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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL REGULATION amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

COUNCIL REGULATION (EU) 2022/...

of ...

**amending Regulation (EU) No 833/2014 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 the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2022/... of ... 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine¹⁺,

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

¹ OJ L , , p. .

⁺ [OJ: please complete the reference to and publication footnote for the Council Decision in Doc. ST 8676/22.]

Whereas:

- (1) On 31 July 2014, the Council adopted Regulation (EU) No 833/2014¹.
- (2) Regulation (EU) No 833/2014 gives effect to certain measures provided for in Council Decision 2014/512/CFSP².
- (3) On ..., the Council adopted Decision (CFSP) 2022/... [OJ: please complete the details for the Council Decision in Doc. ST 8676/22], amending Decision 2014/512/CFSP and imposing further restrictive measures in various sectors.
- (4) Decision (CFSP) 2022/... [OJ: please complete the details for the Council Decision in Doc. ST 8676/22] extends the prohibition on the provision of specialised financial messaging services to three additional Russian credit institutions.
- (5) Decision (CFSP) 2022/... [OJ: please complete the details for the Council Decision in Doc. ST 8676/22] also expands the list of persons connected to Russia's defence and industrial base, on whom tighter export restrictions regarding dual-use goods and technology, as well as goods and technology which might contribute to the technological enhancement of Russia's defence and security sector, are imposed.

¹ Council Regulation (EU) No 833/2014 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. 1).

² 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) It is also considered appropriate to extend the list of controlled items which might contribute to Russia's military and technological enhancement or the development of its defence and security sector.
- (7) Decision (CFSP) 2022/... [OJ: please complete the details for the Council Decision in Doc. ST 8676/22] extends the suspension of the broadcasting licences in the Union of Russian media outlets under the permanent control of the Russian leadership.
- (8) The Russian Federation has engaged in a systematic, international campaign of media manipulation and distortion of facts in order to enhance its strategy of destabilisation of its neighbouring countries and of the Union and its Member States. In particular, the propaganda has repeatedly and consistently targeted European political parties, especially during election periods, as well as targeting civil society, asylum seekers, Russian ethnic minorities, gender minorities, and the functioning of democratic institutions in the Union and its Member States.
- (9) In order to justify and support its aggression against Ukraine, the Russian Federation has engaged in continuous and concerted propaganda actions targeted at civil society in the Union and neighbouring countries, gravely distorting and manipulating facts.

- (10) Those propaganda actions have been channelled through a number of media outlets under the permanent direct or indirect control of the leadership of the Russian Federation. Such actions constitute a significant and direct threat to the Union's public order and security. Those media outlets are essential and instrumental in bringing forward and supporting the aggression against Ukraine, and for the destabilisation of its neighbouring countries.
- (11) In view of the gravity of the situation, and in response to Russia's actions destabilising the situation in Ukraine, it is necessary, consistent with the fundamental rights and freedoms recognised in the Charter of Fundamental Rights, in particular with the right to freedom of expression and information as recognised in Article 11 thereof, to introduce further restrictive measures to suspend the broadcasting activities of such media outlets in the Union, or directed at the Union. The measures should be maintained until the aggression against Ukraine is put to an end, and until the Russian Federation, and its associated media outlets, cease to conduct propaganda actions against the Union and its Member States.
- (12) It is appropriate to confer on the Council implementing powers to decide, by way of implementing acts, and following an examination of the relevant facts, whether the restrictive measures are to become applicable, on the date specified in this Regulation, in respect of one or several entities listed in Annex VI to this Regulation.

- (13) Consistent with the fundamental rights and freedoms recognised in the Charter of Fundamental Rights, in particular with the right to freedom of expression and information, the freedom to conduct a business and the right to property as recognised in Articles 11, 16 and 17 thereof, those measures do not prevent the media outlets and their staff from carrying out activities in the Union other than broadcasting, such as research and interviews. In particular, those measures do not modify the obligation to respect the rights, freedoms and principles referred to in Article 6 of the Treaty on European Union, including in the Charter of Fundamental Rights, and in Member States' constitutions, within their respective fields of application.
- (14) Decision (CFSP) 2022/... [OJ: please complete the details for the Council Decision in Doc. ST 8676/22] also imposes a prohibition on advertising products or services in any content produced or broadcast by the Russian media outlets under the permanent control of the Russian leadership subject to the suspension of broadcasting licences.
- (15) Decision (CFSP) 2022/... [OJ: please complete the details for the Council Decision in Doc. ST 8676/22] also imposes prohibitions on the purchase, import or transfer into Member States, directly or indirectly, of crude oil and certain petroleum products, which originate in Russia or are exported from Russia, and on the insurance and reinsurance of maritime transport of such goods to third countries. Appropriate transitional periods are provided for.

- (16) Due to the geographical situation of several Member States, which generates specific dependence on crude oil imported by pipeline from Russia, with no viable alternative supply in the short term, the import prohibitions on crude oil from Russia should temporarily not apply, until the Council decides otherwise, to imports by pipeline of crude oil from Russia into those Member States. Those Member States should take all necessary measures to obtain alternative supplies so as to ensure that imports by pipeline of crude oil from Russia are made subject to the prohibitions as soon as possible.
- (17) It is necessary to prohibit the onward transfer, transport or re-sale of crude oil from Russia delivered into a Member State by pipeline to other Member States or to third countries, as well as to prohibit, following a transitional period of eight months, the onward transfer, transport or re-sale to other Member States of petroleum products obtained from such crude oil. Due to the specific dependency of Czechia on such petroleum products, an additional ten-month period should be allowed for it to obtain alternative supplies.

