

II

(Non-legislative acts)

DECISIONS

COUNCIL DECISION (CFSP) 2022/327

of 25 February 2022

**amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions
destabilising the situation in Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

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

Whereas:

- (1) On 31 July 2014, the Council adopted Decision 2014/512/CFSP¹.
- (2) In its conclusions of 24 and 25 June 2021, the European Council called on Russia to fully assume its responsibility in ensuring the full implementation of the Minsk Agreements as the key condition for any substantial change in the Union's stance. It stressed the need for a firm and coordinated response by the Union and its Member States to any further malign, illegal and disruptive activity by Russia, making full use of all instruments at the Union's disposal, and ensuring coordination with partners. To that end, the European Council also invited the Commission and the High Representative of the Union for Foreign Affairs and Security Policy (the 'High Representative') to present options for additional restrictive measures, including economic sanctions.
- (3) In its conclusions of 16 December 2021, the European Council stressed the urgent need for Russia to de-escalate tensions caused by the military build-up along its border with Ukraine and aggressive rhetoric. It reiterated its full support for Ukraine's sovereignty and territorial integrity. While encouraging diplomatic efforts and supporting the Normandy format in achieving the full implementation of the Minsk Agreements, the European Council stated that any further military aggression against Ukraine would have massive consequences and severe cost in response, including restrictive measures coordinated with partners.

¹ Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 13).

- (4) On 24 January 2022, the Council approved conclusions in which it condemned Russia's continued aggressive actions and threats against Ukraine, and called on Russia to de-escalate, to abide by international law and to engage constructively in dialogue through the established international mechanisms. The Council reaffirmed the Union's full commitment to the core principles on which European security is built, enshrined in the United Nations (UN) Charter and the founding documents of the Organization for Security and Co-operation in Europe, including the Helsinki Final Act and the Charter of Paris. These core principles include, in particular, the sovereign equality and territorial integrity of States, the inviolability of frontiers, refraining from the threat or use of force, and the freedom of States to choose or change their own security arrangements. The Council stated that those principles are neither negotiable nor subject to revision or re-interpretation and that their violation by Russia is an obstacle to a common and indivisible security space in Europe and threatens peace and stability on the European continent. Recalling the European Council conclusions of 16 December 2021, the Council reiterated that any further military aggression by Russia against Ukraine would have massive consequences and severe costs, including a wide array of sectoral and individual restrictive measures that would be adopted in coordination with partners.

- (5) On 19 February 2022, the High Representative issued a declaration on behalf of the Union expressing concern over the massive build-up of Russian armed forces in and around Ukraine, and urged Russia to engage in meaningful dialogue and diplomacy, show restraint and de-escalate by a substantial withdrawal of military forces from the proximity of Ukraine's borders.
- (6) On 21 February 2022, the President of the Russian Federation signed a decree recognising the “independence and sovereignty” of the non-government-controlled areas of the Donetsk and Luhansk oblasts of Ukraine, and ordered the Russian armed forces into those areas.
- (7) On 22 February 2022, the High Representative issued a declaration on behalf of the Union condemning that illegal act, which further undermines Ukraine's sovereignty and independence and is a severe breach of international law and international agreements, including the UN Charter, the Helsinki Final Act, the Paris Charter and the Budapest Memorandum, as well as of the Minsk Agreements and of UN Security Council Resolution 2202 (2015). The High Representative urged Russia, as a party to the conflict, to reverse that recognition, uphold its commitments, abide by international law and return to the discussions within the Normandy format and the Trilateral Contact Group. He announced that the Union would respond to these latest violations by Russia by adopting additional restrictive measures as a matter of urgency.

