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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.
- (5) In its conclusions of 24 March 2022, the European Council stated that Russia's war of aggression against Ukraine grossly violates international law and is causing massive loss of lives and injury to civilians, and that the Union remains ready to close loopholes and target actual and possible circumvention of the restrictive measures already adopted, as well as to move quickly with further coordinated robust sanctions on Russia and Belarus, to effectively thwart Russian abilities to continue the aggression.

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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).

- (6) 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 extend the prohibition on deposits to crypto-wallets, as well as to extend the prohibitions on the export of euro-denominated banknotes and on the sale of euro-denominated transferrable securities to all official currencies of the Member States. It is also appropriate to prohibit the award and continued execution of public contracts and concessions with Russian nationals and entities or bodies established in Russia. Furthermore, it is appropriate to prohibit the provision of support, including financing and financial assistance or any other benefit from a Union, Euratom or Member State programme to Russian publicly owned or controlled entities. It is also appropriate to introduce a prohibition on being a beneficiary, acting as trustee or in similar capacities for Russian persons and entities, as well as a prohibition on providing certain services to trusts. Moreover, it is appropriate to prohibit access to ports in the territory of the Union to vessels registered under the flag of Russia. It is also appropriate to restrict exports of jet fuel and other goods to Russia, as well as to introduce additional import restrictions on certain goods exported by or originating from Russia, including coal and other solid fossil fuels. Finally, it should also be prohibited to any road transport undertaking established in Russia to transport goods by road within the territory of the Union, including in transit.

- (7) It is also appropriate to extend the exemption from the prohibition to engage in transactions with certain State-owned entities to Switzerland, the European Economic Area and the Western Balkans. The Union expects the swift and full alignment of all countries in the region with EU restrictive measures, including those concerning Russia's actions destabilising the situation in Ukraine. Moreover, it is also appropriate to amend or introduce certain derogations in relation to the restrictions on dual-use goods and technologies, goods and technologies which might contribute to Russia's military and technological enhancement or the development of its defence and security sector, goods and technology suited for use in aviation or the space industry, jet fuel and fuel additives, and luxury goods.
- (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 1aa(3), point (a) is replaced by the following:

‘(a) transactions which are strictly necessary for the direct or indirect purchase, import or transport of natural gas and oil, including refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore from or through Russia into the Union, a country member of the European Economic Area, Switzerland, or the Western Balkans;’;

(2) in Article 1aa(3), the following point is added:

‘(c) transactions for the purchase, import or transport into the Union of coal and other solid fossil fuels until [OJ: please insert the date 4 months after the entry into force of this Decision].’;

(3) in Article 1aa, the following paragraph is added:

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

(4) Article 1b is replaced by the following:

*‘Article 1b*

1. It shall be prohibited to accept any deposits from Russian nationals or natural persons residing in Russia, or legal persons, entities or bodies established in Russia, if the total value of deposits of the natural or legal person, entity or body per credit institution exceeds EUR 100 000.
2. It shall be prohibited to provide crypto-asset wallet, account or custody services to Russian nationals or natural persons residing in Russia, or legal persons, entities or bodies established in Russia, if the total value of crypto-assets of the natural or legal person, entity or body per wallet, account or custody provider exceeds EUR 10 000.

3. Paragraphs 1 and 2 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.
4. Paragraphs 1 and 2 shall not apply to deposits which are necessary for non-prohibited cross-border trade in goods and services between the Union and Russia.
5. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise the acceptance of such a deposit or provision of wallet, account or custody service, under such conditions as they deem appropriate, after having determined that the acceptance of such a deposit or provision of wallet, account or custody service is:
  - (a) necessary to satisfy the basic needs of natural or legal persons, entities or bodies referred to in paragraph 1 and their dependent family members, including payments for food, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;



- (b) intended exclusively for the payment of reasonable professional fees or the reimbursement of incurred expenses associated with the provision of legal services;
- (c) necessary for extraordinary expenses, provided that the relevant competent authority has notified the competent authorities of the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least two weeks prior to the authorisation; or
- (d) necessary for official purposes of a diplomatic mission or consular post or international organisation.

The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under this paragraph within two weeks of the authorisation.

6. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise the acceptance of such a deposit or provision of wallet, account or custody service, under such conditions as they deem appropriate, after having determined that the acceptance of such a deposit or provision of wallet, account or custody service is:
- (a) necessary for humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies, food, or the transfer of humanitarian workers and related assistance or for evacuations; or
  - (b) necessary for civil society activities that directly promote democracy, human rights or the rule of law in Russia.

