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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2018/385

of 16 October 2017

on the signing, on behalf of the Union and of the Member States, and provisional application of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, Article 100(2) and Articles 207 and 209, in conjunction with Article 218(5) thereof,

Having regard to the Act of Accession of Croatia, and in particular Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with Article 6(2) of the Act of Accession of Croatia, the accession of Croatia to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part ⁽¹⁾ ('the Agreement') is to be agreed by means of a protocol to the Agreement. In accordance with Article 6(2) of the Act of Accession, a simplified procedure is to apply to such accession, whereby a protocol is to be concluded by the Council, acting unanimously on behalf of the Member States, and by the third countries concerned.
- (2) On 14 September 2012, the Council authorised the Commission to open negotiations with the Kyrgyz Republic for the adaptation of the Agreement. Negotiations for a protocol to the Agreement (the 'Protocol') were successfully concluded by exchange of *notes verbales*.
- (3) As regards matters falling within the competence of the European Atomic Energy Community, the signature of the Protocol is subject to a separate procedure.
- (4) Therefore, the Protocol should be signed on behalf of the Union and of the Member States, and should, in order to ensure its efficient application, be applied on a provisional basis, pending the completion of the procedures necessary for its entry into force,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union and of the Member States of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia to the European Union is hereby authorised, subject to the conclusion of the said Protocol.

The text of the Protocol is attached to this Decision.

⁽¹⁾ OJ L 196, 28.7.1999, p. 48.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union and of the Member States.

Article 3

The Protocol shall be applied provisionally, in accordance with Article 4(3) thereof, as from 1 July 2013, pending the completion of the procedures necessary for its entry into force.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 16 October 2017.

For the Council
The President
F. MOGHERINI

PROTOCOL

to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia to the European Union

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Contracting Parties to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community, hereinafter referred to as 'the Member States',

THE EUROPEAN UNION, hereafter referred to as 'the Union', and

THE EUROPEAN ATOMIC ENERGY COMMUNITY

of the one part,

AND

THE KYRGYZ REPUBLIC

of the other part,

hereinafter referred to together as 'the Parties',

WHEREAS the Partnership and Cooperation Agreement between the European Communities and their Member States and the Kyrgyz Republic, hereinafter referred to as 'the Agreement', was signed in Brussels on 9 February 1995;

WHEREAS the Treaty of the Accession of the Republic of Croatia to the European Union was signed in Brussels on 9 December 2011;

WHEREAS, pursuant to Article 6(2) of the Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community, its accession to the Agreement is to be agreed by the conclusion of a protocol to the Agreement;

TAKING INTO ACCOUNT the accession of the Republic of Croatia to the Union and to the European Atomic Energy Community on 1 July 2013;

HAVE AGREED AS FOLLOWS:

Article 1

The Republic of Croatia shall accede to the Partnership and Cooperation Agreement between the European Communities and their Member States and the Kyrgyz Republic. The Republic of Croatia shall also adopt and take note of, in the same manner as the other Member States, the texts of the Agreement, and of the Joint Declarations, Declarations and Exchanges of Letters annexed to the Final Act signed on the same date.

Article 2

In due time after the signature of this Protocol, the Union shall communicate the text of the Agreement in the Croatian language to the Member States and to the Kyrgyz Republic. Subject to the entry into force of this Protocol, the text referred to in the first sentence of this Article shall become authentic under the same conditions as Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish, Kyrgyz and Russian texts of the Agreement.

Article 3

This Protocol shall form an integral part of the Agreement.

Article 4

1. This Protocol shall be approved by the Parties, in accordance with their own procedures and the Parties shall notify one another of the completion of the procedures necessary for that purpose.
2. This Protocol shall enter into force on the first day of the month following the month during which the last notification provided for in paragraph 1 has been carried out.
3. Pending its entry into force, this Protocol shall apply provisionally with effect from 1 July 2013.

Article 5

This Protocol shall be drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish, Kyrgyz and Russian languages, each text being equally authentic.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly empowered to this effect, have signed this Protocol.

Съставено в Брюксел на шести февруари две хиляди и осемнадесета година.

Hecho en Bruselas, el seis de febrero de dos mil dieciocho.

V Bruselu dne šestého února dva tisíce osmnáct.

Udfærdiget i Bruxelles den sjette februar to tusind og atten.

Geschehen zu Brüssel am sechsten Februar zweitausendachtzehn.

Kahe tuhande kaheksateistkümnenda aasta veebruarikuu kuuendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις έξι Φεβρουαρίου δύο χιλιάδες δεκαοκτώ.

Done at Brussels on the sixth day of February in the year two thousand and eighteen.

Fait à Bruxelles, le six février deux mille dix-huit.

Sastavljeno u Bruxellesu šestog veljače godine dvije tisuće osamnaeste.

Fatto a Bruxelles, addì sei febbraio duemiladiciotto.

Briselē, divi tūkstoši astoņpadsmitā gada sestajā februārī.

Priimta du tūkstančiai aštuonioliktų metų vasario šeštą dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizennyolcadik év február havának hatodik napján.

Magħmul fi Brussell, fis-sitt jum ta' Frar fis-sena elfejn u tmintax.

Gedaan te Brussel, zes februari tweeduizend achttien.

Sporządzono w Brukseli dnia szóstego lutego roku dwa tysiące osiemnastego.

Feito em Bruxelas, em seis de fevereiro de dois mil e dezoito.

Íntocmit la Bruxelles la șase februarie două mii optsprezece.

V Bruseli šiesteho februára dvetisícosemnást.

V Bruslju, dne šestega februarja leta dva tisoč osemnajst.

Tehty Brysselissä kuudentena päivänä helmikuuta vuonna kaksituhattakahdeksantoista.

Som skedde i Bryssel den sjätte februari år tjugohundraarton.

Брюссель шаарында эки миң он сегизинчи жылдын алтынчы февралында түзүлдү.

Составлено в Брюсселе шестого февраля две тысячи восемнадцатого года.

За Европейския съюз

Por la Unión Europea

Za Evropskou unii

For Den Europæiske Union

Für die Europäische Union

Euroopa Liidu nimel

Για την Ευρωπαϊκή Ένωση

For the European Union

Pour l'Union européenne

Za Europsku uniju

Per l'Unione europea

Eiropas Savienības vārdā –

Europos Sąjungos vardu

Az Európai Unió részéről

Għall-Unjoni Ewropea

Voor de Europese Unie

W imieniu Unii Europejskiej

Pela União Europeia

Pentru Uniunea Europeană

Za Európsku úniu

Za Evropsko unijo

Euroopan unionin puolesta

För Europeiska unionen


Европа бирлиги үчүн

За Европейский Союз

За държавите-членки
Por los Estados miembros
Za členské státy
For medlemsstaterne
Für die Mitgliedstaaten
Liikmesriikide nimel
Για τα κράτη μέλη
For the Member States
Pour les États membres
Za države članice
Per gli Stati membri
Dalībvalstu vārdā –
Valstybių narių vardu
A tagállamok részéről
Għall-Istati Membri
Voor de lidstaten
W imieniu Państw Członkowskich
Pelos Estados-Membros
Pentru statele membre
Za členské štáty
Za države članice
Jäsenvaltioiden puolesta
För medlemsstaterna
Мүчө мамлекеттер үчүн
За государства-члены



За Европейската общност за атомна енергия
Por la Comunidad Europea de la Energía Atómica
Za Evropské společenství pro atomovou energii
For Det Europæiske Atomenergifællesskab
Für die Europäische Atomgemeinschaft
Euroopa Aatomienergiaühenduse nimel
Για την Ευρωπαϊκή Κοινότητα Ατομικής Ενέργειας
For the European Atomic Energy Community
Pour la Communauté européenne de l'énergie atomique
Za Europejsku zajednicu za atomsku energiju
Per la Comunità europea dell'energia atomica
Eiropas Atomenerģijas Kopienas vārdā –
Europos atominės energijos bendrijos vardu
Az Európai Atomenergia-közösség részéről
Fisem il-Komunità Ewropea tal-Energija Atomika
Voor de Europese Gemeenschap voor Atoomenergie
W imieniu Europejskiej Wspólnoty Energii Atomowej
Pela Comunidade Europeia da Energia Atómica
Pentru Comunitatea Europeană a Energiei Atomice
Za Európske spoločenstvo pre atómovú energiu
Za Evropsko skupnost za atomsko energijo
Euroopan atomienergiajärjestön puolesta
För Europeiska atomenergigemenskapen
Атом энергиясы боюнча Европа коомдоштугу үчүн
За Европейское сообщество по атомной энергии



За киргизката република
Por la república kirguisa
Za kyrgyzskou republiku
For den Kirgisiske Republik
Für die Kirgisische Republik
Kirgiisi vabariigi nimel
Για τη Δημοκρατία του Κιργιζιστάν
For the Kyrgyz Republic
Pour la République Kirghize
Za kirgisku republiku
Per la repubblica del kirghizistan
Kirgizstānas Republikas vārdā –
Kirgizijos respublikos vardu
A Kirgiz köztársaság részéről
Għall-Repubblika Kirgiza
Voor de Kirgizische Republiek
W imieniu Republiki Kirgiskiej
Pela república do quirguistão
Pentru Republica Kârgâzstan
Za Kirgizskú Republiku
Za Kirgiško republiko
Kirgisian tasavallan puolesta
För Republiken Kirgizistan
Кыргыз Республикасы үчүн
За Кыргызскую Республику



COUNCIL DECISION (Euratom) 2018/386**of 16 October 2017**

approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) In accordance with Article 6(2) of the Act of Accession of Croatia, the accession of the Republic of Croatia to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and its Member States, of the one part, and the Kyrgyz Republic, of the other part ⁽¹⁾ ('the Agreement') is to be agreed by means of a Protocol to the Agreement.
- (2) On 14 September 2012, the Council authorised the Commission to open negotiations with the third countries concerned. Negotiations were successfully concluded with the Kyrgyz Republic by exchange of *notes verbales*.
- (3) As regards matters falling within the competence of the European Atomic Energy Community, the signing and conclusion of the Protocol are subject to a separate procedure.
- (4) As regards matters falling within the competence of the Union and of the Member States, the signing and conclusion of the Protocol are subject to a separate procedure,

HAS ADOPTED THIS DECISION:

Article 1

The conclusion by the Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia to the European Union ⁽²⁾, is hereby approved.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 16 October 2017.

For the Council

The President

F. MOGHERINI

⁽¹⁾ OJ L 196, 28.7.1999, p. 48.

⁽²⁾ The text of the Protocol is published on page 3 of this Official Journal together with the Decision on signature on behalf of the Union and of the Member States.

REGULATIONS

COUNCIL REGULATION (EU) 2018/387

of 12 March 2018

amending Regulation (EU) No 224/2014 concerning restrictive measures in view of the situation in the Central African Republic

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 2013/798/CFSP of 23 December 2013 concerning restrictive measures against the Central African Republic ⁽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 (EU) No 224/2014 ⁽²⁾ gives effect to certain measures provided for in Decision 2013/798/CFSP.
- (2) Decision 2013/798/CFSP provides for an arms embargo against the Central African Republic and for the freezing of funds and economic resources of certain persons engaging in or providing support for acts that undermine the peace, stability or security of the Central African Republic.
- (3) On 30 January 2018, the United Nations Security Council adopted Resolution 2399 (2018) ('UNSCR 2399'), which amended the exemptions to the arms embargo and the designation criteria for the asset freeze. The Council adopted Decision (CFSP) 2018/391 ⁽³⁾, amending Decision 2013/798/CFSP to give effect to UNSCR 2399.
- (4) This measure falls within the scope of the Treaty, and regulatory action at the level of the Union is therefore necessary in order to implement it, in particular with a view to ensuring its uniform application by economic operators in all Member States.
- (5) Regulation (EU) No 224/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 224/2014 is amended as follows:

- (1) In Article 3, point (a) is replaced by the following:

‘(a) intended solely for the support of or use by the United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic (MINUSCA), the Union missions and the French forces deployed in the Central African Republic, as well as other United Nations Member States’ forces providing training and assistance as notified in accordance with point (c);’

⁽¹⁾ OJ L 352, 24.12.2013, p. 51.

⁽²⁾ Council Regulation (EU) No 224/2014 of 10 March 2014 concerning restrictive measures in view of the situation in the Central African Republic (OJ L 70, 11.3.2014, p. 1).

⁽³⁾ Council Decision (CFSP) 2018/391 of 12 March 2018 amending Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic (see page 46 of this Official Journal).

(2) Article 5(3) is amended as follows:

(a) point (c) is replaced by the following:

‘(c) involved in planning, directing, or committing acts in the Central African Republic that violate international human rights law or international humanitarian law, as applicable, or that constitute human rights abuses or violations, including those involving targeting of civilians, ethnic- or religious-based attacks, attacks on civilian objects, including administrative centres, courthouses, schools and hospitals, and abduction and forced displacement;’;

(b) point (h) is replaced by the following:

‘(h) involved in planning, directing, sponsoring, or conducting attacks against United Nations missions or international security presences, including MINUSCA, the Union missions and the French forces which support them, as well as against humanitarian personnel;’;

(c) the following point is added:

‘(j) committing acts of incitement to violence, in particular on an ethnic or religious basis, that undermine the peace, stability or security of the Central African Republic, and then engaging in or providing support for acts that undermine the peace, stability or security of the Central African Republic.’.

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, 12 March 2018.

For the Council

The President

E. KARANIKOLOV

COUNCIL IMPLEMENTING REGULATION (EU) 2018/388**of 12 March 2018****implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) No 269/2014 of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine ⁽¹⁾, and in particular Article 14(1) and (3) thereof,

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

Whereas:

- (1) On 17 March 2014, the Council adopted Regulation (EU) No 269/2014.
- (2) On the basis of a review by the Council, the information concerning certain persons and entities in Annex I to Regulation (EU) No 269/2014 should be amended.
- (3) Annex I to Regulation (EU) No 269/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) No 269/2014 shall be amended as set out in the Annex 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 Brussels, 12 March 2018.

For the Council

The President

E. KARANIKOLOV

⁽¹⁾ OJ L 78, 17.3.2014, p. 6.

