



Council of the  
European Union

Brussels, 31 May 2022  
(OR. en)

8661/22

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RELEX 570  
COEST 357  
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2022/0148 (NLE)

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#### LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL REGULATION amending Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine

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**COUNCIL REGULATION (EU) 2022/...**

**of ...**

**amending Regulation (EC) No 765/2006 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 the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to 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<sup>1</sup>,

Having regard to the joint proposal of the High Representative of the Union for Foreign Affairs and Security Policy and of the European Commission,

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<sup>1</sup> OJ L 285, 17.10.2012, p. 1.

Whereas:

- (1) On 18 May 2006, the Council adopted Regulation (EC) No 765/2006<sup>1</sup>.
- (2) Regulation (EC) No 765/2006 gives effect to the measures provided for in Decision 2012/642/CFSP.
- (3) Council Decision (CFSP) 2022/...<sup>2+</sup> expands the scope of the sanctions to further implement the conclusions of the European Council of 24 March 2022 following the involvement of Belarus in the unacceptable and illegal Russian military aggression against Ukraine, which under international law qualifies as an act of aggression.

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<sup>1</sup> Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in respect of Belarus and the involvement of Belarus in the Russian aggression against Ukraine (OJ L 134, 20.5.2006, p. 1).

<sup>2</sup> Council Decision (CFSP) 2022/... 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 (OJ L ..., ...5.2022, p. ...).

<sup>+</sup> [OJ: please complete the details and publication reference for the Decision in Document ST 8658/22.]

- (4) In view of the gravity of the situation, it is necessary to take additional measures. Consequently, Decision (CFSP) 2022/...[OJ: please complete the details of the Decision in Document ST 8658/22] expanded the list of entities subject to restrictions with regard to authorisations for the sale, supply, transfer or export of dual-use goods and technology, and goods and technology which might contribute to Belarus's military and technological enhancement, or to the development of its defence and security sector. Decision (CFSP) 2022/...[OJ: please complete the details of the Decision in Document ST 8658/22] also expands the list of Belarusian credit institutions and their Belarusian subsidiaries subject to restrictive measures with regard to the provision of specialised financial messaging services.
- (5) Regulation (EC) No 765/2006 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 765/2006 is amended as follows:

- (1) Article 1zb is replaced by the following:

*‘Article 1zb*

1. It shall be prohibited to provide specialised financial messaging services, which are used to exchange financial data, to the legal persons, entities or bodies listed in Annex XV or to any legal person, entity or body established in Belarus whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in Annex XV.
2. For each legal person, entity or body referred to in Annex XV, the prohibition set out in paragraph 1 shall apply as of the date mentioned for it in that Annex. The prohibition shall apply as of that same date to any legal person, entity or body established in Belarus whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in Annex XV.’;

- (2) in Article 9, paragraph 1 is replaced by the following:
- ‘1. Member States shall lay down the rules on penalties, including as appropriate criminal penalties, applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall also provide for appropriate measures of confiscation of the proceeds of such infringements.’;
- (3) Annex V to Regulation (EC) No 765/2006 is replaced by the text set out in Annex I to this Regulation;
- (4) Annex XV to Regulation (EC) No 765/2006 is replaced by the text set out in Annex II to this Regulation.

*Article 2*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ...,

*For the Council*

*The President*

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## ANNEX I

‘ANNEX V

### LIST OF NATURAL OR LEGAL PERSONS REFERRED TO IN ARTICLES 1e(7), 1f(7) AND 1fa(1)

Belarus Ministry of Defence

140 Repair Plant JSC

558 Aircraft Repair Plant JSC

2566 Radioelectronic Armament Repair Plant JSC

AGAT - Control Systems - Managing Company of Geoinformation Control Systems Holding, JSC

AGAT - Electromechanical Plant OJSC

AGAT - SYSTEM



ATE - Engineering LLC

BelOMO Holding

Belspetsvneshtekhnika SFTUE

Beltechexport CJSC

BSVT-New Technologies

Department of Internal Affairs of the Gomel Region Executive Committee

Internal Troops of the Ministry of Internal Affairs of the Republic of Belarus

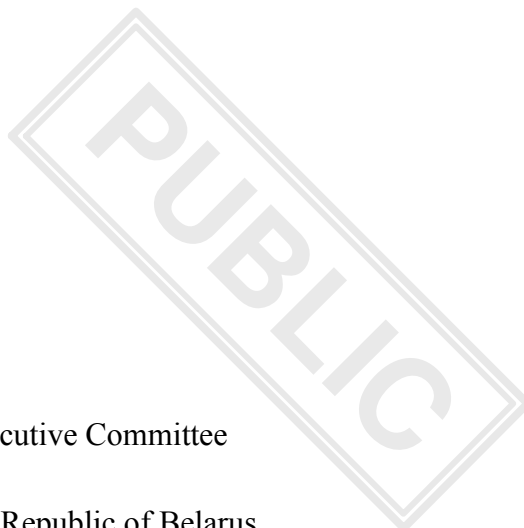
KGB Alpha

Kidma Tech OJSC

Minotor-Service

Minsk Wheeled Tractor Plant

Oboronnye Initsiativy LLC



OJS KB Radar Managing Company

Peleng JSC

State Authority for Military Industry of the Republic of Belarus

State Security Committee of the Republic of Belarus

Transaviaexport Airlines JSC

Volatavto OJSC’.



## **ANNEX II**

‘ANNEX XV

### LIST OF LEGAL PERSONS, ENTITIES OR BODIES REFERRED TO IN ARTICLE 1zb

Name of the legal person, entity or body	Date of application
Belagroprombank	20 March 2022
Bank Dabrabyt	20 March 2022
Development Bank of the Republic of Belarus	20 March 2022
Belinvestbank (Belarusian Bank for Development and Reconstruction)	[OJ: please insert a date 10 calendar days after entry into force of this amending Regulation]

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