The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under this paragraph within two weeks of the authorisation.’;

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

- ‘1. It shall be prohibited to sell transferable securities denominated in any official currency of a Member State issued after 12 April 2022 or units in collective investment undertakings providing exposure to such securities, to any Russian national or natural person residing in Russia or any legal person, entity or body established in Russia.’;

(6) Article 1f is replaced by the following:

*‘Article 1f*

1. It shall be prohibited to sell, supply, transfer or export banknotes denominated in any official currency of a Member State to Russia or to any natural or legal person, entity or body in Russia, including the government and the Central Bank of Russia, or for use in Russia.
2. The prohibition in paragraph 1 shall not apply to the sale, supply, transfer or export of banknotes denominated in any official currency of a Member State provided that such sale, supply, transfer or export is necessary for:
  - (a) the personal use of natural persons travelling to Russia or members of their immediate families travelling with them; or
  - (b) the official purposes of diplomatic missions, consular posts or international organisations in Russia enjoying immunities in accordance with international law.’;

(7) the following Articles are inserted:

*‘Article 1h*

1. It shall be prohibited to award or continue the execution of any public or concession contract falling within the scope of Directives 2014/23/EU\*, 2014/24/EU\*\*, 2014/25/EU\*\*\*, 2009/81/EC\*\*\*\* of the European Parliament and of the Council, as well as Article 10, paragraphs 1, 3, 6(a) to 6(e), 8, 9 and 10, Articles 11, 12, 13 and 14 of Directive 2014/23/EU, Article 7 and 8, Article 10 (b) to (f) and (h) to (j) of Directive 2014/24/EU, Article 18, Article 21 (b) to (e) and (g) to (i), Articles 29 and 30 of Directive 2014/25/EU, and Article 13 (a) to (d), (f) to (h) and (j) of Directive 2009/81/EC, to or with:

- (a) a Russian national, or a natural or legal person, entity or body established in Russia;
- (b) a legal person, entity or body whose proprietary rights are directly or indirectly owned for more than 50 % by an entity referred to in point (a) of this paragraph; or
- (c) a natural or 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,

including, where they account for more than 10 % of the contract value, subcontractors, suppliers or entities whose capacities are being relied on within the meaning of Directives 2014/23/EU, 2014/24/EU, 2014/25/EU, 2009/81/EC.

2. By way of derogation from paragraph 1, the competent authorities may authorise the award and continued execution of contracts intended for:
- (a) the operation, maintenance, decommissioning and radioactive waste management, fuel supply and retreatment and safety of civil nuclear capabilities, and the continuation of design, construction and commissioning required for the completion of civil nuclear facilities, as well as the supply of precursor material for the production of medical radioisotopes and similar medical applications, critical technology for environmental radiation monitoring, as well as civil nuclear cooperation, in particular in the field of research and development;
  - (b) intergovernmental cooperation in space programmes;
  - (c) the provision of strictly necessary goods or services which can only be provided, or which can only be provided in sufficient quantities, by the persons referred to in paragraph 1;
  - (d) the functioning of diplomatic and consular representations of the Union and of the Member States in Russia, including delegations, embassies and missions, or international organisations in Russia enjoying immunities in accordance with international law;

- (e) the purchase, import or transport of natural gas and oil, including refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore from or through Russia into the Union; or
  - (f) the purchase, import or transport into the Union of coal and other solid fossil fuels until [OJ: please insert the date 4 months after the entry into force of this Regulation].
- 3. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under this Article within two weeks of the authorisation.
  - 4. The prohibition in paragraph 1 shall not apply to the execution until ...[OJ: please insert date 6 months after the entry into force of this Decision] of contracts concluded before ...[OJ: please insert the date of entry into force of this Decision];
  - 5. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.’;

*Article 1i*

1. It shall be prohibited to provide direct or indirect support, including financing and financial assistance or any other benefit under a Union, Euratom or Member State national programme and contracts within the meaning of Regulation (EU, Euratom) 2018/1046\*\*\*\*, to any legal person, entity or body established in Russia with over 50 % public ownership or public control.
2. The prohibition in paragraph 1 shall not apply to:
  - (a) humanitarian purposes, public health emergencies, 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 as a response to natural disasters;
  - (b) phytosanitary and veterinary programmes;

