



Council of the
European Union

Brussels, 27 February 2022
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PROPOSAL

From: High Representative of the Union for Foreign Affairs and Security Policy, signed by Mr Stefano SANNINO, Secretary-General

date of receipt: 27 February 2022

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

Subject: Proposal of the High Representative of the Union for Foreign Affairs and Security Policy to the Council for a Council Decision amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (04.08.2024)

Delegations will find attached document HR(2022) 56.

Encl.: HR(2022) 56

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EUROPEAN EXTERNAL ACTION SERVICE



**Proposal of the High Representative of the Union for Foreign Affairs and Security
Policy to the Council**

of 27/02/2022

**for a 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/XXX

of [dd/mm/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.

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).

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- (5) In view of the gravity of the situation, and in response to Russia's actions destabilising the situation in Ukraine, it is appropriate to introduce further restrictive measures related to finance and aviation.
- (6) In particular, it is appropriate to prohibit any transactions with the Central Bank of Russia.
- (7) Furthermore, Member States should be required to deny permission to land in, take off from or overfly their territories to any aircraft operated by Russian air carriers, including as a marketing carrier, or to any Russian registered aircraft, or to non-Russian registered aircraft which are owned or chartered, or otherwise controlled by a Russian legal or natural person.
- (8) Further action by the Union is needed in order to implement certain measures.
- (9) Decision 2014/512/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2014/512/CFSP is amended as follows:

- (1) in Article 1a, the following paragraphs are inserted:

‘4. DELETED

5. By way of derogation from paragraph 4, the competent authorities may authorise a transaction provided that it is strictly necessary to ensure financial stability.

6. The Member State concerned shall immediately inform the other Member States and the Commission of its intention to grant an authorisation under paragraph 5.’;

- (2) The following Articles are inserted after Article 4d:

‘Article 4e

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DELETED

2. Paragraph 1 shall not apply in the case of an emergency landing or an emergency overflight.
3. By way of derogation from paragraph 1, the competent authorities may authorise an aircraft to land in, take off from or overfly the territory of the Union if those competent authorities have determined that such landing, take-off or overflight is required for humanitarian purposes or any other purpose consistent with the objectives of this Decision.
4. The Member State or Member States concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 3 within two weeks of the authorisation.

Article 4f

1. The Network Manager appointed by the Commission pursuant to its Implementing Decision (EU) 2019/709 shall support the Commission and its Member States in ensuring the implementation of and the compliance with Article 4e. The Network Manager shall in particular:

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2. The Network Manager shall regularly supply to the Commission and Member States, based on the analysis of flight plans, reports on the implementation of Article 4e.?

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