- (18) Due to the specific geographical exposure of Bulgaria, a special derogation from the prohibition on imports of crude oil via maritime transport ('seaborne crude oil') and of petroleum products should be provided for for a limited period. Due to Croatia's specific situation linked to the need for its refinery to secure regular supply of vacuum gas oil for its functioning, it should be possible for the national competent authority to authorise the purchase, import or transfer of Russian vacuum gas oil for a specific period of time under certain conditions.
- (19) If the supply of crude oil by pipeline from Russia to a landlocked Member State is interrupted for reasons beyond the control of that Member State, the import of seaborne crude oil from Russia into that Member State should be allowed, by way of an exceptional temporary derogation, until the supply by pipeline is resumed or until the Council decides that the prohibition on the import of crude oil delivered by pipeline is to apply with regard to that Member State.

- (20) In the event of a sudden disruption of oil supplies, whether by pipeline or seaborne, Member States should act in a spirit of solidarity and regional cooperation, involving both public authorities and energy undertakings, in close coordination within the Oil Coordination Group, with a view to possible releases of oil stocks, including emergency oil stocks, and other measures, including the supply of the appropriate blend, as foreseen in their national contingency plans or agreed in accordance with Directive 2009/119/EC. This commitment of solidarity and cooperation is of particular relevance in view of Russia's aggression on Ukraine and a possible disruption of supplies of Russian crude oil or refined petroleum products in the region, in particular regarding pipelines or Black Sea ports. The Commission will monitor markets and the security of supply, and will report to the Council on a regular basis and, if necessary, make proposals to strengthen the security of supply.

- (21) In compliance with the principle of the freedom of transit, the prohibitions on the purchase, import or transfer of seaborne crude oil and of certain petroleum products from Russia should be without prejudice to the purchase, import or transfer of such goods which originate in a third country and are only transiting through Russia. In particular, those prohibitions should not apply in the situation where Russia is identified as the State of export in the customs declarations, if the country of origin for the crude oil and other petroleum products is identified in those declarations as a third State.
- (22) National authorities should conduct the necessary checks to ensure that the transit of third country goods does not lead to the circumvention of the prohibitions. If there is sufficient evidence that the imports of third-country goods leads to the circumvention of the prohibition, such imports should be prohibited.

- (23) Furthermore, Decision (CFSP) 2022/... [OJ: please complete the details for the Council Decision in Doc. ST 8676/22] imposes prohibitions on the provision to Russia of accounting, auditing, bookkeeping and tax consulting services, as well as on business and management consulting and public relations services.
- (24) In order to ensure the smooth implementation of Article 5m of Regulation (EU) No 833/2014, it is appropriate to extend the deadline for the cessation of activities provided for in paragraphs 2 and 3 of that Article from 10 May 2022 until ... [OJ: please insert the date which is one month after the entry into force of this Regulation].
- (25) It is appropriate to clarify that this Regulation does not prevent the reception of payments by a legal person, entity or body incorporated or constituted under the law of a Member State from its Russian counterparty pursuant to contracts related to goods and technologies as listed in Annex X to Regulation (EU) No 833/2014 which were concluded before 26 February 2022 and performed by that legal person, entity or body before 27 May 2022.

- (26) Having regard to Annex II to Regulation (EC) No 184/2005 of the European Parliament and of the Council of 12 January 2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment¹, accounting, auditing, bookkeeping and tax consultancy services cover the recording of commercial transactions for businesses and others; examination services of accounting records and financial statements; business tax planning and consulting; and the preparation of tax documents. Business and management consulting and public relations services cover advisory, guidance and operational assistance services provided to businesses for business policy and strategy and the overall planning, structuring and control of an organisation. Management fees, management auditing; market management, human resources, production management and project management consulting; and advisory, guidance and operational services related to improving the image of the clients and their relations with the general public and other institutions are all included.

¹ OJ L 35, 8.2.2005, p. 23.

- (27) In order to ensure correct implementation of the measures set out in Regulation (EU) No 833/2014, it is appropriate to extend the exemption from the prohibition on the transport of goods by road transport undertakings established in Russia to all diplomatic and consular representations in Russia. It is also appropriate to extend certain exemptions from the prohibitions on accepting deposits and on trusts, and to clarify and strengthen the provisions on national penalties for the breach of the measures in that Regulation.
- (28) These measures fall within the scope of the Treaty and, therefore, in particular with a view to ensuring their uniform application in all Member States, regulatory action at the level of the Union is necessary.
- (29) Regulation (EU) No 833/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 833/2014 is amended as follows:

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

‘3. It shall be prohibited to advertise products or services in any content produced or broadcast by the legal persons, entities or bodies listed in Annex XV, including through transmission or distribution by any of the means referred to in paragraph 1.’;

(2) in Article 3(3), point (a) is replaced by the following:

‘(a) the transport of natural gas and oil, including refined petroleum products, unless prohibited under Article 3m or 3n, from or through Russia into the Union; or’;

(3) in Article 3a(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, unless prohibited under Article 3m or 3n, from or through Russia into the Union; or’;

- (4) in Article 3ea(5), point (a) is replaced by the following:
- ‘(a) unless prohibited under Article 3m or 3n, the purchase, import or transport into the Union of natural gas and oil, including refined petroleum products, titanium, aluminium, copper, nickel, palladium and iron ore, as well as certain chemical and iron products as listed in Annex XXIV;’;
- (5) in Article 3l(4), point (a) is replaced by the following:
- ‘(a) unless prohibited under Article 3m or 3n, 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;’;
- (6) in Article 3l(4), point (d) is replaced by the following:
- ‘(d) the functioning of diplomatic and consular representations in Russia, including delegations, embassies and missions, or international organisations in Russia enjoying immunities in accordance with international law; or’;

(7) the following articles are inserted:

Article 3m

1. It shall be prohibited to purchase, import or transfer, directly or indirectly, crude oil or petroleum products, as listed in Annex XXV, if they originate in Russia or are exported from Russia.
2. It shall be prohibited to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance or any other services related to the prohibition in paragraph 1.
3. The prohibitions in paragraphs 1 and 2 shall not apply:
 - (a) until ... [OJ: please insert date 6 months after entry into force of this Regulation], to one-off transactions for near-term delivery, concluded and executed before that date, or to the execution of contracts for the purchase, import or transfer of goods falling under CN 2709 00 concluded before ... [OJ: please insert date of entry into force of this Regulation], or of ancillary contracts necessary for the execution of such contracts, provided that those contracts have been notified by the relevant Member States to the Commission by ... [OJ: please insert date 20 working days after entry into force of this Regulation] and that the one-off transactions for near-term delivery are notified by the relevant Member States to the Commission within 10 days of their completion;

- (b) until ... [OJ: please insert date 8 months after entry into force of this Regulation], to one-off transactions for near-term delivery, concluded and executed before this date, or to the execution of contracts for the purchase, import or transfer of goods falling under CN 2710 concluded before ... [OJ: please insert date of entry into force of this Regulation], or of ancillary contracts necessary for the execution of such contracts, provided that those contracts have been notified by the relevant Member States to the Commission by ... [OJ: please insert date 20 working days after entry into force of this Regulation] and that the one-off transactions for near-term delivery are notified by the relevant Member States to the Commission within 10 days of their completion;
- (c) to the purchase, import or transfer of seaborne crude oil and of petroleum products listed in Annex XXV where those goods originate in a third country and are only being loaded in, departing from or transiting through Russia, provided that both the origin and the owner of those goods are non-Russian;
- (d) to crude oil falling under CN 2709 00 which is delivered by pipeline from Russia into Member States, until the Council decides that the prohibitions in paragraphs 1 and 2 shall apply.

- 4 If the supply of crude oil by pipeline from Russia to a landlocked Member State is interrupted for reasons outside the control of that Member State, seaborne crude oil from Russia falling under CN 2709 00 may be imported into that Member State, by way of an exceptional temporary derogation from paragraphs 1 and 2, until the supply is resumed or until the Council decision referred to in paragraph 3(d) applies with regard to that Member State, whichever is the earliest.
5. As of ... [OJ: please insert date 6 months after entry into force of this Regulation], and by way of derogation from paragraphs 1 and 2, the competent authorities of Bulgaria may authorise the execution until 31 December 2024 of contracts concluded before ... [OJ: please insert date of entry into force of this Regulation], or of ancillary contracts necessary for the execution of such contracts, for the purchase, import or transfer of seaborne crude oil and of petroleum products listed in Annex XXV originating in Russia or exported from Russia.
6. As of ... [OJ: please insert date 8 months after entry into force of this Regulation], and by way of derogation from paragraphs 1 and 2, the competent authorities of Croatia may authorise until 31 December 2023 the purchase, import or transfer of vacuum gas oil falling under CN 27101971 originating in Russia or exported from Russia, provided that the following conditions are fulfilled:
- (a) no alternative supply of vacuum gas oil is available; and

- (b) Croatia has notified the Commission, at least two weeks prior to the authorisation, of the grounds on which it considers that a specific authorisation should be granted, and the Commission has not objected within that period.
7. The goods imported following a derogation granted by a competent authority under paragraph 5 or 6 shall not be sold on to buyers located in another Member State or in a third country.
8. The transfer or transport of crude oil delivered by pipeline into Member States as referred to in paragraph 3(d) to other Member States or to third countries, or its sale to purchasers in other Member States or in third countries, shall be prohibited.

All consignments and containers of such crude oil shall be clearly marked as 'REBCO: export prohibited'.

As from... [OJ: please insert date 8 months after entry into force of this Regulation], where crude oil has been delivered by pipeline into a Member State as referred to in paragraph 3(d), it shall be prohibited to transfer or transport petroleum products falling under CN 2710 which are obtained from such crude oil to other Member States or to third countries, or to sell such petroleum products to purchasers in other Member States or in third countries.

By way of temporary derogation, the prohibitions referred to in the third subparagraph shall apply as from ... [OJ: please insert date 18 months after entry into force of this Regulation] to the import and transfer into Czechia, and to the sale to purchasers in Czechia, of petroleum products obtained from crude oil which has been delivered by pipeline into another Member State as referred to in paragraph 3(d). If alternative supplies for such petroleum products are made available to Czechia before that date, the Council shall terminate that temporary derogation. During the period until ... [OJ: please insert date 18 months after entry into force of this Regulation], the volumes of such petroleum products imported into Czechia from other Member States shall not exceed the average volumes imported into Czechia from those other Member States over the same period during the previous five years.

9. The prohibitions in paragraph 1 shall not apply to purchases in Russia of goods listed in Annex XXV which are required in order to meet the essential needs of the purchaser in Russia or of humanitarian projects in Russia.

10. Member States shall report to the Commission by no later than 8 June 2022 and every three months thereafter on the amounts of crude oil falling under CN 2709 00 imported by pipeline, as referred to in paragraph 3(d). Such import figures shall be broken down per pipeline. In the event that the exceptional temporary derogation referred to in paragraph 4 applies with regard to a landlocked Member State, that Member State shall report to the Commission every three months on the amounts of seaborne crude oil falling under CN 2709 00 which it imports from Russia, for as long as that derogation applies.

During the period until ...[OJ: please insert date 18 months after entry into force of this Regulation] referred to in the fourth subparagraph of paragraph 8, Member States shall report to the Commission every three months on the amounts which they export to Czechia of petroleum products falling under CN 2710 obtained from crude oil which has been delivered by pipeline as referred to in paragraph 3(d).