- (c) intergovernmental cooperation in space programmes and under the International Thermonuclear Experimental Reactor Agreement;
- (d) the operation, maintenance, decommissioning and radioactive waste management, fuel supply and retreatment and safety of civil nuclear capabilities, as well as supply of precursor material for the production of medical radioisotopes and similar medical applications, critical technology for environmental radiation monitoring, as well as civil nuclear cooperation, in particular in the field of research and development;
- (e) mobility exchanges for individuals and people-to-people contacts;
- (f) climate and environmental programmes, with the exception of support in the context of research and innovation;
- (g) the functioning of diplomatic and consular representations of the Union and of the Member States in Russia, including delegations, embassies and missions, or international organisations in Russia enjoying immunities in accordance with international law.



*Article 1j*

1. It shall be prohibited to register, provide a registered office, business or administrative address as well as management services to, a trust or any similar legal arrangement having as a trustor or a beneficiary:
  - (a) Russian nationals or natural persons residing in Russia;
  - (b) legal persons, entities or bodies established in Russia;
  - (c) legal persons, entities or bodies whose proprietary rights are directly or indirectly owned for more than 50 % by a natural or legal person, entity or body referred to in points (a) or (b);
  - (d) legal persons, entities or bodies controlled by a natural or legal person, entity or body referred to in points (a), (b) or (c);
  - (e) a natural or legal person, entity or body acting on behalf or at the direction of a natural or legal person, entity or body referred to in points (a), (b), (c) or (d).
2. It shall be prohibited as of ...[OJ please insert the date which is one month after the entry into force of this Decision] to act as, or arrange for another person to act as, a trustee, nominee shareholder, director, secretary or a similar position, for a trust or similar legal arrangement as referred to in paragraph 1.

3. Paragraphs 1 and 2 shall not apply to the operations that are strictly necessary for the termination by ...[OJ please insert the date one month after the entry into force of this Decision] of contracts which are not compliant with this Article concluded before ...[OJ please insert the date of entry into force of this Decision] or ancillary contracts necessary for the execution of such contracts.
4. Paragraphs 1 and 2 shall not apply when the trustor or beneficiary is a national of a Member State or a natural person having a temporary or permanent residence permit in a Member State.
5. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise the services referred to therein, under such conditions as they deem appropriate, after having determined that this is necessary for:
  - (a) humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies, food, or the transfer of humanitarian workers and related assistance or for evacuations; or

- (b) civil society activities that directly promote democracy, human rights or the rule of law in Russia.

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- \* Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).
- \*\* Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).
- \*\*\* Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).
- \*\*\*\* Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (OJ L 216, 20.8.2009, p. 76).
- \*\*\*\*\* Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).’;

(8) Article 2 is amended as follows:

- ‘(a) in paragraph 4, the words “paragraphs 1, 2 and 3” are replaced by the words “paragraph 3”;

(b) the following paragraph is inserted:

‘4a. The prohibitions in paragraphs 1 and 2 shall not apply to the provision of spare parts and services necessary for the maintenance, repair and safety of existing capabilities within the Union.’;

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

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

(10) in Article 3(7), points (i) and (ii) are replaced by the following:

‘(i) the end-user might be a military end-user, a natural or legal person, entity or body in Annex IV or that the goods might have a military end-use, unless 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 allowed under paragraph 1(a) of Article 3b;

(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, unless such sale, supply, transfer or export or the provision of related technical or financial assistance is allowed under paragraph 4(b); or’;

- (11) in Article 3a(4), point (e) is replaced by the following:
- ‘(e) intended for civilian non-publicly available electronic communications networks which are not the property of an entity that is publicly controlled or with over 50 % public ownership;’;
- (12) in Article 3a(7), points (i) and (ii) are replaced by the following:
- ‘(i) the end-user might be a military end-user, a natural or legal person, entity or body in Annex IV or that the goods might have a military end-use, unless 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 allowed under paragraph 1 of Article 3b;
- (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, unless such sale, supply, transfer or export or the provision of related technical or financial assistance is allowed under paragraph 4(b); or’;
- (13) In Article 4(3), point (a) is replaced by the following:
- ‘(a) the transport of natural gas and oil, including refined petroleum products, from or through Russia into the Union; or’;