- (8) 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.
- (9) On 24 February 2022, the High Representative issued a declaration on behalf of the Union condemning in the strongest possible terms the unprovoked invasion of Ukraine by armed forces of the Russian Federation and the involvement of Belarus in this aggression against Ukraine. The High Representative indicated that the Union's response will include both sectoral and individual restrictive measures.
- (10) In view of the gravity of the situation, and in response to Russia's actions destabilising the situation in Ukraine,, it is appropriate to introduce further restrictive measures related to the finance, defence, energy, aviation, and space sectors.
- (11) Existing financial restrictions, in particular those on access by certain Russian entities to capital markets shall be expanded. The listing and provision of services in relation to shares of Russian state-owned entities on Union trading venues should also be prohibited. It is also necessary to introduce new measures which significantly limit the financial inflows from Russia to the Union by prohibiting the acceptance of deposits exceeding certain values from Russian nationals or residents, the holding of accounts of Russian clients by Union central securities depositories, as well as the selling of euro-denominated securities to Russian clients.

- (12) Furthermore, it is appropriate to impose further restrictions on exports of dual-use goods and technology and on the provision of related services, as well as restrictions on exports of certain goods and technology which might contribute to Russia's technological enhancement of its defence and security sector, together with restrictions on the provision of related services. Limited exemptions to such restrictions are envisioned for legitimate and pre-determined purposes only.
- (13) It is also appropriate to impose restrictions on the sale, supply, transfer or export to Russia of specific goods and technologies for use in oil refining, together with restrictions on the provision of related services.
- (14) Furthermore, it is appropriate to introduce an export ban covering goods and technology suited for use in aviation and the space industry, as well as to prohibit the provision of insurance and reinsurance and maintenance services in relation to those goods and technology. It should also be prohibited to provide technical assistance and other related services as well as financing and financial assistance in relation to the goods and technology subject to this prohibition.
- (15) Further action by the Union is needed in order to implement certain measures.
- (16) Decision 2014/512/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2014/512/CFSP is amended as follows:

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

‘Article 1

1. It shall be prohibited to directly or indirectly purchase, sell, provide investment services for or assistance in the issuance of, or any other dealing with bonds, equity, or similar financial instruments with a maturity exceeding 90 days, issued after 1 August 2014 to 12 September 2014, or with a maturity exceeding 30 days, issued after 12 September 2014 to 12 April 2022 or any transferable securities and money market instruments issued after 12 April 2022 by:
 - (a) major credit institutions or finance development institutions established in Russia with over 50 % public ownership or control as of 1 August 2014, as listed in Annex I;
 - (b) any legal person, entity or body established outside the Union owned for more than 50 % by an entity listed in Annex I; or

- (c) any legal person, entity or body acting on behalf, or at the direction, of an entity within the category referred to in point (b) of this paragraph or listed in Annex I.
- 2. It shall be prohibited to directly or indirectly, purchase, sell, provide investment services for or assistance in the issuance of, or otherwise deal with transferable securities and money-market instruments issued after 12 April 2022 by:
 - (a) any major credit institution, or other institution with over 50 % public ownership or control as of 26 February 2022 or any other credit institution having a significant role in supporting the activities of Russia and its Government and of the Russian Central Bank and established in Russia, as listed in Annex V;
 - (b) a legal person, entity or body established outside the Union whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in Annex V; or
 - (c) a 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.

3. It shall be prohibited to directly or indirectly purchase, sell, provide investment services for or assistance in the issuance of, or otherwise deal with transferable securities and money-market instruments with a maturity exceeding 30 days, issued after 12 September 2014 to 12 April 2022 or any transferable securities and money market instruments issued after 12 April 2022 by:
- (a) a legal person, entity or body established in Russia, as listed in Annex II, predominantly engaged and with major activities in the conception, production, sales or export of military equipment or services, except legal persons, entities or bodies active in the space and nuclear energy sectors;
 - (b) a legal person, entity or body established in Russia, which is publicly controlled or with over 50 % public ownership which have estimated total assets of over RUB 1 trillion and whose estimated revenues originate for at least 50 % from the sale or transportation of crude oil or petroleum products, as listed in Annex III;
 - (c) a legal person, entity or body established outside the Union whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in point (a) or (b) of this paragraph; or

- (d) a legal person, entity or body acting on behalf or at the direction of an entity referred to in point (a), (b) or (c) of this paragraph.
4. It shall be prohibited to directly or indirectly purchase, sell, provide investment services for or assistance in the issuance of, or otherwise deal with transferable securities and money-market instruments, issued after 12 April 2022 by:
- (a) a legal person, entity or body established in Russia, which is publicly controlled or with over 50 % public ownership and in which Russia, its Government or Central Bank has the right to participate in profits or with which Russia, its Government or Central Bank has other substantial economic relationships, as listed in Annex VI;
 - (b) a legal person, entity or body established outside the Union whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in Annex VI; or
 - (c) a 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.
5. It shall be prohibited to list and provide services as of 12 April 2022 on trading venues registered or recognised in the Union for the transferable securities of any legal person, entity or body established in Russia and with over 50 % public ownership.

6. It shall be prohibited to directly or indirectly make or be part of any arrangement to make:
- (i) new loans or credit with a maturity exceeding 30 days to any legal person, entity or body referred to in paragraph 1 or 3, after 12 September 2014 to 26 February 2022; or
 - (ii) any new loans or credit to any legal person, entity or body referred to in paragraph 1, 2, 3 or 4 after 26 February 2022.

The prohibition shall not apply to:

- (a) loans or credit that have a specific and documented objective to provide financing for non-prohibited imports or exports of goods and non-financial services between the Union and any third State, including the expenditure for goods and services from another third State that is necessary for executing the export or import contracts; or
- (b) loans that have a specific and documented objective to provide emergency funding to meet solvency and liquidity criteria for legal persons established in the Union, whose proprietary rights are owned for more than 50 % by any entity referred to in Annex I.

7. The prohibition in paragraph 6 shall not apply to drawdown or disbursements made under a contract concluded before 26 February 2022, provided that the following conditions are met:
- (a) all the terms and conditions of such drawdown or disbursements:
 - (i) were agreed before 26 February 2022; and
 - (ii) have not been modified on or after that date; and
 - (b) before 26 February 2022, a contractual maturity date has been fixed for the repayment in full of all funds made available and for the cancellation of all the commitments, rights and obligations under the contract; and
 - (c) at the time of its conclusion the contract was not in breach of the prohibitions laid down in this Decision.

The terms and conditions of drawdowns and disbursements referred to in point (a) include provisions concerning the length of the repayment period for each drawdown or disbursement, the interest rate applied or the interest rate calculation method, and the maximum amount.’;

(2) the following Articles are inserted after Article 1a:

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 100 000 EUR.
2. Paragraph 1 shall not apply to nationals of a Member State or natural persons having a temporary or permanent residence permit in a Member State.
3. Paragraph 1 shall not apply to deposits which are necessary for non-prohibited cross-border trade in goods and services between the Union and Russia.
4. By way of derogation from paragraph 1, the competent authorities may authorise the acceptance of such a deposit, under such conditions as they deem appropriate, after having determined that the acceptance of such a deposit 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.

5. By way of derogation from paragraph 1, the competent authorities may authorise the acceptance of such a deposit, under such conditions as they deem appropriate, after having determined that the acceptance of such a deposit 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.

Article 1c

1. It shall be prohibited for Union central securities depositories to provide any services as defined in the Annex of Regulation (EU) No 909/2014 of the European Parliament and of the Council* for transferable securities issued after 12 April 2022 to any Russian national or natural person residing in Russia or any legal person, entity or body established in Russia.
2. Paragraph 1 shall not apply to natural persons who are nationals of a Member State or having a temporary or permanent residence permit in a Member State.

Article 1d

1. It shall be prohibited to sell euro denominated transferable securities 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.
2. Paragraph 1 shall not apply to nationals of a Member State or natural persons having a temporary or permanent residence permit in a Member State.

* Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p. 1).’;

(3) Article 3 is replaced by the following:

Article 3

1. The direct or indirect sale, supply, transfer or export of all dual-use goods and technology listed in Annex I to Regulation (EU) 2021/821 of the European Parliament and of the Council* to any natural or legal person, entity or body in Russia or for use in Russia by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.
2. It shall be prohibited:
 - (a) to 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) to 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. Without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the prohibitions in paragraphs 1 and 2 shall not apply to the sale, supply, transfer or export of dual-use goods and technology or to the related provision of technical and financial assistance, for non-military use and for a non-military end user, intended for:
- (a) humanitarian purposes, 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) medical or pharmaceutical purposes;
 - (c) temporary export of items for use by news media;
 - (d) software updates;
 - (e) use as consumer communication devices;
 - (f) ensuring cyber-security and information security for individuals and entities in Russia except for its government and undertakings directly or indirectly controlled by that government; or

- (g) personal use by natural persons travelling to Russia or members of their immediate families travelling with them, and limited to personal effects, household effects, vehicles or tools of trade owned by those individuals and not intended for sale.

With the exception of points (f) and (g) of this paragraph, the exporter shall declare in the customs declaration that the items are being exported under the relevant exception set out in this paragraph and shall notify the competent authority of the Member State where the exporter is resident or established of the first use of the relevant exception within 30 days from the date when the first export took place.

4. By way of derogation from paragraphs 1 and 2 of this Article, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authorities may authorise the sale, supply, transfer or export of dual-use goods and technology or the provision of related technical or financial assistance, for non-military use and for a non-military end user, after having determined that such goods or technology or the related technical or financial assistance are:
 - (a) intended for cooperation between the Union, the governments of Member States and the government of Russia in purely civilian matters;
 - (b) intended for intergovernmental cooperation in space programmes;

- (c) intended for the operation, maintenance, fuel retreatment and safety of civil nuclear capabilities, as well as civil nuclear cooperation, in particular in the field of research and development;
- (d) intended for maritime safety;
- (e) intended for civilian telecommunications networks, including the provision of internet services;
- (f) intended for the exclusive use of entities owned, or solely or jointly controlled by a legal person, entity or body which is incorporated or constituted under the law of a Member State or of a partner country;
- (g) intended for the diplomatic representations of the Union, Member States and partner countries, including delegations, embassies and missions.

5. By way of derogation from paragraphs 1 and 2 of this Article, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authorities may authorise the sale, supply, transfer or export of dual-use goods and technology or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such goods or technology or the related technical or financial assistance are due under contracts concluded before 26 February 2022, or ancillary contracts necessary for the execution of such a contract, provided that the authorisation is requested before 1 May 2022.
6. All authorisations required under this Article shall be granted by the competent authorities in accordance with the rules and procedures laid down in Regulation (EU) 2021/821, which shall apply *mutatis mutandis*. The authorisation shall be valid throughout the Union.
7. When deciding on requests for authorisations in accordance with paragraphs 4 and 5 of this Article, the competent authorities shall not grant an authorisation if they have reasonable grounds to believe that:
 - (i) the end-user might be a military end-user, a natural or legal person, entity or body listed in Annex IV or that the goods might have a military end-use: or

- (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 space industry.
8. The competent authorities of the Member States may annul, suspend, modify or revoke an authorisation which they have granted pursuant to paragraphs 4 and 5 if they deem that such annulment, suspension, modification or revocation is necessary for the effective implementation of this Decision.
9. The partner countries as referred to in this Article and in points (f) and (g) of Article 3a(4), and which apply substantially equivalent export control measures, are included in Annex VII.

* 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 (recast) (OJ L 206, 11.6.2021, p. 1).’;

- (4) Article 3a is replaced by the following:

‘Article 3a

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, goods and technology which might contribute to Russia’s military and technological enhancement, or the development of the defence and security sector, whether or not originating in the Union, to any natural or legal person, entity or body in Russia or for use in Russia.

2. It shall be prohibited:
 - (a) to provide technical assistance, brokering services or other services related to 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) to 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 sale, supply, transfer or export of goods and technology referred to in paragraph 1 or to the related provision of technical and financial assistance, for non-military use and for a non-military end-user, intended for:
 - (a) humanitarian purposes, 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) medical or pharmaceutical purposes;

- (c) temporary export of items for use by news media;
- (d) software updates;
- (e) use as consumer communication devices;
- (f) ensuring cyber-security and information security for natural and legal persons, entities and bodies in Russia except for its government and undertakings directly or indirectly controlled by that government; or
- (g) personal use of natural persons travelling to Russia or members of their immediate families travelling with them, and limited to personal effects, household effects, vehicles or tools of trade owned by those individuals and not intended for sale.

With the exception of points (f) and (g) above, the exporter shall declare in the customs declaration that the items are being exported under the relevant exception set out in this paragraph and shall notify the competent authority of the Member State where the exporter is resident or established of the first use of the relevant exception within 30 days from the date when the first export took place.

4. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such goods or technology or the related technical or financial assistance are:
- (a) intended for cooperation between the Union, the governments of Member States and the government of Russia in purely civilian matters;
 - (b) intended for intergovernmental cooperation in space programmes;
 - (c) intended for the operation, maintenance, fuel retreatment and safety of civil nuclear capabilities, as well as civil nuclear cooperation, in particular in the field of research and development;
 - (d) intended for maritime safety;
 - (e) intended for civilian telecommunications networks, including the provision of internet service;
 - (f) intended for the exclusive use of entities owned, or solely or jointly controlled by a legal person, entity or body which is incorporated or constituted under the law of a Member State or of a partner country; or

- (g) intended for the diplomatic representations of the Union, Member States and partner countries, including delegations, embassies and missions.
5. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such goods or technology or the related technical or financial assistance are due under contracts concluded before 26 February 2022, or ancillary contracts necessary for the execution of such a contract, provided that the authorisation is requested before 1 May 2022.
6. All authorisations required under this Article shall be granted by the competent authorities in accordance with the rules and procedures laid down in Regulation (EU) 2021/821, which shall apply *mutatis mutandis*. The authorisation shall be valid throughout the Union.

7. When deciding on requests for authorisations referred to in paragraphs 4 and 5 of this Article, the competent authorities shall not grant an authorisation if they have reasonable grounds to believe that:
 - (i) the end-user might be a military end-user, a natural or legal person, entity or body listed in Annex IV or that the goods might have a military end-use: or
 - (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 space industry.
8. The competent authorities of the Member States may annul, suspend, modify or revoke an authorisation which they have granted pursuant to paragraphs 4 and 5 if they deem that such annulment, suspension, modification or revocation is necessary for the effective implementation of this Decision.
9. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.’;

(5) the following Article is inserted after Article 3a:

Article 3b

1. With regard to the entities listed in Annex IV, by way of derogation from Articles 3 and 3a, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authorities of the Member States may only authorise the sale, supply, transfer or export of dual-use goods and technology and the goods and technology referred to in Article 3a, or the provision of related technical or financial assistance after having determined:
 - (a) that such goods or technology or the related technical or financial assistance are necessary for 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
 - (b) that such goods or technology or the related technical or financial assistance are due under contracts concluded before 26 February 2022, or ancillary contracts necessary for the execution of such a contract, provided that the authorisation is requested before 1 May 2022.

2. All authorisations required under this Article shall be granted by the competent authorities in accordance with the rules and procedures laid down in Regulation (EU) 2021/821, which shall apply *mutatis mutandis*. The authorisation shall be valid throughout the Union.
3. The competent authorities of the Member States may annul, suspend, modify or revoke an authorisation which they have granted pursuant to paragraph 1 if they deem that such annulment, suspension, modification or revocation is necessary for the effective implementation of this Decision.’;

(6) the following Articles are inserted after Article 4a:

‘Article 4b

1. It shall be prohibited to provide public financing or financial assistance for trade with, or investment in, Russia.
2. The prohibition in paragraph 1 shall not apply to:
 - (a) binding financing or financial assistance commitments established prior to 26 February 2022;

- (b) the provision of public financing or financial assistance up to the total value of EUR 10 000 000 per project to small and medium-sized enterprises established in the Union; or
- (c) the provision of public financing or financial assistance for trade in food, and for agricultural, medical or humanitarian purposes.

Article 4c

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, goods and technology suited for use in oil refining, whether or not originating in the Union, to natural or legal persons, entities or bodies 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 person, entity or body in Russia or for use in Russia.
- 3. The prohibitions in paragraphs 1 and 2 shall be without prejudice to the execution until 27 May 2022 of contracts concluded before 26 February 2022, or ancillary contracts necessary for the execution of such contracts.
- 4. By way of derogation from paragraphs 1 and 2, the competent authorities of the Member States may authorise, under such conditions as they deem appropriate, the sale, supply, transfer or export of goods and technology referred to in paragraph 1 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 the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment.

In duly justified cases of emergency, the sale, supply, transfer or export may proceed without prior authorisation, provided that the exporter notifies the competent authority within five working days after the sale, supply, transfer or export has taken place, providing detail about the relevant justification for the sale, supply, transfer or export without prior authorisation.

5. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.

Article 4d

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, whether or not originating in the Union, to any natural or legal person, entity or body in Russia or for use in Russia.
2. It shall be prohibited to provide insurance and reinsurance, directly or indirectly, in relation to goods and technology referred to in paragraph 1 to any person, entity or body in Russia or for use in Russia.

3. It shall be prohibited to provide any one or any combination of the following activities: overhaul, repair, inspection, replacement, modification or defect rectification of an aircraft or component, with the exception of pre-flight inspection, in relation to the goods and technology referred to in paragraph 1, directly or indirectly, to any natural or legal person, entity or body in Russia or for use in Russia.
4. 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 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.

5. The prohibitions in paragraphs 1 and 4 shall not apply to the execution until 28 March 2022 of contracts concluded before 26 February 2022, or ancillary contracts necessary for the execution of such contracts.
6. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article’;

(7) Article 7 is replaced by the following:

Article 7

1. No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Decision, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, in particular a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:
 - (a) legal persons, entities or bodies listed in Annex I, II, III, IV, V or VI, or referred to in point (b) or (c) of Article 1(1), in point (b), or (c) of Article 1(2), in point (c), or (d) of Article 1(3), in point (b) or (c) of Article 1(4), or in point (a), (b) or (c) or Article 1a;
 - (b) any other Russian person, entity or body; or
 - (c) any person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in points (a) or (b) of this paragraph.
2. In any proceedings for the enforcement of a claim, the onus of proving that satisfying the claim is not prohibited by paragraph 1 shall be on the person seeking the enforcement of that claim.

3. This Article is without prejudice to the right of the persons, entities and bodies referred to in paragraph 1 to judicial review of the legality of the non-performance of contractual obligations in accordance with this Decision.’;

- (8) Article 8 is replaced by the following:

‘Article 8

It shall be prohibited to participate, knowingly or intentionally, in activities the object or effect of which is to circumvent the prohibitions set out in Articles 1 to 4d, including by acting as a substitute for the natural or legal persons, entities or bodies referred to in those provisions or by acting to their benefit by using any of the exceptions provided for in this Decision.’;

- (9) the following Article is inserted:

‘Article 8a

1. The Council and the High Representative of the Union for Foreign Affairs and Security Policy (the “High Representative”) may process personal data in order to carry out their tasks under this Decision, in particular for preparing and making amendments to this Decision and its Annexes.

2. For the purposes of this Decision, the Council and the High Representative are designated as “controllers” within the meaning of point (8) of Article 3 of Regulation (EU) 2018/1725 of the European Parliament and of the Council*, in relation to the processing activities necessary to accomplish the tasks referred to in paragraph 1.

* Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).’;

- (10) Article 9 is replaced by the following:

Article 9

1. This Decision shall apply until 31 July 2022.
 2. This Decision shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.’;
- (11) the Annexes are 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 Brussels, 25 February 2022.

For the Council

The President

J. BORRELL FONTELLES

ANNEX

- (1) The title of Annex I to Decision 2014/512/CFSP is replaced by the following:

‘ANNEX I

List of legal persons, entities and bodies referred to in Article 1(1)(a)’.

- (2) The title of Annex II to Decision 2014/512/CFSP is replaced by the following:

‘ANNEX II

List of legal persons, entities and bodies referred to in Article 1(3)(a)’.

- (3) The title of Annex III to Decision 2014/512/CFSP is replaced by the following:

‘ANNEX III

List of legal persons, entities and bodies referred to in Article 1(3)(b)’.

- (4) Annex IV to Decision 2014/512/CFSP is replaced by the following:

‘ANNEX IV

List of legal persons, entities and bodies referred to in Articles 3(7), 3a(7), and 3b(1)

JSC Sirius

OJSC Stankoinstrument

OAo JSC Chemcomposite

JSC Kalashnikov

JSC Tula Arms Plant

NPK Technologii Maschinostrojenija

OAo Wysokototschnye Kompleksi

OAo Almaz Antey

OAo NPO Bazalt

Admiralty Shipyard JSC

Aleksandrov Scientific Research Technological Institute NITI

Argut OOO

Communication center of the Ministry of Defense

Federal Research Center Boreskov Institute of Catalysis

Federal State Budgetary Enterprise of the Administration of the President of Russia

Federal State Budgetary Enterprise Special Flight Unit Rossiya of the Administration of the President of Russia

Federal State Unitary Enterprise Dukhov Automatics Research Institute (VNIIA)

Foreign Intelligence Service (SVR)

Forensic Center of Nizhniy Novgorod Region Main Directorate of the Ministry of Interior Affairs

International Center for Quantum Optics and Quantum Technologies (the Russian Quantum Center)

Irkut Corporation

Irkut Research and Production Corporation Public Joint Stock Company

Joint Stock Company Scientific Research Institute of Computing Machinery

JSC Central Research Institute of Machine Building (JSC TsNIIMash)

JSC Kazan Helicopter Plant Repair Service

JSC Shipyard Zaliv (Zaliv Shipbuilding yard)

JSC Rocket and Space Centre – Progress

Kamensk-Uralsky Metallurgical Works J.S. Co.

Kazan Helicopter Plant PJSC

Komsomolsk-na-Amur Aviation Production Organization (KNAAPO)

Ministry of Defence RF

Moscow Institute of Physics and Technology

NPO High Precision Systems JSC

NPO Splav JSC

OPK Oboronprom

PJSC Beriev Aircraft Company

PJSC Irkut Corporation

PJSC Kazan Helicopters

POLYUS Research Institute of M.F. Stelmakh Joint Stock Company

Promtech-Dubna, JSC

Public Joint Stock Company United Aircraft Corporation

Radiotechnical and Information Systems (RTI) Concern

Rapart Services LLC; Rosoboronexport OJSC (ROE)

Rostec (Russian Technologies State Corporation)

Rostekh – Azimuth

Russian Aircraft Corporation MiG

Russian Helicopters JSC

SP KVANT (Sovmestnoe Predpriyatie Kvantovye Tekhnologii)

Sukhoi Aviation JSC

Sukhoi Civil Aircraft

Tactical Missiles Corporation JSC

Tupolev JSC

UEC-Saturn

United Aircraft Corporation

JSC AeroKompozit

United Engine Corporation

UEC-Aviadvigatel JSC

United Instrument Manufacturing Corporation

United Shipbuilding Corporation

JSC PO Sevmash

Krasnoye Sormovo Shipyard

Severnaya Shipyard

Shipyard Yantar

UralVagonZavod’.

- (5) The following Annexes are added:

‘ANNEX V

List of legal persons, entities and bodies referred to in Article 1(2)(a)

Alfa Bank

Bank Otkritie

Bank Rossiya

Promsvyazbank

ANNEX VI

List of legal persons, entities and bodies referred to in Article 1(4)(a)

Almaz-Antey

Kamaz

Novorossiysk Commercial Sea Port

Rostec (Russian Technologies State Corporation)

Russian Railways

JSC PO Sevmash

Sovcomflot

United Shipbuilding Corporation

ANNEX VII

List of partner countries referred to in Article 3(9)

THE UNITED STATES OF AMERICA’.
