (EU) No 833/2014,’;

(3) the following Article is added:

‘Article 2b

Leading businesspersons operating in Russia listed in the Annex pursuant to Article 1(1), point (e), and Article 2(1), point (g), who claim to have transferred ownership, control or economic benefit of their business interests on or after 24 February 2022 shall continue to be considered as leading businesspersons and maintained in the list set out in the Annex, unless sufficient, recent and reliable information demonstrates that they no longer meet the criteria set out in Article 1(1), point (e), and Article 2(1), point (g).’.

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