- (14) In Article 4a(2), point (a) is replaced by the following:
- ‘(a) it is necessary for ensuring critical energy supply within the Union, as well as the transport of natural gas and oil, including refined petroleum products, from or through Russia into the Union; or’;
- (15) In Article 4c, paragraph 1 is replaced by the following:
- ‘1. It shall be prohibited to sell, supply, transfer, or export, directly or indirectly, goods and technology suited for use in oil refining and liquefaction of natural gas, whether or not originating in the Union, to any natural or legal person, entity or body in Russia or for use in Russia.’;
- (16) In Article 4d, paragraph 1 is replaced by the following:
- ‘1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, goods and technology suited for use in aviation or the space industry, as well as jet fuel and fuel additives, whether or not originating in the Union, to any natural or legal person, entity or body in Russia or for use in Russia.’;

(17) In Article 4d, paragraph 6 is replaced by the following and the following paragraphs are added:

- ‘6. By way of derogation from paragraphs 1 and 4, the national competent authorities may authorise, under such conditions as they deem appropriate, the execution of an aircraft financial lease concluded before 26 February 2022 after having determined that:
- (a) it is strictly necessary to ensure lease re-payments to a legal person, entity or body incorporated or constituted under the law of a Member State which does not fall under any of the restrictive measures provided for in this Decision; and
  - (b) no economic resources will be made available to the Russian counterpart, with the exception of the transfer of ownership of the aircraft after full reimbursement of the financial lease.

7. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under this Article within two weeks of the authorisation.
8. The prohibition in paragraph 1 shall be without prejudice to Articles 3(4)(b) and 3a(4)(b).
9. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.’;

(18) the following Article is inserted:

*‘Article 4ha*

1. It shall be prohibited after [OJ: please insert the date 7 days after the entry into force of this Decision] to provide access to ports in the territory of the Union to any vessel registered under the flag of Russia.
2. Paragraph 1 shall apply to vessels that have changed their Russian flag or their registration, to the flag or register of any other State after 24 February 2022.
3. For the purposes of this Article, a vessel means:
  - (a) a ship falling within the scope of the relevant international conventions;
  - (b) a yacht, of 15 metres in length or more, which does not carry cargo and carrying no more than 12 passengers; or
  - (c) recreational craft or personal watercraft as defined in Directive 2013/53/EU of the European Parliament and of the Council\*.



4. Paragraph 1 shall not apply in the case of a vessel in need of assistance seeking a place of refuge, of an emergency port call for reasons of maritime safety, or for saving life at sea.
5. By way of derogation from paragraph 1, the competent authorities may authorise a vessel to access a port, under such conditions as they deem appropriate, after having determined that the access is necessary for:
  - (a) the purchase, import or transport into the Union of natural gas and oil, including refined petroleum products, titanium, aluminium, copper, nickel, palladium, iron ore, as well as certain chemical and iron products;
  - (b) the purchase, import or transport of pharmaceutical, medical, agricultural and food products, including wheat and fertilisers whose import, purchase and transport is allowed under this Decision;
  - (c) humanitarian purposes;
  - (d) transport of nuclear fuel and other goods strictly necessary for the functioning of civil nuclear capabilities; or
  - (e) the purchase, import or transport into the Union of coal and other solid fossil fuels, until [OJ: please insert the date 4 months after entry into force of this Decision].

6. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 5 within two weeks of the authorisation.
7. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

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\* Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC (OJ L 354, 28.12.2013, p. 90).’;

(19) in Article 4j, paragraph 4 is replaced by the following and the following paragraphs are added:

- ‘4. By way of derogation from paragraph 1, the competent authorities may authorise the transfer or export to Russia of cultural goods which are on loan in the context of formal cultural cooperation with Russia.
5. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under paragraph 4 within two weeks of the authorisation.
6. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.’;

(20) the following Articles are inserted:

*‘Article 4k*

1. It shall be prohibited to purchase, import, or transfer, directly or indirectly, goods which generate significant revenues for Russia thereby enabling its actions destabilising the situation in Ukraine into the Union if they originate in Russia or are exported from Russia.
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 in relation to the prohibition in paragraph 1;
  - (b) provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any purchase, import or transfer of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly in relation to the prohibition in paragraph 1.

