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## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL DECISION amending Decision (CFSP) 2023/2135 concerning restrictive measures in view of activities undermining the stability and political transition of Sudan

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**COUNCIL DECISION (CFSP) 2026/...**

**of ...**

**amending Decision (CFSP) 2023/2135 concerning restrictive measures  
in view of activities undermining the stability and political transition of Sudan**

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 9 October 2023, the Council adopted Decision (CFSP) 2023/2135<sup>1</sup>.
- (2) On 27 November 2023, the High Representative of the Union for Foreign Affairs and Security Policy (the 'High Representative') issued a statement on behalf of the Union, in which the Union and its Member States reiterated their strong condemnation of the continuous fighting between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) and their respective affiliated militias. The statement also deplored the dramatic escalation of violence and the irreparable cost to human life in Darfur and throughout the country, as well as violations of international human rights law and international humanitarian law.
- (3) On 28 October 2025, a joint statement was issued by the High Representative and Commissioner Lahbib on the seizure of El Fasher. The statement underlined that the seizure of Darfur's capital by the RSF marked a dangerous turning point in the war and threatened to further worsen the already dire humanitarian situation. Moreover, the statement added that civilians being targeted on the basis of their ethnicity underscores the brutality of the RSF.

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<sup>1</sup> Council Decision (CFSP) 2023/2135 of 9 October 2023 concerning restrictive measures in view of activities undermining the stability and political transition of Sudan (OJ L, 2023/2135, 11.10.2023, ELI: <http://data.europa.eu/eli/dec/2023/2135/oj>).

- (4) On 20 November 2025, the High Representative issued a statement on behalf of the Union which strongly condemned the atrocities committed in El Fasher by the RSF. The statement also stressed that primary responsibility for ending the conflict rests with the leadership of both the RSF, the SAF and their allied militias, as well as those providing them with direct or indirect support, and urged all parties to the conflict to resume negotiations to achieve an immediate and lasting ceasefire.
- (5) On 21 April 2026, the High Representative issued a statement on behalf of the Union marking three years since the outbreak of the war in Sudan. The statement underscored that the conflict between the SAF, the RSF and their respective affiliated militias is destroying lives and depriving the population of its aspirations of the 2018/19 revolution. The statement added that the Union would use all tools available, including diplomacy and restrictive measures, to press for peace, including additional sanctions aimed at Sudan's war economy.
- (6) In view of the gravity of the situation, it is appropriate to introduce further restrictive measures.
- (7) In particular, gold mining and gold exploitation are major sources of income for the SAF and the RSF, which they use to sustain the conflict in Sudan.
- (8) Therefore, it is appropriate to prohibit the purchase, import, or transfer, directly or indirectly, of gold if it originates in Sudan and it has been exported from Sudan into the Union or into any third country after ... [OJ: include date of entry into force of this Decision].

- (9) It is also appropriate to prohibit the sale, supply, transfer or export, directly or indirectly, of certain goods which might be used for gold mining or gold exploitation, whether originating in the Union or not, to any natural or legal person, entity or body in Sudan or for use in Sudan.
- (10) To enable the orderly termination of existing relevant contracts, it is appropriate to provide for a temporary exception to the prohibition on the sale, supply, transfer or export of certain goods which might be used for gold mining or gold exploitation in Sudan.
- (11) Decision (CFSP) 2023/2135 should therefore be amended accordingly.
- (12) Further action by the Union is needed in order to implement certain measures,

HAS ADOPTED THIS DECISION:

## *Article 1*

In Decision (CFSP) 2023/2135, the following articles are inserted:

### *‘Article 2a*

1. It shall be prohibited to purchase, import, or transfer, directly or indirectly, gold if it originates in Sudan and it has been exported from Sudan into the Union or into any third country after ... [OJ: include date of entry into force of this Decision].
2. It shall be prohibited to:
  - (a) provide technical assistance, brokering services or other services related to the goods referred to in paragraph 1 and to the provision, manufacture, maintenance and use of those goods, directly or indirectly in relation to the prohibition set out in paragraph 1;
  - (b) provide financing or financial assistance related to the goods as referred to in paragraph 1 for any purchase, import or transfer of those goods, or for the provision of related technical assistance, brokering services or other services, directly or indirectly in relation to the prohibition set out in paragraph 1.
3. The prohibitions set out in paragraphs 1 and 2 shall not apply to gold which is necessary for the official purposes of diplomatic missions, consular posts or international organisations in Sudan enjoying immunities in accordance with international law.
4. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

## *Article 2b*

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, certain goods which might be used for gold mining or gold exploitation, whether originating in the Union or not, to any natural or legal person, entity or body in Sudan or for use in Sudan.
2. It shall be prohibited to:
  - (a) provide technical assistance, brokering services or other services related to the goods referred to in paragraph 1 and to the provision, manufacture, maintenance and use of those goods, directly or indirectly to any natural or legal person, entity or body in Sudan or for use in Sudan;
  - (b) provide financing or financial assistance related to the goods referred to in paragraph 1 for any sale, supply, transfer or export of those goods, 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 Sudan, or for use in Sudan.
3. Without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821 of the European Parliament and of the Council\*, where applicable, the prohibitions set out in paragraphs 1 and 2 shall not apply to goods intended for 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.

4. With regard to goods falling under CN code 2837 11, as listed in Annex IV to Council Regulation (EU) 2023/2147<sup>\*\*</sup>, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the prohibitions set out in paragraphs 1 and 2 of this Article shall not apply to the execution until ... [OJ: include date of entry into force of this Decision + 6 months] of contracts concluded before ... [OJ: include date of entry into force of this Decision], or ancillary contracts necessary for the execution of such contracts.
5. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

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\* Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items (OJ L 206, 11.6.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/821/oj>).

\*\* Council Regulation (EU) 2023/2147 of 9 October 2023 concerning restrictive measures in view of activities undermining the stability and political transition of Sudan (OJ L, 2023/2147, 11.10.2023, ELI: <http://data.europa.eu/eli/reg/2023/2147/oj>).’.



*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*