Article 3n

1. It shall be prohibited to provide, directly or indirectly, technical assistance, brokering services or financing or financial assistance, related to the transport, including through ship-to-ship transfers, to third countries of crude oil or petroleum products as listed in Annex XXV which originate in Russia or which have been exported from Russia.

2. The prohibition in paragraph 1 shall not apply to:

- (a) the execution until ... [OJ: please insert date 6 months after entry into force of this Regulation] of contracts concluded before ... [OJ: please insert date of entry into force of this Regulation], or of ancillary contracts necessary for the execution of such contracts; or
- (b) the transport of crude oil or petroleum products as listed in Annex XXV where those goods originate in a third country and are only being loaded in, departing from or transiting through Russia, provided that both the origin and the owner of those goods are non-Russian.';

(8) Article 5aa is amended as follows:

(a) the following paragraph is added:

‘2a. The prohibition in paragraph 1 shall not apply to the reception of payments due by the legal persons, entities or bodies referred to therein pursuant to contracts performed before 15 May 2022.’;

- (b) in paragraph 3, point (a) is replaced by the following:
- ‘(a) unless prohibited under Article 3m or 3n, 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;’;
- (c) in paragraph 3, the following points are added:
- ‘(d) transactions, including sales, which are strictly necessary for the wind-down, by ... [OJ: please insert date 3 months after the date of entry into force of this Regulation], of a joint venture or similar legal arrangement concluded before 16 March 2022, involving a legal person, entity or body referred to in paragraph 1;
- (e) transactions related to the provision of electronic communication services, data center services, and the provision of services and equipment necessary for their operation, maintenance, security, including the provision of firewalls, and call center services, to a legal person, entity or body listed in Annex XIX.’;

(9) Article 5c is replaced by the following:

Article 5c

1. By way of derogation from Articles 5b(1) and (2), the competent authorities may authorise the acceptance of such a deposit or the 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 the 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 Article 5b(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) intended exclusively for the payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources;

- (d) 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
- (e) necessary for official purposes of a diplomatic mission or consular post or international organisation.

2. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 1, points (a), (b), (c) or (e), within two weeks of the authorisation.’;

(10) in Article 5f, paragraph 2 is replaced by the following:

‘2. Paragraph 1 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.’;

(11) Article 5h is replaced by the following:

‘Article 5h

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 XIV or to any legal person, entity or body established in Russia whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in Annex XIV.
2. For each legal person, entity or body listed in Annex XIV, 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 the same date to any legal person, entity or body established in Russia whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in Annex XIV.’;

(12) in Article 5k(2), point (e) is replaced by the following:

‘(e) unless prohibited under Article 3m or 3n, 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’;

(13) Article 5m is replaced by the following:

‘Article 5m

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 Regulation] 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 which is one month after the entry into force of this Regulation] of contracts which are not compliant with this Article concluded before 9 April 2022 or of 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 paragraph 2, the competent authorities may authorise, under such conditions as they deem appropriate, the services referred to in paragraph 2 to continue beyond ... [OJ: please insert the date which is one month after the entry into force of this Regulation], for:
- (a) the completion by ... [OJ: please insert the date which is three months after the entry into force of this Regulation] of operations strictly necessary for the termination of contracts referred to in paragraph 3, provided that such operations were initiated before 11 May 2022; or
 - (b) other reasons, provided that the service providers do not accept from, or make available to, the persons referred to in paragraph 1 any funds or economic resources, directly or indirectly, or otherwise provide such persons with any benefit from assets placed in a trust.
6. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise the services referred to in those paragraphs, 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;

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

(c) the operation of trusts whose purpose is the administration of occupational pension schemes, insurance policies or employee share scheme, charities, amateur sports clubs, and funds for minors or vulnerable adults.

7. The Member State concerned shall inform the Commission of any authorisation granted under paragraph 5 or 6 within two weeks of such authorisation.’;

(14) the following article is inserted:

‘Article 5n

1. It shall be prohibited to provide, directly or indirectly, accounting, auditing, including statutory audit, bookkeeping or tax consulting services, or business and management consulting or public relations services to:

(a) the Government of Russia; or

(b) legal persons, entities or bodies established in Russia.

2. Paragraph 1 shall not apply to the provision of services that are strictly necessary for the termination by ... [OJ: please insert 1 month after date of entry into force of this Regulation] of contracts which are not compliant with this Article concluded before ... [OJ: please insert date of entry into force of this Regulation], or of ancillary contracts necessary for the execution of such contracts.

3. Paragraph 1 shall not apply to the provision of services that are strictly necessary for the exercise of the right of defence in judicial proceedings and the right to an effective legal remedy.
4. Paragraph 1 shall not apply to the provision of services intended for the exclusive use of legal persons, entities or bodies established in Russia that are owned by, or solely or jointly controlled by, a legal person, entity or body which is incorporated or constituted under the law of a Member State.
5. By way of derogation from paragraph 1, 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.’;

- (15) in Article 8, 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.’;
- (16) Annex IV is amended in accordance with Annex I to this Regulation;
- (17) Annex VII is amended in accordance with Annex II to this Regulation;
- (18) Annex VIII is amended in accordance with Annex III to this Regulation;
- (19) Annex XII is amended in accordance with Annex IV to this Regulation;
- (20) Annex XIV is replaced by the text set out in Annex V to this Regulation;

- (21) Annex XV is amended in accordance with Annex VI to this Regulation.

This point shall apply in respect of one or several of the entities referred to in Annex VI to this Regulation as from ... [OJ: please insert a date 21 days after date of entry into force of this Regulation] and provided that the Council, having examined the respective cases, so decides by implementing act;

- (22) Annex XXI is amended in accordance with Annex VII to this Regulation;
- (23) an Annex XXV is added in accordance with Annex VIII 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

ANNEX I

In Annex IV to Regulation (EU) No 833/2014, the following natural or legal persons, entities or bodies are added:

“46th TSNII Central Scientific Research Institute

Alagir Resistor Factory

All-Russian Research Institute of Optical and Physical Measurements

All-Russian Scientific-Research Institute Etalon JSC

Almaz JSC

Arzam Scientific Production Enterprise Temp Avia

Automated Procurement System for State Defense Orders, LLC

Dolgoprudniy Design Bureau of Automatics (DDBA JSC)

Electronic Computing Technology Scientific-Research Center JSC

Electrosignal JSC

Energiya JSC

Engineering Center Moselectronproekt

Etalon Scientific and Production Association

Evgeny Krayushin

Foreign Trade Association Mashpriborintorg

Ineko LLC

Informakustika JSC

Institute of High Energy Physics

Institute of Theoretical and Experimental Physics

Inteltech PJSC

ISE SO RAN Institute of High-Current Electronics

Kaluga Scientific-Research Institute of Telemechanical Devices JSC

Kulon Scientific-Research Institute JSC



Lutch Design Office JSC

Meteor Plant JSC

Moscow Communications Research Institute JSC

Moscow Order of the Red Banner of Labor Research Radio Engineering Institute JSC

NPO Elektromechaniki JSC

Omsk Production Union Irtysh JSC

Omsk Scientific-Research Institute of Instrument Engineering JSC

Optron, JSC

Pella Shipyard OJSC

Polyot Chelyabinsk Radio Plant JSC

Pskov Distance Communications Equipment Plant

Radiozavod JSC

Razryad JSC

Research Production Association Mars

Ryazan Radio-Plant

Scientific Production Center Vigstar JSC

Scientific Production Enterprise 'Radiosviaz'

Scientific Research Institute Ferrite-Domen

Scientific Research Institute of Communication Management Systems

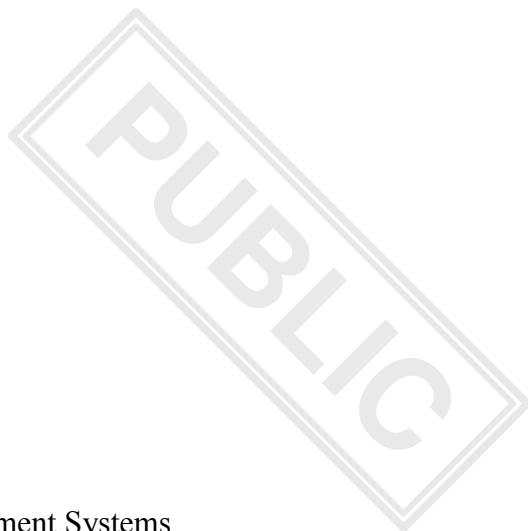
Scientific-Production Association and Scientific-Research Institute of Radio-Components

Scientific-Production Enterprise 'Kant'

Scientific-Production Enterprise 'Svyaz'

Scientific-Production Enterprise Almaz JSC

Scientific-Production Enterprise Salyut JSC



Scientific-Production Enterprise Volna

Scientific-Production Enterprise Vostok JSC

Scientific-Research Institute 'Argon'

Scientific-Research Institute and Factory Platan

Scientific-Research Institute of Automated Systems and Communications Complexes Neptune JSC

Special Design and Technical Bureau for Relay Technology

Special Design Bureau Salute JSC

Tactical Missile Company, Joint Stock Company 'Salute'

Tactical Missile Company, Joint Stock Company 'State Machine Building Design Bureau 'Vympel'
By Name I.I.Toropov'

Tactical Missile Company, Joint Stock Company 'URALELEMENT'

Tactical Missile Company, Joint Stock Company 'Plant Dagdiesel'

Tactical Missile Company, Joint Stock Company 'Scientific Research Institute of Marine Heat Engineering'

Tactical Missile Company, Joint Stock Company PA Strela

Tactical Missile Company, Joint Stock Company Plant Kulakov

Tactical Missile Company, Joint Stock Company Ravenstvo

Tactical Missile Company, Joint Stock Company Ravenstvo-service

Tactical Missile Company, Joint Stock Company Saratov Radio Instrument Plant

Tactical Missile Company, Joint Stock Company Severny Press

Tactical Missile Company, Joint-Stock Company 'Research Center for Automated Design'

Tactical Missile Company, KB Mashinostroeniya

Tactical Missile Company, NPO Electromechanics

Tactical Missile Company, NPO Lightning

Tactical Missile Company, Petrovsky Electromechanical Plant 'Molot'

Tactical Missile Company, PJSC 'MBDB 'ISKRA''

Tactical Missile Company, PJSC ANPP Temp Avia

Tactical Missile Company, Raduga Design Bureau

Tactical Missile Corporation, 'Central Design Bureau of Automation'

Tactical Missile Corporation, 711 Aircraft Repair Plant

Tactical Missile Corporation, AO GNPP 'Region'

Tactical Missile Corporation, AO TMKB 'Soyuz'

Tactical Missile Corporation, Azov Optical and Mechanical Plant

Tactical Missile Corporation, Concern 'MPO – Gidropribor'

Tactical Missile Corporation, Joint Stock Company 'KRASNY GIDROPRESS'

Tactical Missile Corporation, Joint Stock Company Avangard

Tactical Missile Corporation, Joint Stock Company Concern Granit-Electron

Tactical Missile Corporation, Joint Stock Company Elektrotyaga

Tactical Missile Corporation, Joint Stock Company GosNIIMash

Tactical Missile Corporation, RKB Globus

Tactical Missile Corporation, Smolensk Aviation Plant

Tactical Missile Corporation, TRV Engineering

Tactical Missile Corporation, Ural Design Bureau ‘Detal’

Tactical Missile Corporation, Zvezda-Strela Limited Liability Company

Tambov Plant (TZ) ‘October’

United Shipbuilding Corporation ‘Production Association Northern Machine Building Enterprise’

United Shipbuilding Corporation ‘5th Shipyard’”.

ANNEX II

Annex VII to Regulation (EU) No 833/2014 is amended as follows:

(1) in subcategory X.A.I.003 of Category I – Electronics, point a is replaced by the following:

‘a. Frequency changers and their specially designed components, other than those specified in the CML or in Regulation (EU) 2021/821;’;

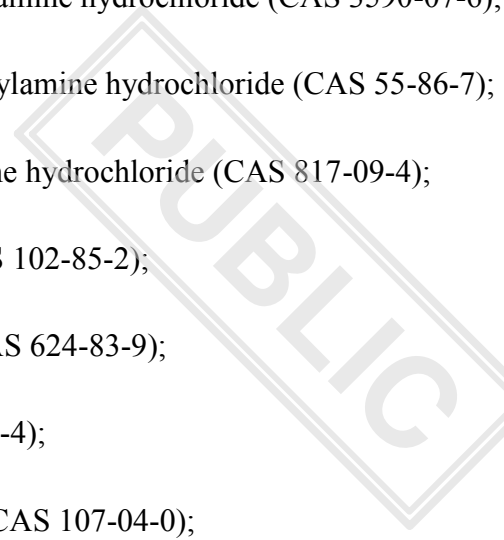
(2) the following categories are added:

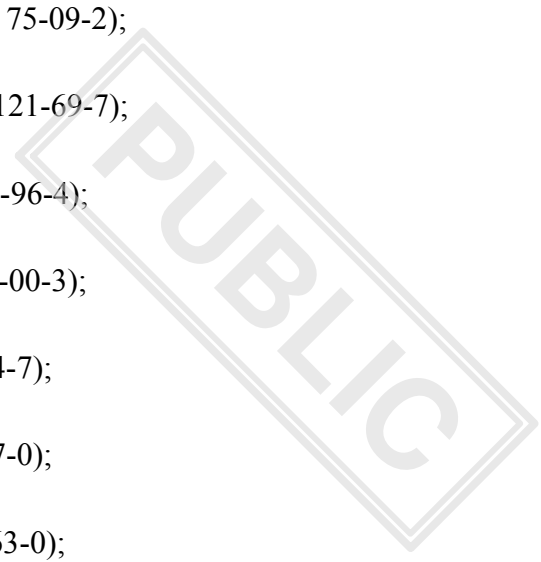
‘Category IX – Special Materials and Related Equipment

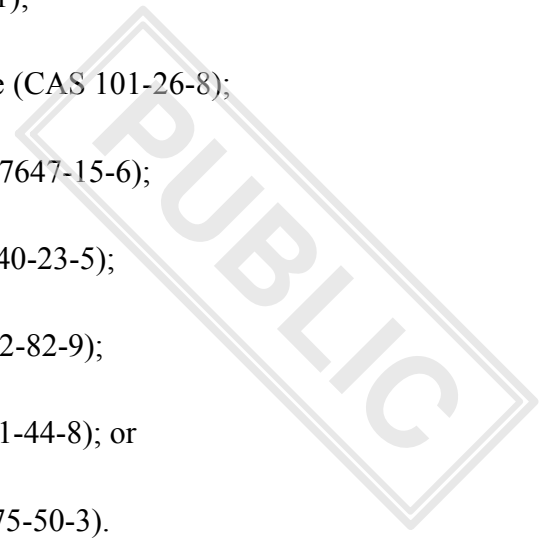
X.C.IX.001 Separate chemically defined compounds according to Note 1 to Chapters 28 and 29 of the Combined Nomenclature:

a. In concentrations of 95 % weight or greater, as follows:

1. Ethylene dichloride (CAS 107-06-2);
2. Nitromethane (CAS 75-52-5);
3. Picric acid (CAS 88-89-1);
4. Aluminium chloride (CAS 7446-70-0);
5. Arsenic (CAS 7440-38-2);
6. Arsenic trioxide (CAS 1327-53-3);

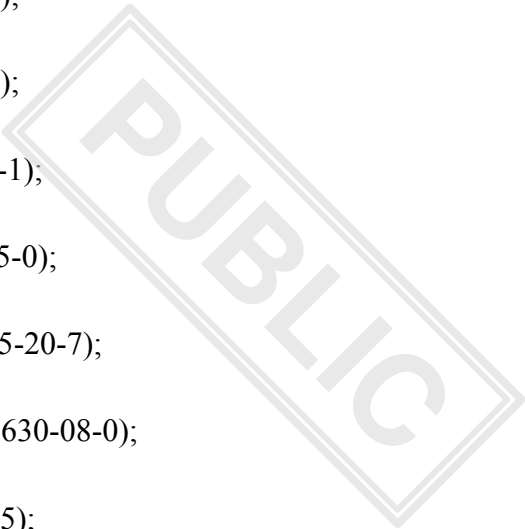
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7. Bis(2-chloroethyl)ethylamine hydrochloride (CAS 3590-07-6);
 8. Bis(2-chloroethyl)methylamine hydrochloride (CAS 55-86-7);
 9. Tris(2-chloroethyl)amine hydrochloride (CAS 817-09-4);
 10. Tributylphosphite (CAS 102-85-2);
 11. Isocyanatomethane (CAS 624-83-9);
 12. Quinaldine (CAS 91-63-4);
 13. 2-bromochloroethane (CAS 107-04-0);
 14. Benzil (CAS 134-81-6);
 15. Diethyl ether (CAS 60-29-7);
 16. Dimethyl ether (CAS 115-10-6);
 17. Dimethylaminoethanol (CAS 108-01-0);
 18. 2-methoxyethanol (CAS 109-86-4);
 19. Butyrylcholinesterase (BCHE);
 20. Diethylenetriamine (CAS 111-40-0);

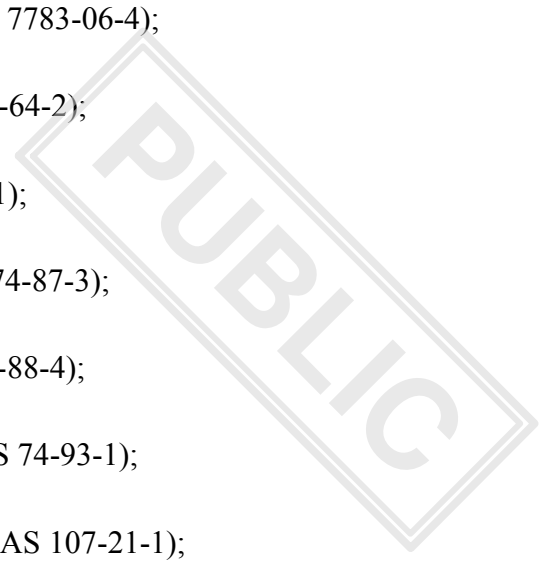
- 
21. Dichloromethane (CAS 75-09-2);
 22. Dimethylaniline (CAS 121-69-7);
 23. Ethyl bromide (CAS 74-96-4);
 24. Ethyl chloride (CAS 75-00-3);
 25. Ethylamine (CAS 75-04-7);
 26. Hexamine (CAS 100-97-0);
 27. Isopropanol (CAS 67- 63-0);
 28. Isopropyl bromide (CAS 75-26-3);
 29. Isopropyl ether (CAS 108-20-3);
 30. Methylamine (CAS 74-89-5);
 31. Methyl bromide (CAS 74-83-9);
 32. Monoisopropylamine (CAS 75-31-0);
 33. Obidoxime chloride (CAS 114-90-9);
 34. Potassium bromide (CAS 7758-02-3);

- 
35. Pyridine (CAS 110-86-1);
 36. Pyridostigmine bromide (CAS 101-26-8);
 37. Sodium bromide (CAS 7647-15-6);
 38. Sodium metal (CAS 7440-23-5);
 39. Tributylamine (CAS 102-82-9);
 40. Triethylamine (CAS 121-44-8); or
 41. Trimethylamine (CAS 75-50-3).

b. In concentrations of 90 % weight or greater, as follows:

1. Acetone (CAS 67-64-1);
2. Acetylene (CAS 74-86-2);
3. Ammonia (CAS 7664-41-7);
4. Antimony (CAS 7440-36-0);
5. Benzaldehyde (CAS 100-52-7);
6. Benzoin (CAS 119-53-9);

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7. 1-Butanol (CAS 71-36-3);
 8. 2-Butanol (CAS 78-92-2);
 9. Iso-Butanol (CAS 78-83-1);
 10. Tert-Butanol (CAS 75-65-0);
 11. Calcium carbide (CAS 75-20-7);
 12. Carbon monoxide (CAS 630-08-0);
 13. Chlorine (CAS 7782-50-5);
 14. Cyclohexanol (CAS 108-93-0);
 15. Dicyclohexylamine (CAS 101-83-7);
 16. Ethanol (CAS 64-17-5);
 17. Ethylene (CAS 74-85-1);
 18. Ethylene oxide (CAS 75-21-8);
 19. Fluoroapatite (CAS 1306-05-4);
 20. Hydrogen chloride (CAS 7647-01-0);

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21. Hydrogen sulfide (CAS 7783-06-4);
 22. Mandelic acid (CAS 90-64-2);
 23. Methanol (CAS 67-56-1);
 24. Methyl chloride (CAS 74-87-3);
 25. Methyl iodide (CAS 74-88-4);
 26. Methyl mercaptan (CAS 74-93-1);
 27. Monoethyleneglycol (CAS 107-21-1);
 28. Oxalyl chloride (CAS 79-37-8);
 29. Potassium sulphide (CAS 1312-73-8);
 30. Potassium thiocyanate (CAS 333-20-0);
 31. Sodium hypochlorite (CAS 7681-52-9);
 32. Sulphur (CAS 7704-34-9);
 33. Sulphur dioxide (CAS 7446-09-5);

- 34. Sulphur trioxide (CAS 7446-11-9);
- 35. Thiophosphoryl chloride (CAS 3982-91-0);
- 36. Tri-isobutyl phosphite (CAS 1606-96-8);
- 37. White phosphorus (CAS 12185-10-3); or
- 38. Yellow phosphorus (CAS 7723-14-0).

X.C.IX.002 Fentanyl and its derivatives Alfentanil, Sufentanil, Remifentanil, Carfentanil, and salts thereof.

Note:

X.C.IX.002 does not control products identified as consumer goods packaged for retail sale for personal use or packaged for individual use.

X.C.IX.003 Chemical precursors to Central Nervous System Acting Chemicals, as follows:

- a. 4-anilino-N-phenethylpiperidine (CAS 21409-26-7); or
- b. N-phenethyl-4-piperidone (CAS 39742-60-4).

Notes:

1. *X.C.IX.003 does not control "chemical mixtures" containing one or more of the chemicals specified in entry X.C.IX.003 in which no individually specified chemical constitutes more than 1 % by the weight of the mixture.*
2. *X.C.IX.003 does not control products identified as consumer goods packaged for retail sale for personal use or packaged for individual use.*

Category X – Materials Processing

X.B.X.001 ‘Continuous flow reactors’ and their ‘modular components’.

Technical Notes:

1. *For the purposes of X.B.X.001, ‘continuous flow reactors’ consist in plug and play systems where reactants are continuously fed into the reactor and the resultant product is collected at the outlet.*
2. *For purposes of X.B.X.001, ‘modular components’ are fluidic modules, liquid pumps, valves, packed-bed modules, mixer modules, pressure gauges, liquid-liquid separators, etc.*

X.B.X.002 Nucleic acid assemblers and synthesizers not controlled by 2B352.i, which are partly or entirely automated, and designed to generate nucleic acids greater than 50 bases.

X.B.X.003 Automated peptide synthesizers capable to work under controlled atmosphere conditions.’.

ANNEX III

In Annex VIII to Regulation (EU) No 833/2014, the following partner countries are added:

‘UNITED KINGDOM

SOUTH KOREA’.

ANNEX IV

In Annex XII to Regulation (EU) No 833/2014, the title is replaced by the following:

‘List of legal persons, entities and bodies referred to in Article 5(2)’.

ANNEX V

Annex XIV to Regulation (EU) No 833/2014 is replaced by the following:

‘ANNEX XIV

LIST OF LEGAL PERSONS, ENTITIES AND BODIES REFERRED TO IN ARTICLE 5h

Name of the legal person, entity or body	Date of application
Bank Otkritie	12 March 2022
Novikombank	12 March 2022
Promsvyazbank	12 March 2022
Bank Rossiya	12 March 2022
Sovcombank	12 March 2022
VNESHECONOMBANK (VEB)	12 March 2022
VTB BANK	12 March 2022
Sberbank	[OJ: please insert date 10 calendar days after entry into force of this amending Regulation]
Credit Bank of Moscow	[OJ: please insert date 10 calendar days after entry into force of this amending Regulation]
Joint Stock Company Russian Agricultural Bank, JSC Rosselkhozbank	[OJ: please insert date 10 calendar days after entry into force of this amending Regulation]

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ANNEX VI

In Annex XV to Regulation (EU) No 833/2014, the following entities are added:

‘Rossiya RTR / RTR Planeta

Rossiya 24 / Russia 24

TV Centre International’.

ANNEX VII

Annex XXI to Regulation (EU) No 833/2014 is replaced by the following:

‘ANNEX XXI

LIST OF GOODS AND TECHNOLOGY AS REFERRED TO IN ARTICLE 3i

CN code	Name of the good
0306	Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; smoked crustaceans, whether in shell or not, whether or not cooked before or during the smoking process; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine
1604 31 00	Caviar
1604 32 00	Caviar substitutes
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages
2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets
2523	Portland cement, aluminous cement, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinkers
ex 2825	Hydrazine and hydroxylamine and their inorganic salts; other inorganic bases; other metal oxides, hydroxides and peroxides, except for CN codes 28252000 and 28253000
ex 2835	Phosphinates (hypophosphites), phosphonates (phosphites) and phosphates; polyphosphates, whether or not chemically defined, except for CN code 28352600
ex 2901	Acyclic hydrocarbons, except for CN code 29011000

CN code	Name of the good
2902	Cyclic hydrocarbons
ex 2905	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives, except for CN code 29051100
2907	Phenols; phenol-alcohols
2909	Ethers, ether-alcohols, ether-phenols, ether-alcohol-phenols, alcohol peroxides, ether peroxides, acetal and hemiacetal peroxides, ketone peroxides (whether or not chemically defined), and their halogenated, sulphonated, nitrated or nitrosated derivatives
310420	Potassium chloride
310520	Mineral or chemical fertilisers containing the three fertilising elements nitrogen, phosphorus and potassium
310560	Mineral or chemical fertilisers containing the two fertilising elements phosphorus and potassium
ex 31059020	Other fertilisers containing potassium chloride
ex 31059080	Other fertilisers containing potassium chloride
3902	Polymers of propylene or of other olefins, in primary forms
4011	New pneumatic tyres, of rubber
44	Wood and articles of wood; wood charcoal
4705	Wood pulp obtained by a combination of mechanical and chemical pulping processes
4804	Uncoated kraft paper and paperboard, in rolls or sheets, other than that of heading 4802 or 4803

CN code	Name of the good
6810	Articles of cement, of concrete or of artificial stone, whether or not reinforced
7005	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked
7007	Safety glass, consisting of toughened (tempered) or laminated glass
7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass
7019	Glass fibres (including glass wool) and articles thereof (for example, yarn, rovings, woven fabrics)
7106	Silver (including silver plated with gold or platinum), unwrought or in semi-manufactured forms, or in powder form
7606	Aluminium plates, sheets and strip, of a thickness exceeding 0,2 mm
7801	Unwrought lead
ex 8411	Turbojets, turbopropellers and other gas turbines with the exception of parts of turbojets or turbopropellers of CN code 8411 91 00
8431	Parts suitable for use solely or principally with the machinery of headings 8425 to 8430
8901	Cruise ships, excursion boats, ferry-boats, cargo ships, barges and similar vessels for the transport of persons or goods
8904	Tugs and pusher craft
8905	Light-vessels, fire-floats, dredgers, floating cranes, and other vessels the navigability of which is subsidiary to their main function; floating docks; floating or submersible drilling or production platforms
9403	Other furniture and parts thereof

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ANNEX VIII

The following annex is added:

‘ANNEX XXV

LIST OF CRUDE OIL AND PETROLEUM PRODUCTS REFERRED TO IN ARTICLES 3m AND 3n

CN Code	Description
2709 00	Petroleum oils and oils obtained from bituminous minerals, crude
2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils

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