3. The prohibitions in paragraphs 1 and 2 shall not apply to the execution until ...[OJ: please insert date 3 months after entry into force of this Decision] of contracts concluded before ...[OJ: please insert date of entry into force of this Decision], or ancillary contracts necessary for the execution of such contracts.
4. As of ...[OJ: please insert the date 3 months after entry into force of this Decision], the prohibitions in paragraphs 1 and 2 shall not apply to the import, purchase or transport, or the related technical or financial assistance, necessary for the import into the Union, of:
  - (a) 837 570 metric tonnes of potassium chloride of CN 310420 between ...[OJ: please insert the date 3 months after entry into force of this Decision] of a given year and ...[OJ: please insert the date 3 months after entry into force of this Decision minus one day] of the following year;
  - (b) 1 577 807 metric tonnes combined of the other products under CN 310520, 310560 and 310590 between ...[OJ: please insert the date 3 months after entry into force of this Decision] of a given year and ...[OJ: please insert the date 3 months after entry into force of this Decision minus one day] of the following year.

5. The import volume quotas set out in paragraph 4 shall be managed by the Commission and the Member States in accordance with the management system for tariff-rate quotas provided for in Articles 49 to 54 of Commission Implementing Regulation (EU) 2015/2447\*.
6. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

*Article 41*

1. It shall be prohibited to purchase, import, or transfer, directly or indirectly, coal and other solid fossil fuels into the Union if they originate in Russia or are exported from Russia.
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 in relation to the prohibition in paragraph 1;

- (b) provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any purchase, import or transfer of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly in relation to the prohibition in paragraph 1.
- 3. The prohibitions in paragraphs 1 and 2 shall not apply to the execution until ...[OJ: please insert the date 4 months after entry into force of this Decision] of contracts concluded before ...[OJ: please insert date of entry into force of this Decision], or ancillary contracts necessary for the execution of such contracts.
- 4. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

*Article 4m*

- 1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, goods which could contribute in particular to the enhancement of Russia's industrial capacities to any natural or legal person, entity or body in Russia or for use in Russia.

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 execution until ...[OJ: please insert date 3 months after entry into force of this Decision] of contracts concluded before ...[OJ: please insert date of entry into force of this Decision] or ancillary contracts necessary for the execution of such contracts.
4. The prohibitions in paragraphs 1 and 2 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.

5. The competent authorities of the Member States may authorise, under the conditions they deem appropriate, the sale, supply, transfer or export of the goods and technology covered by this Article, or the provision of related technical or financial assistance, after having determined that such goods or technology or the provision of related technical or financial assistance are necessary for humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies, food, or the transfer of humanitarian workers and related assistance or for evacuations.
6. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

*Article 4n*

1. It shall be prohibited for any road transport undertaking established in Russia to transport goods by road within the territory of the Union, including in transit.
2. The prohibition in paragraph 1 shall not apply to road transport undertakings transporting:
  - (a) mail as a universal service;



- (b) goods in transit through the Union between the Kaliningrad Oblast and Russia, provided that the transport of such goods is not otherwise prohibited under this Decision.
- 3. The prohibition in paragraph 1 shall not apply until ...[OJ: insert date 7 days after entry into force of this Decision] to the transport of goods that started before ...[OJ: insert date of entry into force of this Decision], provided that the vehicle of the road transport undertaking:
  - (a) was already in the territory of the Union on ...[OJ: please insert the date of entry into force of this Decision], or
  - (b) needs to transit through the Union in order to return to Russia.
- 4. By way of derogation from paragraph 1, the competent authorities of a Member State may authorise the transport of goods by a road transport undertaking established in Russia if the competent authorities have determined that such transport is necessary for:
  - (a) the purchase, import or transport into the Union of natural gas and oil, including refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore;

- (b) the purchase, import or transport of pharmaceutical, medical, agricultural and food products, including wheat and fertilisers whose import, purchase and transport is allowed under this Decision;
  - (c) humanitarian purposes;
  - (d) the functioning of diplomatic and consular representations of the Union and of the Member States in Russia, including delegations, embassies and missions, or international organisations in Russia enjoying immunities in accordance with international law; or .
  - (e) the transfer or export to Russia of cultural goods which are on loan in the context of formal cultural cooperation with Russia.
5. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 4 within two weeks of the authorisation.

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\* Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).’;

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

‘(a) legal persons, entities or bodies listed in the Annexes to this Decision or legal persons, entities or bodies established outside the Union whose proprietary rights are directly or indirectly owned for more than 50 % by them;’;

(22) Annex VII is 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 ...,

*For the Council*

*The President*

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## **ANNEX**

In Annex VII to Decision 2014/512/CFSP, the following partner country is added:

‘JAPAN’.

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