ANNEX

The entries concerning the persons and entities listed below, as set out in the Annex I to Regulation (EU) No 269/2014, are replaced by the following entries:

Persons:

	Name	Identifying information	Reasons	Date of listing
'3.	Rustam Ilmirovich TEMIRGALIEV (Рустам Ильмирович ТЕМИРГАЛИЕВ) Rustam Ilmyrovych TEMIRHALIEV (Рустам Ильмирович ТЕМИРГАЛІЄВ)	DOB: 15.8.1976 POB: Ulan-Ude, Buryat ASSR (Russian SFSR)	As former Deputy Prime Minister of Crimea, Temirgaliev played a relevant role in the decisions taken by the 'Supreme Council' concerning the 'referendum' of 16 March 2014 against the territorial integrity of Ukraine. He lobbied actively for the integration of Crimea into the Russian Federation. On 11 June 2014, he resigned from his function as 'First Deputy Prime Minister' of the so-called 'Republic of Crimea'. Currently General Director of the Managing Company of the Russian-Chinese Investment Fund for Regional Development. Remains active in supporting separatist actions or policies.	17.3.2014
6.	Pyotr Anatoliyovych ZIMA (Пётр Анатольевич ЗИМА) Petro Anatoliyovych ZYMA (Петро Анатолійович ЗИМА)	DOB: 18.1.1970 or 29.3.1965 POB: Artemivsk (Артемівськ) (2016 renamed back to Bakhmut/Бахмут), Donetsk Oblast, Ukraine	Zima was appointed as the new head of the Crimean Security Service (SBU) on 3 March 2014 by 'Prime Minister' Aksyonov and accepted this appointment. He has given relevant information including a database to the Russian Intelligence Service (FSB). This included information on Euro-Maidan activists and human rights defenders of Crimea. He played a relevant role in preventing Ukraine's authorities from controlling the territory of Crimea. On 11 March 2014, the formation of an independent Security Service of Crimea was proclaimed by former SBU officers of Crimea.	17.3.2014
9.	Viktor Alekseevich OZEROV (Виктор Алексеевич ОЗЕРОВ)	DOB: 5.1.1958 POB: Abakan, Khakassia	Former Chairman of the Security and Defence Committee of the Federation Council of the Russian Federation. On 1 March 2014, Ozerov, on behalf of the Security and Defence Committee of the Federation Council, publicly supported, in the Federation Council, the deployment of Russian forces in Ukraine. In July 2017, he filed his resignation as the Chairman of the Security and Defence Committee. He continues to be a member of the Council and is a member of the Committee on internal regulation and parliamentary affairs. On 10 October 2017, with a decree N 372-SF, Ozerov was included in the temporary commission of the Federation Council on protection of state sovereignty and prevention of interference in the internal affairs of the Russian Federation.	17.3.2014

	Name	Identifying information	Reasons	Date of listing
14.	Aleksandr Borisovich TOTOONOV (Александр Борисович ТОТООНОВ)	DOB: 3.4.1957 POB: Ordzhonikidze, North Ossetia	Former Member of the Committee of International Affairs of the Federation Council of the Russian Federation. His duties as a Member of the Council of the Russian Federation ended in September 2017. He is currently a member of the parliament of North Ossetia. On 1 March 2014, Totoonov publicly supported, in the Federation Council, the deployment of Russian forces in Ukraine.	17.3.2014
28.	Valery Vladimirovich KULIKOV (Валерий Владимирович КУЛИКОВ)	DOB: 1.9.1956 POB: Zaporozhye, (Ukrainian SSR)	Former Deputy-Commander of the Black Sea Fleet, Rear Admiral. Responsible for commanding Russian forces that have occupied Ukrainian sovereign territory. On 26 September 2017, with a Decree of the President of Russian Federation, he was dismissed from this post and from military service.	21.3.2014
31.	Valery Kirillovich MEDVEDEV (Валерий Кириллович МЕДВЕДЕВ) Valeriy Kyrylovych MEDVEDIEV (Валерій Кирилович МЕДВЕДЕЦВ)	DOB: 21.8.1946 POB: Shmakovka, Primorsky region	Former Chair of Sevastopol Electoral Commission (until 26 May 2017). Responsible for administering the Crimean referendum. Responsible under the Russian system for signing referendum results.	21.3.2014
33.	Elena Borisovna MIZULINA (born DMITRIYEVA) (Елена Борисовна МИЗУЛИНА (born ДМИТРИЕВА))	DOB: 9.12.1954 POB: Bui, Kostroma region	Former Deputy in the State Duma. Originator and co-sponsor of recent legislative proposals in Russia that would have allowed regions of other countries to join Russia without their central authorities' prior agreement. As of September 2015, a Member of the Federation Council from Omsk region. Currently Deputy Chairman of the Federation Council Committee on Constitutional Legislation and State Building.	21.3.2014
51.	Vladimir Nikolaevich PLIGIN (Владимир Николаевич ПЛИГИН)	DOB: 19.5.1960 POB: Ignatovo, Vologodsk Oblast, USSR.	Former member of the State Duma and former Chair of the Duma Constitutional Law Committee. Responsible for facilitating the adoption of legislation on the annexation of Crimea and Sevastopol into the Russian Federation. Member of the Supreme Council of the United Russia party.	12.5.2014

	Name	Identifying information	Reasons	Date of listing
53.	Oleg Grigorievich KOZYURA (Олег Григорьевич КОЗЮРА) Oleh Hryhorovych KOZYURA (Олег Григорович КОЗЮРА)	DOB: 30.12.1965 or 19.12.1962 POB: Simferopol, Crimea or Zaporizhia	Former Head of the Federal Migration Service office for Sevastopol. Responsible for the systematic and expedited issuance of Russian passports for the residents of Sevastopol. Since October 2016, Chief of Staff of the Legislative Assembly of Sevastopol.	12.5.2014
59.	Aleksandr Sergeevich MALYKHIN Alexander Sergeevich MALYHIN (Александр Сергеевич МАЛЫХИН) Oleksandr Serhiyovych (Sergiyovych) MALYKHIN (Олександр Сергійович МАЛИХІН)	DOB: 12.1.1981	Former head of the 'Lugansk People's Republic' Central Electoral Commission. Actively organised the referendum on 11 May 2014 on the self-determination of the 'Lugansk People's Republic'. Remains active in supporting separatist policies.	12.5.2014
66.	Marat Faatovich BASHIROV (Марат Фаатович БАШИРОВ)	DOB: 20.1.1964 POB: Izhevsk, Russian Federation	Former so-called 'Prime Minister of the Council of Ministers of the Lugansk People's Republic', confirmed on 8 July 2014. Responsible for the separatist 'governmental' activities of the so-called 'government of the Lugansk People's Republic'. Continues activities of supporting LNR separatist structures.	12.7.2014
70.	Igor PLOTNITSKY Igor Venediktovich PLOTNITSKIY (Игорь Венедиктович ПЛОТНИЦКИЙ) Ihor (Igor) Venedyktovych PLOTNYTSKYI (Ігор Венедиктович ПЛОТНИЦЬКИЙ)	DOB: 24.6.1964 or 25.6.1964 or 26.6.1964 POB: Luhansk (possibly in Kelmentsi, Chernivtsi oblast)	Former so-called 'Defence Minister' and former so-called 'Head' of the 'Lugansk People's Republic'. Responsible for the separatist 'governmental' activities of the so-called 'government of the Lugansk People's Republic'. Continues to perform 'governmental' activities of the so-called 'government of the Lugansk People's Republic' as the Special Envoy of the so-called 'Lugansk People's Republic' on Minsk implementation.	12.7.2014
77.	Boris Vyacheslavovich GRYZLOV (Борис Вячеславович ГРЫЗЛОВ)	DOB 15.12.1950 POB: Vladivostok	Former permanent member of the Security Council of the Russian Federation. As a member of the Security Council, which provides advice on and coordinates national security affairs, he was involved in shaping the policy of the Russian Government threatening the territorial integrity, sovereignty and independence of Ukraine. He remains chairman of the Supreme Council of the United Russia party.	25.7.2014

	Name	Identifying information	Reasons	Date of listing
84.	Fyodor Dmitrievich BEREZIN (Фёдор Дмитриевич БЕРЕЗИН) Fedir Dmytrovych BEREZIN (Федір Дмитрович БЕРЕЗІН)	DOB: 7.2.1960 POB: Donetsk	Former so-called 'deputy defence minister' of the so-called 'Donetsk People's Republic'. He is associated with Igor Strelkov/Girkin, who is responsible for actions which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine. In taking on and acting in this capacity Berezin has therefore supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine. Remains active in supporting separatist actions and policies. Current Chairman of the Board of DNR Writers' Union.	25.7.2014
90.	Boris Alekseevich LITVINOV (Борис Алексеевич ЛИТВИНОВ) Borys Oleksiyovych LYTVYNOV (Борис Олексійович ЛИТВИНОВ)	DOB: 13.1.1954 POB: Dzerzhynsk (Donetsk oblast)	Former member of the so-called 'People's Council' and former chairman of the so-called 'Supreme Council' of the so-called 'Donetsk People's Republic' who was at the source of policies and the organisation of the illegal 'referendum' leading to the proclamation of the so-called 'Donetsk People's Republic', which constituted a breach of the territorial integrity, sovereignty and unity of Ukraine. Remains active in supporting separatist actions and policies. Current leader of Communist Party of DNR.	30.7.2014
97.	Vladimir Petrovich KONONOV (a.k.a. 'Tsar') (Владимир Петровнч КОНОНОВ) Volodymyr Petrovych KONONOV (Володимир Петрович КОНОНОВ)	DOB: 14.10.1974 POB: Gorsky, Luhansk Oblast	As of 14 August 2014, he replaced Igor Strelkov/Girkin, as the so-called 'Defence minister' of the 'Donetsk People's Republic'. He has reportedly commanded a division of separatist fighters in Donetsk since April 2014 and has promised to solve the strategic task of repelling Ukraine's military aggression. Kononov has therefore supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine.	12.9.2014
103.	Aleksandr Akimovich KARAMAN (Александр Акимович КАРАМАН) Alexandru CARAMAN	DOB: 26.7.1956 POB Cioburciu, Slobozia district, now Republic of Moldova	Former so-called 'Deputy Prime Minister for Social Issues' of the 'Donetsk People's Republic'. Associated with Vladimir Antyufeyev, who was responsible for the separatist 'governmental' activities of the so-called 'Government of the Donetsk People's Republic'. He has therefore supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine. Protégé of Russia's Deputy Prime Minister Dmitry Rogozin. Former Head of the Administration of the Council of Ministers of the 'Donetsk People's Republic'. Until March 2017, so-called 'Plenipotentiary representative of the President' of the so-called 'Pridnestrovian Moldavian Republic' to the Russian Federation.	12.9.2014

	Name	Identifying information	Reasons	Date of listing
108.	Vladimir Abdualiyevich VASILYEV (Владимир Абдуалиевич ВАСИЛЬЕВ)	DOB: 11.8.1949 POB: Klin	Former Deputy Speaker of the State Duma. On 20 March 2014, he voted in favour of the draft Federal Constitutional Law 'on the acceptance into the Russian Federation of the Republic of Crimea and the formation within the Russian Federation of new federal subjects — the republic of Crimea and the City of Federal Status Sevastopol'. He was appointed acting head of Republic of Dagestan in October 2017 by Presidential decree.	12.9.2014
111.	Vladimir Stepanovich NIKITIN (Владимир Степанович НИКИТИН)	DOB 5.4.1948 POB: Opochka	Former member of the State Duma and former First Deputy Chairman of the Committee for CIS Affairs, Eurasian Integration and Relations with Compatriots of the State Duma. On 20 March 2014 he voted in favour of the draft Federal Constitutional Law 'on the acceptance into the Russian Federation of the Republic of Crimea and the formation within the Russian Federation of new federal subjects — the republic of Crimea and the City of Federal Status Sevastopol'. Member of the Presidium of the Central Committee of the Communist Party of the Russian Federation.	12.9.2014
112.	Oleg Vladimirovich LEBEDEV (Олег Владимирович ЛЕБЕДЕВ)	DOB 21.3.1964 POB: Rudny, Kostanai region, Kazakh SSR	Former member of the State Duma and former First Deputy Chairman of the Committee for CIS Affairs, Eurasian Integration and Relations with Compatriots of the State Duma. On 20 March 2014, he voted in favour of the draft Federal Constitutional Law 'on the acceptance into the Russian Federation of the Republic of Crimea and the formation within the Russian Federation of new federal subjects — the republic of Crimea and the City of Federal Status Sevastopol'. Remains active in supporting separatist policies.	12.9.2014
119.	Alexander Mikhailovich BABAKOV (Александр Михайлович БАБАКОВ)	DOB: 8.2.1963 POB: Chisinau	Former member of the State Duma. Former State Duma Deputy, Chair of the State Duma Commission on Legislative Provisions for Development of the Military-Industrial Complex of the Russian Federation. He is a prominent member of 'United Russia' and a businessman with heavy investments in Ukraine and in Crimea. On 20 March 2014, he voted in favour of the draft Federal Constitutional Law 'on the acceptance into the Russian Federation of the Republic of Crimea and the formation within the Russian Federation of new federal subjects — the Republic of Crimea and the City of federal status of Sevastopol'. Currently member of the Federation Council of the Russian Federation. Deputy Chairman of the Committee on Foreign Affairs.	12.9.2014

	Name	Identifying information	Reasons	Date of listing
123.	Yuriy Viktorovich SIVOKONENKO (a.k.a. Yuriy SIVOKONENKO, Yury SIVOKONENKO, Yury SYVOKONENKO) (Юрий Викторович СИВОКОНЕНКО)	DOB: 7.8.1957 POB: Stalino city (now Donetsk)	Member of the 'Parliament' of the so-called 'Donetsk People's Republic' and Chairman of the public association Union of Veterans of the Donbass Berkut and a member of the public movement 'Free Donbass'. Stood as a candidate in the so-called 'elections' of 2 November 2014 to the post of the Head of the so-called 'Donetsk People's Republic'. These elections were in breach of Ukrainian law and therefore illegal. In taking on and acting in this capacity, and in participating formally as a candidate in the illegal 'elections', he has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine. He remains a member of the so-called 'people's council of the Donetsk People's Republic'.	29.11.2014
125.	Ravil Zakariyevich KHALIKOV (Равиль Закариевич ХАЛИКОВ) Ravil Zakariyovych KHALIKOV (Равіль Закарійович ХАЛІКОВ)	DOB: 23.2.1969 POB: Belozernoie village, Romodanovskiy rayon, USSR	Former so-called 'First Deputy Prime Minister' and previous 'Prosecutor-General' of the 'Donetsk People's Republic'. In taking on and acting in this capacity, he has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine. Currently 'aide' to the head of the Moscow branch of the Investigative Committee of Russian Federation (GSU SK).	29.11.2014
126.	Dmitry Aleksandrovich SEMYONOV Dmitrii Aleksandrovich SEMENOV (Дмитрий Александрович СЕМЕНОВ)	DOB: 3.2.1963 POB: Moscow	Former 'Deputy Prime Minister for Finances' of the so-called 'Lugansk People's Republic'. In taking on and acting in this capacity, has actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine. Remains active in supporting LNR separatist structures.	29.11.2014
140.	Sergey Yurevich IGNATOV (a.k.a. KUZOVLEV a.k.a. TAMBOV) (Сергей Юрьевич ИГНАТОВ а.к.а КУЗОВЛЕВ а.к.а. ТАМБОВ)	DOB: 7.1.1967 POB: Michurinsk, Tambov oblast Мичуринск, Тамбовская область	Former so-called Commander in Chief of the People's Militia of the 'Lugansk People's Republic'. In taking on and acting in this capacity, he has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine. Commander of 8th Army of the Russian Armed Force.	16.2.2015

	Name	Identifying information	Reasons	Date of listing
145.	Olga Igoreva BESEDINA (Ольга Игорєва БЕСЕДИНА) Olha Ihorivna BESEDINA (Ольга Ігорівна БЕСЕДИНА)	DOB: 10.12.1976 POB: Luhansk	Former so-called 'Minister of Economic Development and Trade' of the so-called 'Lugansk People's Republic'. In taking on and acting in this capacity, she has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine. Currently the head of the foreign economy department at the Office of the head of the "Luhansk Administration".	16.2.2015
146.	Zaur Raufovich ISMAILOV (Заур Рауфович ИСМАИЛОВ) Zaur Raufovich ISMAYILOV (Заур Рауфович ІСМАЇЛОВ)	DOB: 25.7.1978 (or 23.3.1975) POB: Krasny Luch, Voroshilovgrad, Lugansk region	Former so-called 'General Prosecutor' of the so-called 'Lugansk People's Republic' (until October 2017). In taking on and acting in this capacity, he has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine.	16.2.2015
147.	Anatoly Ivanovich ANTONOV (Анатолий Иванович АНТОНОВ)	DOB 15.5.1955 POB: Omsk	Former Deputy Minister of Defence and, in that capacity, involved in supporting the deployment of Russian troops in Ukraine. According to the present Russian Ministry of Defence structure, in that capacity he participated in shaping and implementing the policy of the Russian Government. These policies threaten the territorial integrity, sovereignty and independence of Ukraine. As of 28 December 2016, Former Deputy Minister of Foreign Affairs. Holds a position of an Ambassador in the diplomatic corps of the Russian Federation.	16.2.2015
153.	Konstantin Mikhailovich BAKHAREV (Константин Михайлович БАХАРЕВ)	DOB: 20.10.1972 POB: Simferopol, Ukrainian SSR	Member of the State Duma, elected from the illegally annexed Autonomous Republic of Crimea. Member of the Duma Committee on Control and Regulation. In March 2014, Bakharev was appointed as a Deputy Chairperson of the State Council of the so-called 'Republic of Crimea', and in August 2014 as First Deputy Chairperson of that body. He has admitted his personal involvement in the events of 2014 that led to the illegal annexation of Crimea and Sevastopol, which he publicly supported, including in an interview published on gazetakrimea.ru website on 22 March 2016 and c-pravda.ru website on 23 August 2016. He was awarded with the order 'For loyalty to duty' by the 'authorities' of 'Republic of Crimea'.	9.11.2016

	Name	Identifying information	Reasons	Date of listing
154.	Dmitry Anatolievich BELIK (Дмитрий Анатольевич БЕЛИК)	DOB: 17.10.1969 POB: Kular Ust-Yansky District, Yakut Autonomous SSR	Member of the State Duma, elected from the illegally annexed city of Sevastopol. Member of the Duma Committee on Control and Regulation. As a member of the Sevastopol municipal administration in February-March 2014 he supported the activities of the so-called 'People's Mayor' Alexei Chaliy. He has publicly admitted his involvement in the events of 2014 that led to the illegal annexation of Crimea and Sevastopol, which he publicly defended, including on his personal website and in an interview published on 21 February 2016 on nation-news.ru website. For his involvement in the annexation process he has been awarded with Russian State order 'For Merit to the Fatherland – second degree'.	9.11.2016
160.	Sergey Anatolevich TOPOR-GILKA (Сергей Анатольевич ТОПОР-ГИЛКА)	Director General of OAO 'VO TPE' until its insolvency, Director General of OOO 'VO TPE'. DOB: 17.2.1970	In his capacity as Director General of OAO 'VO TPE', he led the negotiations with Siemens Gas Turbine Technologies OOO regarding the purchase and delivery of the gas turbines for a power plant in Taman, Krasnodar region, Russian Federation. He was later, as Director General of OOO 'VO TPE', responsible for the transfer of the gas turbines to Crimea. This contributes to establishing an independent power supply for Crimea and Sevastopol as a means of supporting their separation from Ukraine, and undermines the territorial integrity, sovereignty and independence of Ukraine.	4.8.2017

Entities:

	Name	Identifying information	Reasons	Date of listing
3.	So-called 'Lugansk People's Republic' 'Луганская народная республика' 'Luganskaya narodnaya respublika'	Official website: https://glava-lnr.su/content/konstituciya https://glava-lnr.info/	The so-called 'Lugansk People's Republic' was established on 27 April 2014. Responsible for organising the illegal referendum on 11 May 2014. Declaration of independence on 12 May 2014. On 22 May 2014, the so-called 'People's Republics' of Donetsk and Lugansk created the so-called 'Federal State of Novorossiia'. This is in breach of Ukrainian constitutional law, and, as a consequence, of international law, thus undermining the territorial integrity, sovereignty and independence of Ukraine. It is also involved in the recruitment to the separatist 'Army of Southeast' and other illegal armed separatist groups, thus undermining the stability or security of Ukraine.	25.7.2014

	Name	Identifying information	Reasons	Date of listing
4.	So-called 'Donetsk People's Republic' 'Донецкая народная республика' 'Donétskaya národnáya respúblika'	Official information, including the Constitution of Donetsk People's Republic and the composition of the Supreme Council https://dnr-online.ru/	The so-called 'Donetsk People's Republic' was declared on 7 April 2014. Responsible for organising the illegal referendum on 11 May 2014. Declaration of independence on 12 May 2014. On 24 May 2014, the so-called 'People's Republics' of Donetsk and Lugansk signed an agreement on the creation of the so-called 'Federal State of Novorossiya'. This is in breach of Ukrainian constitutional law, and, as a consequence, of international law, thus undermining the territorial integrity, sovereignty and independence of Ukraine. It is also involved in the recruitment to illegal armed separatist groups, thus threatening the stability or security of Ukraine.	25.7.2014
5.	So-called 'Federal State of Novorossiia' 'Федеративное государство Новороссия' 'Federativnoye Gosudarstvo Novorossiia'	Official press releases: http://novorossia.su/official http://novopressa.ru/ http://novorossia-tv.ru/ http://novorossia.today/ http://novorossia.ru/ https://www.novorosinform.org/	On 24 May 2014, the so-called 'People's Republics' of Donetsk and Lugansk signed an agreement on the creation of the unrecognised so-called 'Federal State of Novorossiia'. This is in breach of Ukrainian constitutional law, and, as a consequence, of international law, thus threatening the territorial integrity, sovereignty and independence of Ukraine.	25.7.2014
20.	Joint-stock company Sparkling wine plant 'Novy Svet' Акционерное общество 'Завод шампанских вин "Новый Свет" Formerly known as State unitary enterprise of the 'Republic of Crimea' Sparkling wine plant 'Novy Svet' Государственное унитарное предприятие Республики Крым 'Завод шампанских вин "Новый Свет" Gosudarstvennoye unitarnoye predpriyatiye Respubliki Krym 'Zavod shampanskykh vin "Novy Svet" and as State enterprise sparkling wine plant 'Novy Svet'	298032, Crimea, Sudak, Novy Svet, str. Shalapina 1. 298032, Крым, г. Судак, пгт. Новый Свет, ул. Шаляпина, д. 1	The ownership of the entity was transferred contrary to Ukrainian law. On 9 April 2014, the 'Presidium of the Parliament of Crimea' adopted a decision No 1991-6/14 'On the amendments to the Resolution of the State Council of the "Republic of Crimea"' of 26 March 2014 No 1836-6/14 'On nationalisation of the property of enterprises, institutions and organisations of agro-industrial complex, located in the territory of the "Republic of Crimea" declaring the appropriation of assets belonging to the state enterprise "Zavod shampanskykh vin Novy Svet" on behalf of the 'Republic of Crimea'. The enterprise is thus effectively confiscated by the Crimean 'authorities'. Re-registered on 4.1.2015 as State Unitary Enterprise of the 'Republic of Crimea' 'sparkling wine plant "Novy Svet" (Государственное унитарное предприятие Республики Крым 'Завод шампанских вин "Новый Свет"'). Founder: The Ministry of Agriculture of the Republic of Crimea (Министерство сельского хозяйства Республики Крым).	25.7.2014

	Name	Identifying information	Reasons	Date of listing
	Государственное предприятие Завод шампанских вин 'Новый свет' (Gosudarstvenoye predpriyatiye Zavod shampanskykh vin 'Novy Svet')		Re-registered following reorganization on 29.8.2017 as Joint-stock company Sparkling wine plant 'Novy Svet' (Акционерное общество 'Завод шампанских вин "Новый Свет"'). Founder: the Ministry of Land and Property Regulations of the 'Republic of Crimea' (Министерство земельных и имущественных отношений Республики Крым).	
21.	JOINT-STOCK COMPANY ALMAZ-ANTEY AIR AND SPACE DEFENCE CORPORATION Акционерное общество 'Концерн воздушно-космической обороны "Алмаз — Антей" (a.k.a. CONCERN ALMAZ-ANTEY; ALMAZ-ANTEY CORP; a.k.a. ALMAZ-ANTEY DEFENSE CORPORATION; a.k.a. ALMAZ-ANTEY JSC; Концерн ВКО 'Алмаз — Антей';)	41 ul.Vereiskaya, Moscow 121471, Russia; Website: almaz-antey.ru; Email Address antey@almaz-antey.ru	Almaz-Antey is a Russian State-owned company. It manufactures anti-aircraft weaponry including surface-to-air missiles which it supplies to the Russian army. The Russian authorities have been providing heavy weaponry to separatists in Eastern Ukraine, contributing to the destabilisation of Ukraine. These weapons are used by the separatists, including for shooting down airplanes. As a State-owned company, Almaz-Antey therefore contributes to the destabilisation of Ukraine.	30.7.2014
22.	DOBROLET a.k.a. DOBROLYOT ДОБРОЛЕТ/ДОБРОЛЁТ	Airline code QD International Highway, House 31, building 1, 141411 Moscow 141411, г. Москва, Международное ш., дом 31, строение 1 Website: www.dobrolet.com	Dobrolet was a subsidiary of a Russian State-owned airline. Since the illegal annexation of Crimea Dobrolet exclusively operated flights between Moscow and Simferopol. It therefore facilitated the integration of the illegally annexed Autonomous Republic of Crimea into the Russian Federation and undermined Ukrainian sovereignty and territorial integrity.	30.7.2014
28.	Luhansk Economic Union (Luganskiy Ekonomicheskiy Soyuz) Луганский экономический союз		'Social organisation' that presented candidates in the illegal so-called 'elections' of the so-called 'Lugansk People's Republic' on 2 November 2014. Nominated a candidate, Oleg AKIMOV, to be 'Head' of the so-called 'Lugansk People's Republic'. These 'elections' are in breach of Ukrainian law and therefore illegal. In participating formally in the illegal 'elections' it has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and to further destabilise Ukraine.	29.11.2014

	Name	Identifying information	Reasons	Date of listing
29.	Cossack National Guard Казачья Национальная Гвардия	http://казакнацгвард.рф/	Armed separatist group which has actively supported actions which undermine the territorial integrity, sovereignty and independence of Ukraine and further destabilise Ukraine. Commanded by and therefore associated with a listed person Nikolay KOZITSYN. Reportedly part of the so-called '2nd Army Corps' of the 'Lugansk People's Republic'.	16.2.2015
41.	'State Unitary Enterprise of the Crimean Republic "Crimean Sea Ports"' (Государственное унитарное предприятие Республики Крым "Крымские морские порты"), including branches: — Feodosia Commercial Port, — Kerch Ferry, — Kerch Commercial Port.	28 Kirova Street Kerch 298312 Crimea (298312, Крым, гор. Керчь, ул. Кирова, дом 28)	The 'Parliament of Crimea' adopted Resolution No 1757-6/14 on 17 March 2014 'On nationalisation of some companies belonging to the Ukrainian Ministries of Infrastructure or Agriculture' and Resolution No 1865-6/14 on 26 March 2014 'On State-Owned Enterprise "Crimean Sea Ports"' ('О Государственном предприятии "Крымские морские порты")' declaring the appropriation of assets belonging to several State enterprises which were merged into the 'State Unitary Enterprise of the Crimean Republic "Crimean Sea Ports"' on behalf of the 'Republic of Crimea'. Those enterprises were thus effectively confiscated by the Crimean 'authorities' and the 'Crimean Sea Ports' has benefited from the illegal transfer of their ownership.	16.9.2017

COMMISSION DELEGATED REGULATION (EU) 2018/389**of 27 November 2017****supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards for strong customer authentication and common and secure open standards of communication****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC ⁽¹⁾, and in particular the second subparagraph of Article 98(4) thereof,

Whereas:

- (1) Payment services offered electronically should be carried out in a secure manner, adopting technologies able to guarantee the safe authentication of the user and to reduce, to the maximum extent possible, the risk of fraud. The authentication procedure should include, in general, transaction monitoring mechanisms to detect attempts to use a payment service user's personalised security credentials that were lost, stolen, or misappropriated and should also ensure that the payment service user is the legitimate user and therefore is giving consent for the transfer of funds and access to its account information through a normal use of the personalised security credentials. Furthermore, it is necessary to specify the requirements of the strong customer authentication that should be applied each time a payer accesses its payment account online, initiates an electronic payment transaction or carries out any action through a remote channel which may imply a risk of payment fraud or other abuse, by requiring the generation of an authentication code which should be resistant against the risk of being forged in its entirety or by disclosure of any of the elements upon which the code was generated.
- (2) As fraud methods are constantly changing, the requirements of strong customer authentication should allow for innovation in the technical solutions addressing the emergence of new threats to the security of electronic payments. To ensure that the requirements to be laid down are effectively implemented on a continuous basis, it is also appropriate to require that the security measures for the application of strong customer authentication and its exemptions, the measures to protect confidentiality and integrity of the personalised security credentials, and the measures establishing common and secure open standards of communication are documented, periodically tested, evaluated and audited by auditors with expertise in IT security and payments and operationally independent. In order to allow competent authorities to monitor the quality of the review of these measures, such reviews should be made available to them upon their request.
- (3) As electronic remote payment transactions are subject to a higher risk of fraud, it is necessary to introduce additional requirements for the strong customer authentication of such transactions, ensuring that the elements dynamically link the transaction to an amount and a payee specified by the payer when initiating the transaction.
- (4) Dynamic linking is possible through the generation of authentication codes which is subject to a set of strict security requirements. To remain technologically neutral a specific technology for the implementation of authentication codes should not be required. Therefore authentication codes should be based on solutions such as generating and validating one-time passwords, digital signatures or other cryptographically underpinned validity assertions using keys or cryptographic material stored in the authentication elements, as long as the security requirements are fulfilled.

⁽¹⁾ OJ L 337, 23.12.2015, p. 35.

- (5) It is necessary to lay down specific requirements for the situation where the final amount is not known at the moment the payer initiates an electronic remote payment transaction, in order to ensure that the strong customer authentication is specific to the maximum amount that the payer has given consent for as referred to in Directive (EU) 2015/2366.
- (6) In order to ensure the application of strong customer authentication, it is also necessary to require adequate security features for the elements of strong customer authentication categorised as 'knowledge' (something only the user knows), such as length or complexity, for the elements categorised as 'possession' (something only the user possesses), such as algorithm specifications, key length and information entropy, and for the devices and software that read elements categorised as 'inherence' (something the user is) such as algorithm specifications, biometric sensor and template protection features, in particular to mitigate the risk that those elements are uncovered, disclosed to and used by unauthorised parties. It is also necessary to lay down the requirements to ensure that those elements are independent, so that the breach of one does not compromise the reliability of the others, in particular when any of these elements are used through a multi-purpose device, namely a device such as a tablet or a mobile phone which can be used both for giving the instruction to make the payment and in the authentication process.
- (7) The requirements of strong customer authentication apply to payments initiated by the payer, regardless of whether the payer is a natural person or a legal entity.
- (8) Due to their very nature, payments made through the use of an anonymous payment instruments are not subject to the obligation of strong customer authentication. Where the anonymity of such instruments is lifted on contractual or legislative grounds, payments are subject to the security requirements that follow from Directive (EU) 2015/2366 and this Regulatory Technical Standard.
- (9) In accordance with Directive (EU) 2015/2366, exemptions to the principle of strong customer authentication have been defined based on the level of risk, amount, recurrence and the payment channel used for the execution of the payment transaction.
- (10) Actions which imply access to the balance and the recent transactions of a payment account without disclosure of sensitive payment data, recurring payments to the same payees which have been previously set up or confirmed by the payer through the use of strong customer authentication, and payments to and from the same natural or legal person with accounts with the same payment service provider, pose a low level of risk, thus allowing payment service providers not to apply strong customer authentication. This leaves aside that in accordance with Articles 65, 66 and 67 Directive (EU) 2015/2366, payment initiation service providers, payment service providers issuing card-based payment instruments and account information service providers should only seek and obtain the necessary and essential information from the account servicing payment service provider for the provision of a given payment service with the consent of the payment service user. Such consent can be given individually for each request of information or for each payment to be initiated or, for account information service providers, as a mandate for designated payment accounts and associated payment transactions as established in the contractual agreement with the payment service user.
- (11) Exemptions for low-value contactless payments at points of sale, which also take into account a maximum number of consecutive transactions or a certain fixed maximum value of consecutive transactions without applying strong customer authentication, allow for the development of user-friendly and low-risk payment services and should therefore be provided for. It is also appropriate to establish an exemption for the case of electronic payment transactions initiated at unattended terminals where the use of strong customer authentication may not always be easy to apply due to operational reasons (e.g. to avoid queues and potential accidents at toll gates or for other safety or security risks).
- (12) Similar to the exemption for low-value contactless payments at the point of sale, a proper balance needs to be struck between the interest in enhanced security in remote payments and the needs of user-friendliness and accessibility of payments in the area of e-commerce. In line with those principles, thresholds below which no strong customer authentication needs to be applied should be set in a prudent manner, to cover only online purchases of low value. The thresholds for online purchases should be set more prudently, considering that the fact that the person is not physically present when making the purchase is posing a slightly higher security risk.

- (13) The requirements of strong customer authentication apply to payments initiated by the payer, regardless of whether the payer is a natural person or a legal entity. Many corporate payments are initiated through dedicated processes or protocols which guarantee the high levels of payment security that Directive (EU) 2015/2366 aims to achieve through strong customer authentication. Where the competent authorities establish that those payment processes and protocols that are only made available to payers who are not consumers achieve the objectives of Directive (EU) 2015/2366 in terms of security, payment service providers may, in relation to those processes or protocols, be exempted from the strong customer authentication requirements.
- (14) In the case of real-time transaction risk analysis that categorise a payment transaction as low risk, it is also appropriate to introduce an exemption for the payment service provider that intends not to apply strong customer authentication through the adoption of effective and risk-based requirements which ensure the safety of the payment service user's funds and personal data. Those risk-based requirements should combine the scores of the risk analysis, confirming that no abnormal spending or behavioural pattern of the payer has been identified, taking into account other risk factors including information on the location of the payer and of the payee with monetary thresholds based on fraud rates calculated for remote payments. Where, on the basis of the real-time transaction risk analysis, a payment cannot be qualified as posing a low level of risk, the payment service provider should revert to strong customer authentication. The maximum value of such risk-based exemption should be set in a manner ensuring a very low corresponding fraud rate, also by comparison to the fraud rates of all the payment transactions of the payment service provider, including those authenticated through strong customer authentication, within a certain period of time and on a rolling basis.
- (15) For the purpose of ensuring an effective enforcement, payment service providers that wish to benefit from the exemptions from strong customer authentication should regularly monitor and make available to competent authorities and to the European Banking Authority (EBA), upon their request, for each payment transaction type, the value of fraudulent or unauthorised payment transactions and the observed fraud rates for all their payment transactions, whether authenticated through strong customer authentication or executed under a relevant exemption.
- (16) The collection of this new historical evidence on the fraud rates of electronic payment transactions will also contribute to an effective review by the EBA of the thresholds for an exemption to strong customer authentication based on a real-time transaction risk analysis. The EBA should review and submit draft updates to the Commission of these regulatory technical standards, where appropriate, by submitting new draft thresholds and corresponding fraud rates with the aim of enhancing the security of remote electronic payments, in accordance with Article 98(5) of Directive (EU) 2015/2366 and with Article 10 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽¹⁾.
- (17) Payment service providers that make use of any of the exemptions to be provided for should be allowed at any time to choose to apply strong customer authentication to the actions and to the payment transactions referred to in those provisions.
- (18) The measures that protect the confidentiality and integrity of personalised security credentials, as well as authentication devices and software, should limit the risks relating to fraud through unauthorised or fraudulent use of payment instruments and unauthorised access to payment accounts. To this end it is necessary to introduce requirements on the secure creation and delivery of the personalised security credentials and their association with the payment service user, and to provide conditions for the renewal and deactivation of those credentials.
- (19) In order to ensure effective and secure communication between the relevant actors in the context of account information services, payment initiation services and confirmation on the availability of funds, it is necessary to specify the requirements of common and secure open standards of communication to be met by all relevant payment service providers. Directive (EU) 2015/2366 provides for the access and use of payment account information by account information service providers. This regulation therefore does not change the rules of access to accounts other than payment accounts.

⁽¹⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

- (20) Each account servicing payment service provider with payment accounts that are accessible online should offer at least one access interface enabling secure communication with account information service providers, payment initiation service providers and payment service providers issuing card-based payment instruments. The interface should enable the account information service providers, payment initiation service providers and payment service providers issuing card-based payment instruments to identify themselves to the account servicing payment service provider. It should also allow account information service providers and payment initiation service providers to rely on the authentication procedures provided by the account servicing payment service provider to the payment service user. To ensure technology and business-model neutrality, the account servicing payment service providers should be free to decide whether to offer an interface that is dedicated to the communication with account information service providers, payment initiation service providers, and payment service providers issuing card-based payment instruments, or to allow, for that communication, the use of the interface for the identification and communication with the account servicing payment service providers' payment service users.
- (21) In order to allow account information service providers, payment initiation service providers, and payment service providers issuing card-based payment instruments to develop their technical solutions, the technical specification of the interface should be adequately documented and made publicly available. Moreover, the account servicing payment service provider should offer a facility enabling the payment service providers to test the technical solutions at least 6 months prior to the application date of these regulatory standards or, if the launch takes place after the application date of these standards, prior to the date on which the interface will be launched to the market. To ensure the interoperability of different technological communication solutions, the interface should use standards of communication which are developed by international or European standardisation organisations.
- (22) The quality of the services provided by account information service providers and payment initiation service providers will be dependent on the proper functioning of the interfaces put in place or adapted by account servicing payment service providers. It is therefore important that in case of non-compliance of such interfaces with the provisions included in these standards, measures are taken to guarantee business continuity for the benefit of the users of those services. It is the responsibility of national competent authorities to ensure that account information service providers and payment initiation service providers are not blocked or obstructed in the provision of their services.
- (23) Where access to payment accounts is offered by means of a dedicated interface, in order to ensure the right of payment service users to make use of payment initiation service providers and of services enabling access to account information, as provided for in Directive (EU) 2015/2366, it is necessary to require that dedicated interfaces have the same level of availability and performance as the interface available to the payment service user. Account servicing payment service providers should also define transparent key performance indicators and service level targets for the availability and performance of dedicated interfaces that are at least as stringent as those for the interface used for their payment service users. Those interfaces should be tested by the payment service providers who will use them, and should be stress-tested and monitored by competent authorities.
- (24) To ensure that payment service providers who rely on the dedicated interface can continue to provide their services in case of problems of availability or inadequate performance, it is necessary to provide, subject to strict conditions, a fallback mechanism that will allow such providers to use the interface that the account servicing payment service provider maintains for the identification of, and communication with, its own payment service users. Certain account servicing payment service providers will be exempted from having to provide such a fallback mechanism through their customer facing interfaces where their competent authorities establish that the dedicated interfaces comply with specific conditions that ensure unhampered competition. In the event that the exempted dedicated interfaces fail to comply with the required conditions, the granted exemptions shall be revoked by the relevant competent authorities.
- (25) In order to allow competent authorities to effectively supervise and monitor the implementation and management of the communication interfaces, the account servicing payment service providers should make a summary of the relevant documentation available on their website, and provide, upon request, the competent authorities with documentation of the solutions in case of emergencies. The account servicing payment service providers should also make publicly available the statistics on the availability and performance of that interface.
- (26) In order to safeguard the confidentiality and the integrity of data, it is necessary to ensure the security of communication sessions between account servicing payment service providers, account information service providers, payment initiation service providers and payment service providers issuing card-based payment

instruments. It is in particular necessary to require that secure encryption is applied between account information service providers, payment initiation service providers, payment service providers issuing card-based payment instruments and account servicing payment service providers when exchanging data.

- (27) To improve user confidence and ensure strong customer authentication, the use of electronic identification means and trust services as set out in Regulation (EU) No 910/2014 of the European Parliament and of the Council ⁽¹⁾ should be taken into account, in particular with regard to notified electronic identification schemes
- (28) In order to ensure aligned application dates, this Regulation should be applicable from the same date as of which Member States have to ensure application of the security measures referred to in Articles 65, 66, 67 and 97 of Directive (EU) 2015/2366.
- (29) This Regulation is based on the draft regulatory technical standards submitted by the European Banking Authority (EBA) to the Commission.
- (30) EBA has conducted open and transparent public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010,

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation establishes the requirements to be complied with by payment service providers for the purpose of implementing security measures which enable them to do the following:

- (a) apply the procedure of strong customer authentication in accordance with Article 97 of Directive (EU) 2015/2366;
- (b) exempt the application of the security requirements of strong customer authentication, subject to specified and limited conditions based on the level of risk, the amount and the recurrence of the payment transaction and of the payment channel used for its execution;
- (c) protect the confidentiality and the integrity of the payment service user's personalised security credentials;
- (d) establish common and secure open standards for the communication between account servicing payment service providers, payment initiation service providers, account information service providers, payers, payees and other payment service providers in relation to the provision and use of payment services in application of Title IV of Directive (EU) 2015/2366.

Article 2

General authentication requirements

1. Payment service providers shall have transaction monitoring mechanisms in place that enable them to detect unauthorised or fraudulent payment transactions for the purpose of the implementation of the security measures referred to in points (a) and (b) of Article 1.

⁽¹⁾ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 53).

Those mechanisms shall be based on the analysis of payment transactions taking into account elements which are typical of the payment service user in the circumstances of a normal use of the personalised security credentials.

2. Payment service providers shall ensure that the transaction monitoring mechanisms take into account, at a minimum, each of the following risk-based factors:

- (a) lists of compromised or stolen authentication elements;
- (b) the amount of each payment transaction;
- (c) known fraud scenarios in the provision of payment services;
- (d) signs of malware infection in any sessions of the authentication procedure;
- (e) in case the access device or the software is provided by the payment service provider, a log of the use of the access device or the software provided to the payment service user and the abnormal use of the access device or the software.

Article 3

Review of the security measures

1. The implementation of the security measures referred to in Article 1 shall be documented, periodically tested, evaluated and audited in accordance with the applicable legal framework of the payment service provider by auditors with expertise in IT security and payments and operationally independent within or from the payment service provider.

2. The period between the audits referred to in paragraph 1 shall be determined taking into account the relevant accounting and statutory audit framework applicable to the payment service provider.

However, payment service providers that make use of the exemption referred to in Article 18 shall be subject to an audit of the methodology, the model and the reported fraud rates at a minimum on a yearly basis. The auditor performing this audit shall have expertise in IT security and payments and be operationally independent within or from the payment service provider. During the first year of making use of the exemption under Article 18 and at least every 3 years thereafter, or more frequently at the competent authority's request, this audit shall be carried out by an independent and qualified external auditor.

3. This audit shall present an evaluation and report on the compliance of the payment service provider's security measures with the requirements set out in this Regulation.

The entire report shall be made available to competent authorities upon their request.

CHAPTER II

SECURITY MEASURES FOR THE APPLICATION OF STRONG CUSTOMER AUTHENTICATION

Article 4

Authentication code

1. Where payment service providers apply strong customer authentication in accordance with Article 97(1) of Directive (EU) 2015/2366, the authentication shall be based on two or more elements which are categorised as knowledge, possession and inherence and shall result in the generation of an authentication code.

The authentication code shall be only accepted once by the payment service provider when the payer uses the authentication code to access its payment account online, to initiate an electronic payment transaction or to carry out any action through a remote channel which may imply a risk of payment fraud or other abuses.

2. For the purpose of paragraph 1, payment service providers shall adopt security measures ensuring that each of the following requirements is met:

- (a) no information on any of the elements referred to in paragraph 1 can be derived from the disclosure of the authentication code;
- (b) it is not possible to generate a new authentication code based on the knowledge of any other authentication code previously generated;
- (c) the authentication code cannot be forged.

3. Payment service providers shall ensure that the authentication by means of generating an authentication code includes each of the following measures:

- (a) where the authentication for remote access, remote electronic payments and any other actions through a remote channel which may imply a risk of payment fraud or other abuses has failed to generate an authentication code for the purposes of paragraph 1, it shall not be possible to identify which of the elements referred to in that paragraph was incorrect;
- (b) the number of failed authentication attempts that can take place consecutively, after which the actions referred to in Article 97(1) of Directive (EU) 2015/2366 shall be temporarily or permanently blocked, shall not exceed five within a given period of time;
- (c) the communication sessions are protected against the capture of authentication data transmitted during the authentication and against manipulation by unauthorised parties in accordance with the requirements in Chapter V;
- (d) the maximum time without activity by the payer after being authenticated for accessing its payment account online shall not exceed 5 minutes.

4. Where the block referred to in paragraph 3(b) is temporary, the duration of that block and the number of retries shall be established based on the characteristics of the service provided to the payer and all the relevant risks involved, taking into account, at a minimum, the factors referred to in Article 2(2).

The payer shall be alerted before the block is made permanent.

Where the block has been made permanent, a secure procedure shall be established allowing the payer to regain use of the blocked electronic payment instruments.

Article 5

Dynamic linking

1. Where payment service providers apply strong customer authentication in accordance with Article 97(2) of Directive (EU) 2015/2366, in addition to the requirements of Article 4 of this Regulation, they shall also adopt security measures that meet each of the following requirements:

- (a) the payer is made aware of the amount of the payment transaction and of the payee;
- (b) the authentication code generated is specific to the amount of the payment transaction and the payee agreed to by the payer when initiating the transaction;
- (c) the authentication code accepted by the payment service provider corresponds to the original specific amount of the payment transaction and to the identity of the payee agreed to by the payer;
- (d) any change to the amount or the payee results in the invalidation of the authentication code generated.

2. For the purpose of paragraph 1, payment service providers shall adopt security measures which ensure the confidentiality, authenticity and integrity of each of the following:

- (a) the amount of the transaction and the payee throughout all of the phases of the authentication;
- (b) the information displayed to the payer throughout all of the phases of the authentication including the generation, transmission and use of the authentication code.

3. For the purpose of paragraph 1(b) and where payment service providers apply strong customer authentication in accordance with Article 97(2) of Directive (EU) 2015/2366 the following requirements for the authentication code shall apply:

- (a) in relation to a card-based payment transaction for which the payer has given consent to the exact amount of the funds to be blocked pursuant to Article 75(1) of that Directive, the authentication code shall be specific to the amount that the payer has given consent to be blocked and agreed to by the payer when initiating the transaction;
- (b) in relation to payment transactions for which the payer has given consent to execute a batch of remote electronic payment transactions to one or several payees, the authentication code shall be specific to the total amount of the batch of payment transactions and to the specified payees.

Article 6

Requirements of the elements categorised as knowledge

- 1. Payment service providers shall adopt measures to mitigate the risk that the elements of strong customer authentication categorised as knowledge are uncovered by, or disclosed to, unauthorised parties.
- 2. The use by the payer of those elements shall be subject to mitigation measures in order to prevent their disclosure to unauthorised parties.

Article 7

Requirements of the elements categorised as possession

- 1. Payment service providers shall adopt measures to mitigate the risk that the elements of strong customer authentication categorised as possession are used by unauthorised parties.
- 2. The use by the payer of those elements shall be subject to measures designed to prevent replication of the elements.

Article 8

Requirements of devices and software linked to elements categorised as inherence

- 1. Payment service providers shall adopt measures to mitigate the risk that the authentication elements categorised as inherence and read by access devices and software provided to the payer are uncovered by unauthorised parties. At a minimum, the payment service providers shall ensure that those access devices and software have a very low probability of an unauthorised party being authenticated as the payer.
- 2. The use by the payer of those elements shall be subject to measures ensuring that those devices and the software guarantee resistance against unauthorised use of the elements through access to the devices and the software.

Article 9

Independence of the elements

- 1. Payment service providers shall ensure that the use of the elements of strong customer authentication referred to in Articles 6, 7 and 8 is subject to measures which ensure that, in terms of technology, algorithms and parameters, the breach of one of the elements does not compromise the reliability of the other elements.
- 2. Payment service providers shall adopt security measures, where any of the elements of strong customer authentication or the authentication code itself is used through a multi-purpose device, to mitigate the risk which would result from that multi-purpose device being compromised.

3. For the purposes of paragraph 2, the mitigating measures shall include each of the following:
 - (a) the use of separated secure execution environments through the software installed inside the multi-purpose device;
 - (b) mechanisms to ensure that the software or device has not been altered by the payer or by a third party;
 - (c) where alterations have taken place, mechanisms to mitigate the consequences thereof.

CHAPTER III

EXEMPTIONS FROM STRONG CUSTOMER AUTHENTICATION

Article 10

Payment account information

1. Payment service providers shall be allowed not to apply strong customer authentication, subject to compliance with the requirements laid down in Article 2 and to paragraph 2 of this Article and, where a payment service user is limited to accessing either or both of the following items online without disclosure of sensitive payment data:

- (a) the balance of one or more designated payment accounts;
- (b) the payment transactions executed in the last 90 days through one or more designated payment accounts.

2. For the purpose of paragraph 1, payment service providers shall not be exempted from the application of strong customer authentication where either of the following condition is met:

- (a) the payment service user is accessing online the information specified in paragraph 1 for the first time;
- (b) more than 90 days have elapsed since the last time the payment service user accessed online the information specified in paragraph 1(b) and strong customer authentication was applied.

Article 11

Contactless payments at point of sale

Payment service providers shall be allowed not to apply strong customer authentication, subject to compliance with the requirements laid down in Article 2, where the payer initiates a contactless electronic payment transaction provided that the following conditions are met:

- (a) the individual amount of the contactless electronic payment transaction does not exceed EUR 50; and
- (b) the cumulative amount of previous contactless electronic payment transactions initiated by means of a payment instrument with a contactless functionality from the date of the last application of strong customer authentication does not exceed EUR 150; or
- (c) the number of consecutive contactless electronic payment transactions initiated via the payment instrument offering a contactless functionality since the last application of strong customer authentication does not exceed five.

Article 12

Unattended terminals for transport fares and parking fees

Payment service providers shall be allowed not to apply strong customer authentication, subject to compliance with the requirements laid down in Article 2, where the payer initiates an electronic payment transaction at an unattended payment terminal for the purpose of paying a transport fare or a parking fee.

*Article 13***Trusted beneficiaries**

1. Payment service providers shall apply strong customer authentication where a payer creates or amends a list of trusted beneficiaries through the payer's account servicing payment service provider.
2. Payment service providers shall be allowed not to apply strong customer authentication, subject to compliance with the general authentication requirements, where the payer initiates a payment transaction and the payee is included in a list of trusted beneficiaries previously created by the payer.

*Article 14***Recurring transactions**

1. Payment service providers shall apply strong customer authentication when a payer creates, amends, or initiates for the first time, a series of recurring transactions with the same amount and with the same payee.
2. Payment service providers shall be allowed not to apply strong customer authentication, subject to compliance with the general authentication requirements, for the initiation of all subsequent payment transactions included in the series of payment transactions referred to in paragraph 1.

*Article 15***Credit transfers between accounts held by the same natural or legal person**

Payment service providers shall be allowed not to apply strong customer authentication, subject to compliance with the requirements laid down in Article 2, where the payer initiates a credit transfer in circumstances where the payer and the payee are the same natural or legal person and both payment accounts are held by the same account servicing payment service provider.

*Article 16***Low-value transactions**

Payment service providers shall be allowed not to apply strong customer authentication, where the payer initiates a remote electronic payment transaction provided that the following conditions are met:

- (a) the amount of the remote electronic payment transaction does not exceed EUR 30; and
- (b) the cumulative amount of previous remote electronic payment transactions initiated by the payer since the last application of strong customer authentication does not exceed EUR 100; or
- (c) the number of previous remote electronic payment transactions initiated by the payer since the last application of strong customer authentication does not exceed five consecutive individual remote electronic payment transactions.

*Article 17***Secure corporate payment processes and protocols**

Payment service providers shall be allowed not to apply strong customer authentication, in respect of legal persons initiating electronic payment transactions through the use of dedicated payment processes or protocols that are only made available to payers who are not consumers, where the competent authorities are satisfied that those processes or protocols guarantee at least equivalent levels of security to those provided for by Directive (EU) 2015/2366.

*Article 18***Transaction risk analysis**

1. Payment service providers shall be allowed not to apply strong customer authentication where the payer initiates a remote electronic payment transaction identified by the payment service provider as posing a low level of risk according to the transaction monitoring mechanisms referred to in Article 2 and in paragraph 2(c) of this Article.
2. An electronic payment transaction referred to in paragraph 1 shall be considered as posing a low level of risk where all the following conditions are met:
 - (a) the fraud rate for that type of transaction, reported by the payment service provider and calculated in accordance with Article 19, is equivalent to or below the reference fraud rates specified in the table set out in the Annex for 'remote electronic card-based payments' and 'remote electronic credit transfers' respectively;
 - (b) the amount of the transaction does not exceed the relevant exemption threshold value (ETV) specified in the table set out in the Annex;
 - (c) payment service providers as a result of performing a real time risk analysis have not identified any of the following:
 - (i) abnormal spending or behavioural pattern of the payer;
 - (ii) unusual information about the payer's device/software access;
 - (iii) malware infection in any session of the authentication procedure;
 - (iv) known fraud scenario in the provision of payment services;
 - (v) abnormal location of the payer;
 - (vi) high-risk location of the payee.
3. Payment service providers that intend to exempt electronic remote payment transactions from strong customer authentication on the ground that they pose a low risk shall take into account at a minimum, the following risk-based factors:
 - (a) the previous spending patterns of the individual payment service user;
 - (b) the payment transaction history of each of the payment service provider's payment service users;
 - (c) the location of the payer and of the payee at the time of the payment transaction in cases where the access device or the software is provided by the payment service provider;
 - (d) the identification of abnormal payment patterns of the payment service user in relation to the user's payment transaction history.

The assessment made by a payment service provider shall combine all those risk-based factors into a risk scoring for each individual transaction to determine whether a specific payment should be allowed without strong customer authentication.

*Article 19***Calculation of fraud rates**

1. For each type of transaction referred to in the table set out in the Annex, the payment service provider shall ensure that the overall fraud rates covering both payment transactions authenticated through strong customer authentication and those executed under any of the exemptions referred to in Articles 13 to 18 are equivalent to, or lower than, the reference fraud rate for the same type of payment transaction indicated in the table set out in the Annex.

The overall fraud rate for each type of transaction shall be calculated as the total value of unauthorised or fraudulent remote transactions, whether the funds have been recovered or not, divided by the total value of all remote transactions for the same type of transactions, whether authenticated with the application of strong customer authentication or executed under any exemption referred to in Articles 13 to 18 on a rolling quarterly basis (90 days).

2. The calculation of the fraud rates and resulting figures shall be assessed by the audit review referred to in Article 3(2), which shall ensure that they are complete and accurate.
3. The methodology and any model, used by the payment service provider to calculate the fraud rates, as well as the fraud rates themselves, shall be adequately documented and made fully available to competent authorities and to EBA, with prior notification to the relevant competent authority(ies), upon their request.

Article 20

Cessation of exemptions based on transaction risk analysis

1. Payment service providers that make use of the exemption referred to in Article 18 shall immediately report to the competent authorities where one of their monitored fraud rates, for any type of payment transactions indicated in the table set out in the Annex, exceeds the applicable reference fraud rate and shall provide to the competent authorities a description of the measures that they intend to adopt to restore compliance of their monitored fraud rate with the applicable reference fraud rates.
2. Payment service providers shall immediately cease to make use of the exemption referred to in Article 18 for any type of payment transactions indicated in the table set out in the Annex in the specific exemption threshold range where their monitored fraud rate exceeds for two consecutive quarters the reference fraud rate applicable for that payment instrument or type of payment transaction in that exemption threshold range.
3. Following the cessation of the exemption referred to in Article 18 in accordance with paragraph 2 of this Article, payment service providers shall not use that exemption again, until their calculated fraud rate equals to, or is below, the reference fraud rates applicable for that type of payment transaction in that exemption threshold range for one quarter.
4. Where payment service providers intend to make use again of the exemption referred to in Article 18, they shall notify the competent authorities in a reasonable timeframe and shall before making use again of the exemption, provide evidence of the restoration of compliance of their monitored fraud rate with the applicable reference fraud rate for that exemption threshold range in accordance with paragraph 3 of this Article.

Article 21

Monitoring

1. In order to make use of the exemptions set out in Articles 10 to 18, payment service providers shall record and monitor the following data for each type of payment transactions, with a breakdown for both remote and non-remote payment transactions, at least on a quarterly basis:
 - (a) the total value of unauthorised or fraudulent payment transactions in accordance with Article 64(2) of Directive (EU) 2015/2366, the total value of all payment transactions and the resulting fraud rate, including a breakdown of payment transactions initiated through strong customer authentication and under each of the exemptions;
 - (b) the average transaction value, including a breakdown of payment transactions initiated through strong customer authentication and under each of the exemptions;
 - (c) the number of payment transactions where each of the exemptions was applied and their percentage in respect of the total number of payment transactions.
2. Payment service providers shall make the results of the monitoring in accordance with paragraph 1 available to competent authorities and to EBA, with prior notification to the relevant competent authority(ies), upon their request.

CHAPTER IV

CONFIDENTIALITY AND INTEGRITY OF THE PAYMENT SERVICE USERS' PERSONALISED SECURITY CREDENTIALS

Article 22

General requirements

1. Payment service providers shall ensure the confidentiality and integrity of the personalised security credentials of the payment service user, including authentication codes, during all phases of the authentication.

2. For the purpose of paragraph 1, payment service providers shall ensure that each of the following requirements is met:
 - (a) personalised security credentials are masked when displayed and are not readable in their full extent when input by the payment service user during the authentication;
 - (b) personalised security credentials in data format, as well as cryptographic materials related to the encryption of the personalised security credentials are not stored in plain text;
 - (c) secret cryptographic material is protected from unauthorised disclosure.
3. Payment service providers shall fully document the process related to the management of cryptographic material used to encrypt or otherwise render unreadable the personalised security credentials.
4. Payment service providers shall ensure that the processing and routing of personalised security credentials and of the authentication codes generated in accordance with Chapter II take place in secure environments in accordance with strong and widely recognised industry standards.

Article 23

Creation and transmission of credentials

Payment service providers shall ensure that the creation of personalised security credentials is performed in a secure environment.

They shall mitigate the risks of unauthorised use of the personalised security credentials and of the authentication devices and software following their loss, theft or copying before their delivery to the payer.

Article 24

Association with the payment service user

1. Payment service providers shall ensure that only the payment service user is associated, in a secure manner, with the personalised security credentials, the authentication devices and the software.
2. For the purpose of paragraph 1, payment service providers shall ensure that each of the following requirements is met:
 - (a) the association of the payment service user's identity with personalised security credentials, authentication devices and software is carried out in secure environments under the payment service provider's responsibility comprising at least the payment service provider's premises, the internet environment provided by the payment service provider or other similar secure websites used by the payment service provider and its automated teller machine services, and taking into account risks associated with devices and underlying components used during the association process that are not under the responsibility of the payment service provider;
 - (b) the association by means of a remote channel of the payment service user's identity with the personalised security credentials and with authentication devices or software is performed using strong customer authentication.

Article 25

Delivery of credentials, authentication devices and software

1. Payment service providers shall ensure that the delivery of personalised security credentials, authentication devices and software to the payment service user is carried out in a secure manner designed to address the risks related to their unauthorised use due to their loss, theft or copying.

2. For the purpose of paragraph 1, payment service providers shall at least apply each of the following measures:
- (a) effective and secure delivery mechanisms ensuring that the personalised security credentials, authentication devices and software are delivered to the legitimate payment service user;
 - (b) mechanisms that allow the payment service provider to verify the authenticity of the authentication software delivered to the payment services user by means of the internet;
 - (c) arrangements ensuring that, where the delivery of personalised security credentials is executed outside the premises of the payment service provider or through a remote channel:
 - (i) no unauthorised party can obtain more than one feature of the personalised security credentials, the authentication devices or software when delivered through the same channel;
 - (ii) the delivered personalised security credentials, authentication devices or software require activation before usage;
 - (d) arrangements ensuring that, in cases where the personalised security credentials, the authentication devices or software have to be activated before their first use, the activation shall take place in a secure environment in accordance with the association procedures referred to in Article 24.

Article 26

Renewal of personalised security credentials

Payment service providers shall ensure that the renewal or re-activation of personalised security credentials adhere to the procedures for the creation, association and delivery of the credentials and of the authentication devices in accordance with Articles 23, 24 and 25.

Article 27

Destruction, deactivation and revocation

Payment service providers shall ensure that they have effective processes in place to apply each of the following security measures:

- (a) the secure destruction, deactivation or revocation of the personalised security credentials, authentication devices and software;
- (b) where the payment service provider distributes reusable authentication devices and software, the secure re-use of a device or software is established, documented and implemented before making it available to another payment services user;
- (c) the deactivation or revocation of information related to personalised security credentials stored in the payment service provider's systems and databases and, where relevant, in public repositories.

CHAPTER V

COMMON AND SECURE OPEN STANDARDS OF COMMUNICATION

Section 1

General requirements for communication

Article 28

Requirements for identification

1. Payment service providers shall ensure secure identification when communicating between the payer's device and the payee's acceptance devices for electronic payments, including but not limited to payment terminals.
2. Payment service providers shall ensure that the risks of misdirection of communication to unauthorised parties in mobile applications and other payment services users' interfaces offering electronic payment services are effectively mitigated.

Article 29

Traceability

1. Payment service providers shall have processes in place which ensure that all payment transactions and other interactions with the payment services user, with other payment service providers and with other entities, including merchants, in the context of the provision of the payment service are traceable, ensuring knowledge *ex post* of all events relevant to the electronic transaction in all the various stages.
2. For the purpose of paragraph 1, payment service providers shall ensure that any communication session established with the payment services user, other payment service providers and other entities, including merchants, relies on each of the following:
 - (a) a unique identifier of the session;
 - (b) security mechanisms for the detailed logging of the transaction, including transaction number, timestamps and all relevant transaction data;
 - (c) timestamps which shall be based on a unified time-reference system and which shall be synchronised according to an official time signal.

Section 2

Specific requirements for the common and secure open standards of communication

Article 30

General obligations for access interfaces

1. Account servicing payment service providers that offer to a payer a payment account that is accessible online shall have in place at least one interface which meets each of the following requirements:
 - (a) account information service providers, payment initiation service providers and payment service providers issuing card-based payment instruments are able to identify themselves towards the account servicing payment service provider;
 - (b) account information service providers are able to communicate securely to request and receive information on one or more designated payment accounts and associated payment transactions;
 - (c) payment initiation service providers are able to communicate securely to initiate a payment order from the payer's payment account and receive all information on the initiation of the payment transaction and all information accessible to the account servicing payment service providers regarding the execution of the payment transaction.
2. For the purposes of authentication of the payment service user, the interface referred to in paragraph 1 shall allow account information service providers and payment initiation service providers to rely on all the authentication procedures provided by the account servicing payment service provider to the payment service user.

The interface shall at least meet all of the following requirements:

- (a) a payment initiation service provider or an account information service provider shall be able to instruct the account servicing payment service provider to start the authentication based on the consent of the payment service user;
- (b) communication sessions between the account servicing payment service provider, the account information service provider, the payment initiation service provider and any payment service user concerned shall be established and maintained throughout the authentication;
- (c) the integrity and confidentiality of the personalised security credentials and of authentication codes transmitted by or through the payment initiation service provider or the account information service provider shall be ensured.

3. Account servicing payment service providers shall ensure that their interfaces follow standards of communication which are issued by international or European standardisation organisations.

Account servicing payment service providers shall also ensure that the technical specification of any of the interfaces is documented specifying a set of routines, protocols, and tools needed by payment initiation service providers, account information service providers and payment service providers issuing card-based payment instruments for allowing their software and applications to interoperate with the systems of the account servicing payment service providers.

Account servicing payment service providers shall at a minimum, and no less than 6 months before the application date referred to in Article 38(2), or before the target date for the market launch of the access interface when the launch takes place after the date referred to in Article 38(2), make the documentation available, at no charge, upon request by authorised payment initiation service providers, account information service providers and payment service providers issuing card-based payment instruments or payment service providers that have applied to their competent authorities for the relevant authorisation, and shall make a summary of the documentation publicly available on their website.

4. In addition to paragraph 3, account servicing payment service providers shall ensure that, except for emergency situations, any change to the technical specification of their interface is made available to authorised payment initiation service providers, account information service providers and payment service providers issuing card-based payment instruments, or payment service providers that have applied to their competent authorities for the relevant authorisation, in advance as soon as possible and not less than 3 months before the change is implemented.

Payment service providers shall document emergency situations where changes were implemented and make the documentation available to competent authorities on request.

5. Account servicing payment service providers shall make available a testing facility, including support, for connection and functional testing to enable authorised payment initiation service providers, payment service providers issuing card-based payment instruments and account information service providers, or payment service providers that have applied for the relevant authorisation, to test their software and applications used for offering a payment service to users. This testing facility should be made available no later than 6 months before the application date referred to in Article 38(2) or before the target date for the market launch of the access interface when the launch takes place after the date referred to in Article 38(2).

However, no sensitive information shall be shared through the testing facility.

6. Competent authorities shall ensure that account servicing payment service providers comply at all times with the obligations included in these standards in relation to the interface(s) that they put in place. In the event that an account servicing payment services provider fails to comply with the requirements for interfaces laid down in these standards, competent authorities shall ensure that the provision of payment initiation services and account information services is not prevented or disrupted to the extent that the respective providers of such services comply with the conditions defined under Article 33(5).

Article 31

Access interface options

Account servicing payment service providers shall establish the interface(s) referred to in Article 30 by means of a dedicated interface or by allowing the use by the payment service providers referred to in Article 30(1) of the interfaces used for authentication and communication with the account servicing payment service provider's payment services users.

Article 32

Obligations for a dedicated interface

1. Subject to compliance with Article 30 and 31, account servicing payment service providers that have put in place a dedicated interface shall ensure that the dedicated interface offers at all times the same level of availability and performance, including support, as the interfaces made available to the payment service user for directly accessing its payment account online.

2. Account servicing payment service providers that have put in place a dedicated interface shall define transparent key performance indicators and service level targets, at least as stringent as those set for the interface used by their payment service users both in terms of availability and of data provided in accordance with Article 36. Those interfaces, indicators and targets shall be monitored by the competent authorities and stress-tested.

3. Account servicing payment service providers that have put in place a dedicated interface shall ensure that this interface does not create obstacles to the provision of payment initiation and account information services. Such obstacles, may include, among others, preventing the use by payment service providers referred to in Article 30(1) of the credentials issued by account servicing payment service providers to their customers, imposing redirection to the account servicing payment service provider's authentication or other functions, requiring additional authorisations and registrations in addition to those provided for in Articles 11, 14 and 15 of Directive (EU) 2015/2366, or requiring additional checks of the consent given by payment service users to providers of payment initiation and account information services.

4. For the purpose of paragraphs 1 and 2, account servicing payment service providers shall monitor the availability and performance of the dedicated interface. Account servicing payment service providers shall publish on their website quarterly statistics on the availability and performance of the dedicated interface and of the interface used by its payment service users.

Article 33

Contingency measures for a dedicated interface

1. Account servicing payment service providers shall include, in the design of the dedicated interface, a strategy and plans for contingency measures for the event that the interface does not perform in compliance with Article 32, that there is unplanned unavailability of the interface and that there is a systems breakdown. Unplanned unavailability or a systems breakdown may be presumed to have arisen when five consecutive requests for access to information for the provision of payment initiation services or account information services are not replied to within 30 seconds.

2. Contingency measures shall include communication plans to inform payment service providers making use of the dedicated interface of measures to restore the system and a description of the immediately available alternative options payment service providers may have during this time.

3. Both the account servicing payment service provider and the payment service providers referred to in Article 30(1) shall report problems with dedicated interfaces as described in paragraph 1 to their respective competent national authorities without delay.

4. As part of a contingency mechanism, payment service providers referred to in Article 30(1) shall be allowed to make use of the interfaces made available to the payment service users for the authentication and communication with their account servicing payment service provider, until the dedicated interface is restored to the level of availability and performance provided for in Article 32.

5. For this purpose, account servicing payment service providers shall ensure that the payment service providers referred to in Article 30(1) can be identified and can rely on the authentication procedures provided by the account servicing payment service provider to the payment service user. Where the payment service providers referred to in Article 30(1) make use of the interface referred to in paragraph 4 they shall:

- (a) take the necessary measures to ensure that they do not access, store or process data for purposes other than for the provision of the service as requested by the payment service user;
- (b) continue to comply with the obligations following from Article 66(3) and Article 67(2) of Directive (EU) 2015/2366 respectively;
- (c) log the data that are accessed through the interface operated by the account servicing payment service provider for its payment service users, and provide, upon request and without undue delay, the log files to their competent national authority;

- (d) duly justify to their competent national authority, upon request and without undue delay, the use of the interface made available to the payment service users for directly accessing its payment account online;
- (e) inform the account servicing payment service provider accordingly.

6. Competent authorities, after consulting EBA to ensure a consistent application of the following conditions, shall exempt the account servicing payment service providers that have opted for a dedicated interface from the obligation to set up the contingency mechanism described under paragraph 4 where the dedicated interface meets all of the following conditions:

- (a) it complies with all the obligations for dedicated interfaces as set out in Article 32;
- (b) it has been designed and tested in accordance with Article 30(5) to the satisfaction of the payment service providers referred to therein;
- (c) it has been widely used for at least 3 months by payment service providers to offer account information services, payment initiation services and to provide confirmation on the availability of funds for card-based payments;
- (d) any problem related to the dedicated interface has been resolved without undue delay.

7. Competent authorities shall revoke the exemption referred to in paragraph 6 where the conditions (a) and (d) are not met by the account servicing payment service providers for more than 2 consecutive calendar weeks. Competent authorities shall inform EBA of this revocation and shall ensure that the account servicing payment service provider establishes, within the shortest possible time and at the latest within 2 months, the contingency mechanism referred to in paragraph 4.

Article 34

Certificates

1. For the purpose of identification, as referred to in Article 30(1)(a), payment service providers shall rely on qualified certificates for electronic seals as referred to in Article 3(30) of Regulation (EU) No 910/2014 or for website authentication as referred to in Article 3(39) of that Regulation.

2. For the purpose of this Regulation, the registration number as referred to in the official records in accordance with Annex III (c) or Annex IV (c) to Regulation (EU) No 910/2014 shall be the authorisation number of the payment service provider issuing card-based payment instruments, the account information service providers and payment initiation service providers, including account servicing payment service providers providing such services, available in the public register of the home Member State pursuant to Article 14 of Directive (EU) 2015/2366 or resulting from the notifications of every authorisation granted under Article 8 of Directive 2013/36/EU of the European Parliament and of the Council ⁽¹⁾ in accordance with Article 20 of that Directive.

3. For the purposes of this Regulation, qualified certificates for electronic seals or for website authentication referred to in paragraph 1 shall include, in a language customary in the sphere of international finance, additional specific attributes in relation to each of the following:

- (a) the role of the payment service provider, which maybe one or more of the following:
 - (i) account servicing;
 - (ii) payment initiation;
 - (iii) account information;
 - (iv) issuing of card-based payment instruments;
- (b) the name of the competent authorities where the payment service provider is registered.

4. The attributes referred to in paragraph 3 shall not affect the interoperability and recognition of qualified certificates for electronic seals or website authentication.

⁽¹⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

*Article 35***Security of communication session**

1. Account servicing payment service providers, payment service providers issuing card-based payment instruments, account information service providers and payment initiation service providers shall ensure that, when exchanging data by means of the internet, secure encryption is applied between the communicating parties throughout the respective communication session in order to safeguard the confidentiality and the integrity of the data, using strong and widely recognised encryption techniques.
2. Payment service providers issuing card-based payment instruments, account information service providers and payment initiation service providers shall keep the access sessions offered by account servicing payment service providers as short as possible and they shall actively terminate any such session as soon as the requested action has been completed.
3. When maintaining parallel network sessions with the account servicing payment service provider, account information service providers and payment initiation service providers shall ensure that those sessions are securely linked to relevant sessions established with the payment service user(s) in order to prevent the possibility that any message or information communicated between them could be misrouted.
4. Account information service providers, payment initiation service providers and payment service providers issuing card-based payment instruments with the account servicing payment service provider shall contain unambiguous references to each of the following items:
 - (a) the payment service user or users and the corresponding communication session in order to distinguish several requests from the same payment service user or users;
 - (b) for payment initiation services, the uniquely identified payment transaction initiated;
 - (c) for confirmation on the availability of funds, the uniquely identified request related to the amount necessary for the execution of the card-based payment transaction.
5. Account servicing payment service providers, account information service providers, payment initiation service providers and payment service providers issuing card-based payment instruments shall ensure that where they communicate personalised security credentials and authentication codes, these are not readable, directly or indirectly, by any staff at any time.

In case of loss of confidentiality of personalised security credentials under their sphere of competence, those providers shall inform without undue delay the payment services user associated with them and the issuer of the personalised security credentials.

*Article 36***Data exchanges**

1. Account servicing payment service providers shall comply with each of the following requirements:
 - (a) they shall provide account information service providers with the same information from designated payment accounts and associated payment transactions made available to the payment service user when directly requesting access to the account information, provided that this information does not include sensitive payment data;
 - (b) they shall, immediately after receipt of the payment order, provide payment initiation service providers with the same information on the initiation and execution of the payment transaction provided or made available to the payment service user when the transaction is initiated directly by the latter;
 - (c) they shall, upon request, immediately provide payment service providers with a confirmation in a simple 'yes' or 'no' format, whether the amount necessary for the execution of a payment transaction is available on the payment account of the payer.
2. In case of an unexpected event or error occurring during the process of identification, authentication, or the exchange of the data elements, the account servicing payment service provider shall send a notification message to the payment initiation service provider or the account information service provider and the payment service provider issuing card-based payment instruments which explains the reason for the unexpected event or error.

Where the account servicing payment service provider offers a dedicated interface in accordance with Article 32, the interface shall provide for notification messages concerning unexpected events or errors to be communicated by any payment service provider that detects the event or error to the other payment service providers participating in the communication session.

3. Account information service providers shall have in place suitable and effective mechanisms that prevent access to information other than from designated payment accounts and associated payment transactions, in accordance with the user's explicit consent.

4. Payment initiation service providers shall provide account servicing payment service providers with the same information as requested from the payment service user when initiating the payment transaction directly.

5. Account information service providers shall be able to access information from designated payment accounts and associated payment transactions held by account servicing payment service providers for the purposes of performing the account information service in either of the following circumstances:

- (a) whenever the payment service user is actively requesting such information;
- (b) where the payment service user does not actively request such information, no more than four times in a 24-hour period, unless a higher frequency is agreed between the account information service provider and the account servicing payment service provider, with the payment service user's consent.

CHAPTER VI

FINAL PROVISIONS

Article 37

Review

Without prejudice to Article 98(5) of Directive (EU) 2015/2366, EBA shall review by 14 March 2021 the fraud rates referred to in the Annex to this Regulation as well as the exemptions granted under Article 33(6) in relation to dedicated interfaces and, if appropriate, submit draft updates thereto to the Commission in accordance with Article 10 of Regulation (EU) No 1093/2010.

Article 38

Entry into force

1. This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.
2. This Regulation shall apply from 14 September 2019.
3. However, paragraphs 3 and 5 of Article 30 shall apply from 14 March 2019.

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

Done at Brussels, 27 November 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

ETV	Reference fraud rate (%) for:	
	Remote electronic card-based payments	Remote electronic credit transfers
EUR 500	0,01	0,005
EUR 250	0,06	0,01
EUR 100	0,13	0,015

COMMISSION IMPLEMENTING REGULATION (EU) 2018/390**of 12 March 2018**

amending Implementing Regulation (EU) No 1419/2013 concerning the recognition of producer organisations and inter-branch organisations, the extension of the rules of producer organisations and inter-branch organisations and the publication of trigger prices as provided for by Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 ⁽¹⁾, and in particular Article 21 thereof,

Whereas:

- (1) Article 20(2) of Regulation (EU) No 1379/2013 requires Member States to communicate to the Commission any decision to grant or withdraw the recognition of producer organisations and inter-branch organisations.
- (2) Commission Implementing Regulation (EU) No 1419/2013 ⁽²⁾ specifies the format, time-limits and procedures for the communication of those decisions.
- (3) The Commission adopted on 7 December 2016 a new organisational chart of the Directorate-General for Maritime Affairs and Fisheries, which became effective on 1 January 2017.
- (4) To cater for that organisational change, and possible future organisational changes, it is necessary to amend the procedure for the communication of decisions to grant or withdraw the recognition of producer organisations and inter-branch organisations.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 of Implementing Regulation (EU) No 1419/2013, paragraph 3 is replaced by the following:

‘3. Communications shall be transmitted in the form of a XML file, one for each communication. The XML file shall be sent as an attachment to the email address provided by the Commission with the subject: communication on POs/IBOs.’

Article 2

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

⁽¹⁾ OJ L 354, 28.12.2013, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 1419/2013 of 17 December 2013 concerning the recognition of producer organisations and inter-branch organisations, the extension of the rules of producer organisations and inter-branch organisations and the publication of trigger prices as provided for by Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products (OJ L 353, 28.12.2013, p. 43).

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

Done at Brussels, 12 March 2018.

For the Commission

The President

Jean-Claude JUNKER

DECISIONS

COUNCIL DECISION (CFSP) 2018/391

of 12 March 2018

amending Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 23 December 2013, the Council adopted Decision 2013/798/CFSP ⁽¹⁾ concerning restrictive measures against the Central African Republic.
- (2) On 30 January 2018, the United Nations Security Council adopted Resolution 2399 (2018), which provides for certain amendments to the exemptions to the arms embargo, as well as to the designation criteria relating to persons and entities subject to restrictive measures.
- (3) Further Union action is needed in order to implement certain measures.
- (4) Decision 2013/798/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2013/798/CFSP is amended as follows:

- (1) In Article 2, point (a) is replaced by the following:

‘(a) the sale, supply, transfer or export of arms and related materiel, and the provision of related technical assistance or financing and financial assistance, intended solely for the support of or use by the United Nations Multidimensional Integrated Stabilization Mission in the CAR (MINUSCA), the Union missions and the French forces deployed in the CAR, as well as other UN Member States’ forces providing training and assistance as notified in accordance with point (b);’;

- (2) In Article 2a(1), point (c) is replaced by the following:

‘(c) involved in planning, directing, or committing acts in the CAR that violate international human rights law or international humanitarian law, as applicable, or that constitute human rights abuses or violations, including those involving targeting of civilians, ethnic- or religious-based attacks, attacks on civilian objects, including administrative centres, courthouses, schools and hospitals, and abduction and forced displacement;’;

- (3) In Article 2a(1), point (h) is replaced by the following:

‘(h) involved in planning, directing, sponsoring, or conducting attacks against UN missions or international security presences, including MINUSCA, the Union missions and French forces which support them, as well as against humanitarian personnel;’;

⁽¹⁾ Council Decision 2013/798/CFSP of 23 December 2013 concerning restrictive measures against the Central African Republic (OJ L 352, 24.12.2013, p. 51).

(4) In Article 2a(1), the following point (j) is added:

‘(j) committing acts of incitement to violence, in particular on an ethnic or religious basis, that undermine the peace, stability or security of the CAR, and then engaging in or providing support for acts that undermine the peace, stability or security of the CAR;’;

(5) In Article 2b(1), point (c) is replaced by the following:

‘(c) involved in planning, directing, or committing acts in the CAR that violate international human rights law or international humanitarian law, as applicable, or that constitute human rights abuses or violations, including those involving targeting of civilians, ethnic- or religious-based attacks, attacks on civilian objects, including administrative centres, courthouses, schools and hospitals, and abduction and forced displacement;’;

(6) In Article 2b(1), point (h) is replaced by the following:

‘(h) involved in planning, directing, sponsoring, or conducting attacks against UN missions or international security presences, including MINUSCA, the Union missions and French forces which support them, as well as against humanitarian personnel;’;

(7) In Article 2b(1), the following point (j) is added:

‘(j) committing acts of incitement to violence, in particular on an ethnic or religious basis, that undermine the peace, stability or security of the CAR, and then engaging in or providing support for acts that undermine the peace, stability or security of the CAR;’.

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, 12 March 2018.

For the Council

The President

E. KARANIKOLOV

COUNCIL DECISION (CFSP) 2018/392**of 12 March 2018****amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2014/145/CFSP of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine ⁽¹⁾, and in particular Article 3(1) and (3) thereof,

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

Whereas:

- (1) On 17 March 2014, the Council adopted Decision 2014/145/CFSP.
- (2) On 14 September 2017, the Council adopted Decision (CFSP) 2017/1561 ⁽²⁾, thereby renewing the measures provided for in Decision 2014/145/CFSP for a further six months.
- (3) In view of the continuing undermining or threatening of the territorial integrity, sovereignty and independence of Ukraine, Decision 2014/145/CFSP should be renewed for a further six months.
- (4) The Council has reviewed the individual designations set out in the Annex to Decision 2014/145/CFSP and decided to amend the information concerning certain individuals and entities.
- (5) Decision 2014/145/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Article 6 of Decision 2014/145/CFSP, the second paragraph is replaced by the following:

‘This Decision shall apply until 15 September 2018.’.

Article 2

The Annex to Decision 2014/145/CFSP shall be amended in accordance with the Annex to this Decision.

Article 3

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, 12 March 2018.

For the Council
The President
E. KARANIKOLOV

⁽¹⁾ OJ L 78, 17.3.2014, p. 16.

⁽²⁾ Council Decision (CFSP) 2017/1561 of 14 September 2017 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 237, 15.9.2017, p. 72).

ANNEX

The entries concerning the persons and entities listed below, as set out in the Annex to Decision 2014/145/CFSP, are replaced by the following entries:

Persons:

	Name	Identifying information	Reasons	Date of listing
'3.	Rustam Ilmirovich TEMIRGALIEV (Рустам Ильмирович ТЕМИРГАЛИЕВ) Rustam Ilmyrovych TEMIRHALIEV (Рустам Ільмирович ТЕМІРГАЛІЄВ)	DOB: 15.8.1976 POB: Ulan-Ude, Buryat ASSR (Russian SFSR)	As former Deputy Prime Minister of Crimea, Temirgaliev played a relevant role in the decisions taken by the 'Supreme Council' concerning the 'referendum' of 16 March 2014 against the territorial integrity of Ukraine. He lobbied actively for the integration of Crimea into the Russian Federation. On 11 June 2014, he resigned from his function as 'First Deputy Prime Minister' of the so-called 'Republic of Crimea'. Currently General Director of the Managing Company of the Russian-Chinese Investment Fund for Regional Development. Remains active in supporting separatist actions or policies.	17.3.2014
6.	Pyotr Anatoliyovych ZIMA (Пётр Анатольевич ЗИМА) Petro Anatoliyovych ZYMA (Петро Анатолійович ЗИМА)	DOB: 18.1.1970 or 29.3.1965 POB: Artemivsk (Артемівськ) (2016 renamed back to Bakhmut/Бахмут), Donetsk Oblast, Ukraine	Zima was appointed as the new head of the Crimean Security Service (SBU) on 3 March 2014 by 'Prime Minister' Aksyonov and accepted this appointment. He has given relevant information including a database to the Russian Intelligence Service (FSB). This included information on Euro-Maidan activists and human rights defenders of Crimea. He played a relevant role in preventing Ukraine's authorities from controlling the territory of Crimea. On 11 March 2014, the formation of an independent Security Service of Crimea was proclaimed by former SBU officers of Crimea.	17.3.2014
9.	Viktor Alekseevich OZEROV (Виктор Алексеевич ОЗЕРОВ)	DOB: 5.1.1958 POB: Abakan, Khakassia	Former Chairman of the Security and Defence Committee of the Federation Council of the Russian Federation. On 1 March 2014, Ozerov, on behalf of the Security and Defence Committee of the Federation Council, publicly supported, in the Federation Council, the deployment of Russian forces in Ukraine. In July 2017, he filed his resignation as the Chairman of the Security and Defence Committee. He continues to be a member of the Council and is a member of the Committee on internal regulation and parliamentary affairs. On 10 October 2017, with a decree N 372-SF, Ozerov was included in the temporary commission of the Federation Council on protection of state sovereignty and prevention of interference in the internal affairs of the Russian Federation.	17.3.2014

	Name	Identifying information	Reasons	Date of listing
14.	Aleksandr Borisovich TOTOONOV (Александр Борисович ТОТООНОВ)	DOB: 3.4.1957 POB: Ordzhonikidze, North Ossetia	Former Member of the Committee of International Affairs of the Federation Council of the Russian Federation. His duties as a Member of the Council of the Russian Federation ended in September 2017. He is currently a member of the parliament of North Ossetia. On 1 March 2014, Totoonov publicly supported, in the Federation Council, the deployment of Russian forces in Ukraine.	17.3.2014
28.	Valery Vladimirovich KULIKOV (Валерий Владимирович КУЛИКОВ)	DOB: 1.9.1956 POB: Zaporozhye, (Ukrainian SSR)	Former Deputy-Commander of the Black Sea Fleet, Rear Admiral. Responsible for commanding Russian forces that have occupied Ukrainian sovereign territory. On 26 September 2017, with a Decree of the President of Russian Federation, he was dismissed from this post and from military service.	21.3.2014
31.	Valery Kirillovich MEDVEDEV (Валерий Кириллович МЕДВЕДЕВ) Valeriy Kyrylovych MEDVEDIEV (Валерій Кирилович МЕДВЕДЕВ)	DOB: 21.8.1946 POB: Shmakovka, Primorsky region	Former Chair of Sevastopol Electoral Commission (until 26 May 2017). Responsible for administering the Crimean referendum. Responsible under the Russian system for signing referendum results.	21.3.2014
33.	Elena Borisovna MIZULINA (born DMITRIYEVA) (Елена Борисовна МИЗУЛИНА (born ДМИТРИЕВА))	DOB: 9.12.1954 POB: Bui, Kostroma region	Former Deputy in the State Duma. Originator and co-sponsor of recent legislative proposals in Russia that would have allowed regions of other countries to join Russia without their central authorities' prior agreement. As of September 2015, a Member of the Federation Council from Omsk region. Currently Deputy Chairman of the Federation Council Committee on Constitutional Legislation and State Building.	21.3.2014
51.	Vladimir Nikolaevich PLIGIN (Владимир Николаевич ПЛИГИН)	DOB: 19.5.1960 POB: Ignatovo, Vologodsk Oblast, USSR.	Former member of the State Duma and former Chair of the Duma Constitutional Law Committee. Responsible for facilitating the adoption of legislation on the annexation of Crimea and Sevastopol into the Russian Federation. Member of the Supreme Council of the United Russia party.	12.5.2014

	Name	Identifying information	Reasons	Date of listing
53.	Oleg Grigorievich KOZYURA (Олег Григорьевич КОЗЮРА) Oleh Hryhorovych KOZYURA (Олег Григорович КОЗЮРА)	DOB: 30.12.1965 or 19.12.1962 POB: Simferopol, Crimea or Zaporizhia	Former Head of the Federal Migration Service office for Sevastopol. Responsible for the systematic and expedited issuance of Russian passports for the residents of Sevastopol. Since October 2016, Chief of Staff of the Legislative Assembly of Sevastopol.	12.5.2014
59.	Aleksandr Sergeevich MALYKHIN Alexander Sergeevich MALYHIN (Александр Сергеевич МАЛЫХИН) Oleksandr Serhiyovych (Sergiyovych) MALYKHIN (Олександр Сергійович МАЛИХІН)	DOB: 12.1.1981	Former head of the 'Lugansk People's Republic' Central Electoral Commission. Actively organised the referendum on 11 May 2014 on the self-determination of the 'Lugansk People's Republic'. Remains active in supporting separatist policies.	12.5.2014
66.	Marat Faatovich BASHIROV (Марат Фаатович БАШИРОВ)	DOB: 20.1.1964 POB: Izhevsk, Russian Federation	Former so-called 'Prime Minister of the Council of Ministers of the Lugansk People's Republic', confirmed on 8 July 2014. Responsible for the separatist 'governmental' activities of the so-called 'government of the Lugansk People's Republic'. Continues activities of supporting LNR separatist structures.	12.7.2014
70.	Igor PLOTNITSKY Igor Venediktovich PLOTNITSKIY (Игорь Венедиктович ПЛОТНИЦКИЙ) Ihor (Igor) Venedyktovych PLOTNYTSKYI (Ігор Венедиктович ПЛОТНИЦЬКИЙ)	DOB: 24.6.1964 or 25.6.1964 or 26.6.1964 POB: Luhansk (possibly in Kelmentsi, Chernivtsi oblast)	Former so-called 'Defence Minister' and former so-called 'Head' of the 'Lugansk People's Republic'. Responsible for the separatist 'governmental' activities of the so-called 'government of the Lugansk People's Republic'. Continues to perform 'governmental' activities of the so-called 'government of the Lugansk People's Republic' as the Special Envoy of the so-called 'Lugansk People's Republic' on Minsk implementation.	12.7.2014
77.	Boris Vyacheslavovich GRYZLOV (Борис Вячеславович ГРЫЗЛОВ)	DOB 15.12.1950 POB: Vladivostok	Former permanent member of the Security Council of the Russian Federation. As a member of the Security Council, which provides advice on and coordinates national security affairs, he was involved in shaping the policy of the Russian Government threatening the territorial integrity, sovereignty and independence of Ukraine. He remains chairman of the Supreme Council of the United Russia party.	25.7.2014

	Name	Identifying information	Reasons	Date of listing
84.	Fyodor Dmitrievich BEREZIN (Фёдор Дмитриевич БЕРЕЗИН) Fedir Dmytrovych BEREZIN (Федір Дмитрович БЕРЕЗИН)	DOB: 7.2.1960 POB: Donetsk	Former so-called 'deputy defence minister' of the so-called 'Donetsk People's Republic'. He is associated with Igor Strelkov/Girkin, who is responsible for actions which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine. In taking on and acting in this capacity Berezin has therefore supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine. Remains active in supporting separatist actions and policies. Current Chairman of the Board of DNR Writers' Union.	25.7.2014
90.	Boris Alekseevich LITVINOV (Борис Алексеевич ЛИТВИНОВ) Borys Oleksiyovych LYTVYNOV (Борис Олексійович ЛИТВИНОВ)	DOB: 13.1.1954 POB: Dzerzhynsk (Donetsk oblast)	Former member of the so-called 'People's Council' and former chairman of the so-called 'Supreme Council' of the so-called 'Donetsk People's Republic' who was at the source of policies and the organisation of the illegal 'referendum' leading to the proclamation of the so-called 'Donetsk People's Republic', which constituted a breach of the territorial integrity, sovereignty and unity of Ukraine. Remains active in supporting separatist actions and policies. Current leader of Communist Party of DNR.	30.7.2014
97.	Vladimir Petrovich KONONOV (a.k.a. 'Tsar') (Владимир Петровнч КОНОНОВ) Volodymyr Petrovych KONONOV (Володимир Петрович КОНОНОВ)	DOB: 14.10.1974 POB: Gorsky, Luhansk Oblast	As of 14 August 2014, he replaced Igor Strelkov/Girkin, as the so-called 'Defence minister' of the 'Donetsk People's Republic'. He has reportedly commanded a division of separatist fighters in Donetsk since April 2014 and has promised to solve the strategic task of repelling Ukraine's military aggression. Kononov has therefore supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine.	12.9.2014
103.	Aleksandr Akimovich KARAMAN (Александр Акимович КАРАМАН) Alexandru CARAMAN	DOB: 26.7.1956 POB Cioburciu, Slobozia district, now Republic of Moldova	Former so-called 'Deputy Prime Minister for Social Issues' of the 'Donetsk People's Republic'. Associated with Vladimir Antyufeyev, who was responsible for the separatist 'governmental' activities of the so-called 'Government of the Donetsk People's Republic'. He has therefore supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine. Protégé of Russia's Deputy Prime Minister Dmitry Rogozin. Former Head of the Administration of the Council of Ministers of the 'Donetsk People's Republic'. Until March 2017, so-called 'Plenipotentiary representative of the President' of the so-called 'Pridnestrovian Moldavian Republic' to the Russian Federation.	12.9.2014

	Name	Identifying information	Reasons	Date of listing
108.	Vladimir Abdualiyevich VASILYEV (Владимир Абдуалиевич ВАСИЛЬЕВ)	DOB: 11.8.1949 POB: Klin	Former Deputy Speaker of the State Duma. On 20 March 2014, he voted in favour of the draft Federal Constitutional Law 'on the acceptance into the Russian Federation of the Republic of Crimea and the formation within the Russian Federation of new federal subjects — the republic of Crimea and the City of Federal Status Sevastopol'. He was appointed acting head of Republic of Dagestan in October 2017 by Presidential decree.	12.9.2014
111.	Vladimir Stepanovich NIKITIN (Владимир Степанович НИКИТИН)	DOB 5.4.1948 POB: Opochka	Former member of the State Duma and former First Deputy Chairman of the Committee for CIS Affairs, Eurasian Integration and Relations with Compatriots of the State Duma. On 20 March 2014 he voted in favour of the draft Federal Constitutional Law 'on the acceptance into the Russian Federation of the Republic of Crimea and the formation within the Russian Federation of new federal subjects — the republic of Crimea and the City of Federal Status Sevastopol'. Member of the Presidium of the Central Committee of the Communist Party of the Russian Federation.	12.9.2014
112.	Oleg Vladimirovich LEBEDEV (Олег Владимирович ЛЕБЕДЕВ)	DOB 21.3.1964 POB: Rudny, Kostanai region, Kazakh SSR	Former member of the State Duma and former First Deputy Chairman of the Committee for CIS Affairs, Eurasian Integration and Relations with Compatriots of the State Duma. On 20 March 2014, he voted in favour of the draft Federal Constitutional Law 'on the acceptance into the Russian Federation of the Republic of Crimea and the formation within the Russian Federation of new federal subjects — the republic of Crimea and the City of Federal Status Sevastopol'. Remains active in supporting separatist policies.	12.9.2014
119.	Alexander Mikhailovich BABAKOV (Александр Михайлович БАБАКОВ)	DOB: 8.2.1963 POB: Chisinau	Former member of the State Duma. Former State Duma Deputy, Chair of the State Duma Commission on Legislative Provisions for Development of the Military-Industrial Complex of the Russian Federation. He is a prominent member of 'United Russia' and a businessman with heavy investments in Ukraine and in Crimea. On 20 March 2014, he voted in favour of the draft Federal Constitutional Law 'on the acceptance into the Russian Federation of the Republic of Crimea and the formation within the Russian Federation of new federal subjects — the Republic of Crimea and the City of federal status of Sevastopol'. Currently member of the Federation Council of the Russian Federation. Deputy Chairman of the Committee on Foreign Affairs.	12.9.2014

	Name	Identifying information	Reasons	Date of listing
123.	Yuriy Viktorovich SIVOKONENKO (a.k.a. Yuriy SIVOKONENKO, Yury SIVOKONENKO, Yury SYVOKONENKO) (Юрий Викторович СИВОКОНЕНКО)	DOB: 7.8.1957 POB: Stalino city (now Donetsk)	Member of the 'Parliament' of the so-called 'Donetsk People's Republic' and Chairman of the public association Union of Veterans of the Donbass Berkut and a member of the public movement 'Free Donbass'. Stood as a candidate in the so-called 'elections' of 2 November 2014 to the post of the Head of the so-called 'Donetsk People's Republic'. These elections were in breach of Ukrainian law and therefore illegal. In taking on and acting in this capacity, and in participating formally as a candidate in the illegal 'elections', he has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine. He remains a member of the so-called 'people's council of the Donetsk People's Republic'.	29.11.2014
125.	Ravil Zakariyevich KHALIKOV (Равиль Закариевич ХАЛИКОВ) Ravil Zakariyovych KHALIKOV (Равіль Закарійович ХАЛІКОВ)	DOB: 23.2.1969 POB: Belozernoie village, Romodanovskiy rayon, USSR	Former so-called 'First Deputy Prime Minister' and previous 'Prosecutor-General' of the 'Donetsk People's Republic'. In taking on and acting in this capacity, he has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine. Currently 'aide' to the head of the Moscow branch of the Investigative Committee of Russian Federation (GSU SK).	29.11.2014
126.	Dmitry Aleksandrovich SEMYONOV Dmitrii Aleksandrovich SEMENOV (Дмитрий Александрович СЕМЕНОВ)	DOB: 3.2.1963 POB: Moscow	Former 'Deputy Prime Minister for Finances' of the so-called 'Lugansk People's Republic'. In taking on and acting in this capacity, has actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine. Remains active in supporting LNR separatist structures.	29.11.2014
140.	Sergey Yurevich IGNATOV (a.k.a. KUZOVLEV a.k.a. TAMBOV) (Сергей Юрьевич ИГНАТОВ а.к.а КУЗОВЛЕВ а.к.а. ТАМБОВ)	DOB: 7.1.1967 POB: Michurinsk, Tambov oblast Мичуринск, Тамбовская область	Former so-called Commander in Chief of the People's Militia of the 'Lugansk People's Republic'. In taking on and acting in this capacity, he has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine. Commander of 8th Army of the Russian Armed Force.	16.2.2015

	Name	Identifying information	Reasons	Date of listing
145.	Olga Igoreva BESEDINA (Ольга Игоревна БЕСЕДИНА) Olha Ihorivna BESEDINA (Ольга Ігорівна БЕСЕДІНА)	DOB: 10.12.1976 POB: Luhansk	Former so-called 'Minister of Economic Development and Trade' of the so-called 'Lugansk People's Republic'. In taking on and acting in this capacity, she has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine. Currently the head of the foreign economy department at the Office of the head of the "Luhansk Administration".	16.2.2015
146.	Zaur Raufovich ISMAILOV (Заур Рауфович ИСМАИЛОВ) Zaur Raufovich ISMAYILOV (Заур Рауфович ІСМАЇЛОВ)	DOB: 25.7.1978 (or 23.3.1975) POB: Krasny Luch, Voroshilovgrad, Lugansk region	Former so-called 'General Prosecutor' of the so-called 'Lugansk People's Republic' (until October 2017). In taking on and acting in this capacity, he has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and further destabilised Ukraine.	16.2.2015
147.	Anatoly Ivanovich ANTONOV (Анатолий Иванович АНТОНОВ)	DOB 15.5.1955 POB: Omsk	Former Deputy Minister of Defence and, in that capacity, involved in supporting the deployment of Russian troops in Ukraine. According to the present Russian Ministry of Defence structure, in that capacity he participated in shaping and implementing the policy of the Russian Government. These policies threaten the territorial integrity, sovereignty and independence of Ukraine. As of 28 December 2016, Former Deputy Minister of Foreign Affairs. Holds a position of an Ambassador in the diplomatic corps of the Russian Federation.	16.2.2015
153.	Konstantin Mikhailovich BAKHAREV (Константин Михайлович БАХАРЕВ)	DOB: 20.10.1972 POB: Simferopol, Ukrainian SSR	Member of the State Duma, elected from the illegally annexed Autonomous Republic of Crimea. Member of the Duma Committee on Control and Regulation. In March 2014, Bakharev was appointed as a Deputy Chairperson of the State Council of the so-called 'Republic of Crimea', and in August 2014 as First Deputy Chairperson of that body. He has admitted his personal involvement in the events of 2014 that led to the illegal annexation of Crimea and Sevastopol, which he publicly supported, including in an interview published on gazetakrimea.ru website on 22 March 2016 and c-pravda.ru website on 23 August 2016. He was awarded with the order 'For loyalty to duty' by the 'authorities' of 'Republic of Crimea'.	9.11.2016

	Name	Identifying information	Reasons	Date of listing
154.	Dmitry Anatolievich BELIK (Дмитрий Анатольевич БЕЛИК)	DOB: 17.10.1969 POB: Kular Ust-Yansky District, Yakut Autonomous SSR	Member of the State Duma, elected from the illegally annexed city of Sevastopol. Member of the Duma Committee on Control and Regulation. As a member of the Sevastopol municipal administration in February-March 2014 he supported the activities of the so-called 'People's Mayor' Alexei Chaliy. He has publicly admitted his involvement in the events of 2014 that led to the illegal annexation of Crimea and Sevastopol, which he publicly defended, including on his personal website and in an interview published on 21 February 2016 on nation-news.ru website. For his involvement in the annexation process he has been awarded with Russian State order 'For Merit to the Fatherland — second degree'.	9.11.2016
160.	Sergey Anatolevich TOPOR-GILKA (Сергей Анатольевич ТОПОР-ГИЛКА)	Director General of OAO 'VO TPE' until its insolvency, Director General of OOO 'VO TPE'. DOB: 17.2.1970	In his capacity as Director General of OAO 'VO TPE', he led the negotiations with Siemens Gas Turbine Technologies OOO regarding the purchase and delivery of the gas turbines for a power plant in Taman, Krasnodar region, Russian Federation. He was later, as Director General of OOO 'VO TPE', responsible for the transfer of the gas turbines to Crimea. This contributes to establishing an independent power supply for Crimea and Sevastopol as a means of supporting their separation from Ukraine, and undermines the territorial integrity, sovereignty and independence of Ukraine.	4.8.2017

Entities:

	Name	Identifying information	Reasons	Date of listing
3.	So-called 'Lugansk People's Republic' 'Луганская народная республика' 'Luganskaya narodnaya respublika'	Official website: https://glava-lnr.su/content/konstituciya https://glava-lnr.info/	The so-called 'Lugansk People's Republic' was established on 27 April 2014. Responsible for organising the illegal referendum on 11 May 2014. Declaration of independence on 12 May 2014. On 22 May 2014, the so-called 'People's Republics' of Donetsk and Lugansk created the so-called 'Federal State of Novorossiia'. This is in breach of Ukrainian constitutional law, and, as a consequence, of international law, thus undermining the territorial integrity, sovereignty and independence of Ukraine. It is also involved in the recruitment to the separatist 'Army of Southeast' and other illegal armed separatist groups, thus undermining the stability or security of Ukraine.	25.7.2014

	Name	Identifying information	Reasons	Date of listing
4.	So-called 'Donetsk People's Republic' 'Донецкая народная республика' 'Donétskaya národnáya respúblika'	Official information, including the Constitution of Donetsk People's Republic and the composition of the Supreme Council https://dnr-online.ru/	The so-called 'Donetsk People's Republic' was declared on 7 April 2014. Responsible for organising the illegal referendum on 11 May 2014. Declaration of independence on 12 May 2014. On 24 May 2014, the so-called 'People's Republics' of Donetsk and Lugansk signed an agreement on the creation of the so-called 'Federal State of Novorossiia'. This is in breach of Ukrainian constitutional law, and, as a consequence, of international law, thus undermining the territorial integrity, sovereignty and independence of Ukraine. It is also involved in the recruitment to illegal armed separatist groups, thus threatening the stability or security of Ukraine.	25.7.2014
5.	So-called 'Federal State of Novorossiia' 'Федеративное государство Новороссия' 'Federativnoye Gosudarstvo Novorossiia'	Official press releases: http://novorossia.su/official http://novopressa.ru/ http://novorossia-tv.ru/ http://novorossia.today/ http://novorossia.ru/ https://www.novorosinform.org/	On 24 May 2014, the so-called 'People's Republics' of Donetsk and Lugansk signed an agreement on the creation of the unrecognised so-called 'Federal State of Novorossiia'. This is in breach of Ukrainian constitutional law, and, as a consequence, of international law, thus threatening the territorial integrity, sovereignty and independence of Ukraine.	25.7.2014
20.	Joint-stock company Sparkling wine plant 'Novy Svet' Акционерное общество 'Завод шампанских вин "Новый Свет" Formerly known as State unitary enterprise of the 'Republic of Crimea' Sparkling wine plant 'Novy Svet' Государственное унитарное предприятие Республики Крым 'Завод шампанских вин "Новый Свет" Gosudarstvennoye unitarnoye predpriyatiye Respubliki Krym 'Zavod shampanskykh vin "Novy Svet" and as State enterprise sparkling wine plant 'Novy Svet'	298032, Crimea, Sudak, Novy Svet, str. Shalapina 1. 298032, Крым, г. Судак, пгт. Новый Свет, ул. Шаляпина, д. 1	The ownership of the entity was transferred contrary to Ukrainian law. On 9 April 2014, the 'Presidium of the Parliament of Crimea' adopted a decision No 1991-6/14 'On the amendments to the Resolution of the State Council of the "Republic of Crimea"' of 26 March 2014 No 1836-6/14 'On nationalisation of the property of enterprises, institutions and organisations of agro-industrial complex, located in the territory of the "Republic of Crimea" declaring the appropriation of assets belonging to the state enterprise "Zavod shampanskykh vin Novy Svet" on behalf of the 'Republic of Crimea'. The enterprise is thus effectively confiscated by the Crimean 'authorities'. Re-registered on 4.1.2015 as State Unitary Enterprise of the 'Republic of Crimea' 'sparkling wine plant "Novy Svet" (Государственное унитарное предприятие Республики Крым 'Завод шампанских вин "Новый Свет"'). Founder: The Ministry of Agriculture of the Republic of Crimea (Министерство сельского хозяйства Республики Крым).	25.7.2014

	Name	Identifying information	Reasons	Date of listing
	Государственное предприятие Завод шампанских вин 'Новый свет' (Gosudarstvenoye predpriyatiye Zavod shampanskykh vin 'Novy Svet')		Re-registered following reorganization on 29.8.2017 as Joint-stock company Sparkling wine plant 'Novy Svet' (Акционерное общество 'Завод шампанских вин "Новый Свет"'). Founder: the Ministry of Land and Property Regulations of the 'Republic of Crimea' (Министерство земельных и имущественных отношений Республики Крым).	
21.	JOINT-STOCK COMPANY ALMAZ-ANTEY AIR AND SPACE DEFENCE CORPORATION Акционерное общество 'Концерн воздушно-космической обороны "Алмаз — Антей" (a.k.a. CONCERN ALMAZ-ANTEY; ALMAZ-ANTEY CORP; a.k.a. ALMAZ-ANTEY DEFENSE CORPORATION; a.k.a. ALMAZ-ANTEY JSC; Концерн ВКО 'Алмаз — Антей';)	41 ul.Vereiskaya, Moscow 121471, Russia; Website: almaz-antey.ru; Email Address antey@almaz-antey.ru	Almaz-Antey is a Russian State-owned company. It manufactures anti-aircraft weaponry including surface-to-air missiles which it supplies to the Russian army. The Russian authorities have been providing heavy weaponry to separatists in Eastern Ukraine, contributing to the destabilisation of Ukraine. These weapons are used by the separatists, including for shooting down airplanes. As a State-owned company, Almaz-Antey therefore contributes to the destabilisation of Ukraine.	30.7.2014
22.	DOBROLET a.k.a. DOBROLYOT ДОБРОЛЕТ/ДОБРОