

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2021/1985

of 15 November 2021

amending Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures in view of the situation in Belarus ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EC) No 765/2006 ⁽²⁾ gives effect to Decision 2012/642/CFSP and in particular provides for the freezing of funds and economic resources of, and prohibits making funds or economic resources available to, persons, entities and bodies responsible for serious violations of human rights or the repression of civil society and democratic opposition, or whose activities otherwise seriously undermine democracy or the rule of law in Belarus or who benefit from or support the Lukashenka regime.
- (2) On 15 November 2021, the Council adopted Decision (CFSP) 2021/1990 ⁽³⁾, which introduces an additional designation criterion to allow for the application of targeted restrictive measures against natural or legal persons, entities or bodies organising or contributing to activities by the Lukashenka regime that facilitate the illegal crossing of the external borders of the Union or the transfer of prohibited goods and the illegal transfer of restricted goods, including hazardous goods, into the territory of the Union.
- (3) That amendment needs to be reflected in Regulation (EC) No 765/2006 in order to allow for the correct and uniform implementation of the prohibition across the Union.
- (4) Regulation (EC) No 765/2006 should therefore be amended accordingly,

⁽¹⁾ OJ L 285, 17.10.2012, p. 1.

⁽²⁾ Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in respect of Belarus (OJ L 134, 20.5.2006, p. 1).

⁽³⁾ Council Decision (CFSP) 2021/1990 of 15 November 2021 amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus (See page 10 of this Official Journal)..

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 of Regulation (EC) No 765/2006, the following paragraph is added:

‘6. Annex I shall also consist of a list of:

- (a) the natural or legal persons, entities or bodies who, in accordance with Article 4(1), point (c), of Decision 2012/642/CFSP, have been identified by the Council as organising or contributing to activities by the Lukashenka regime that facilitate:
 - (i) the illegal crossing of the external borders of the Union; or
 - (ii) the transfer of prohibited goods and the illegal transfer of restricted goods, including hazardous goods, into the territory of the Union; and
- (b) the legal persons, entities or bodies who, in accordance with Article 4(1), point (d), of Decision 2012/642/CFSP, have been identified by the Council as legal persons, entities or bodies owned or controlled by persons, entities or bodies referred to in point (a).’

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 Brussels, 15 November 2021.

For the Council
The President
J. BORRELL FONTELLES
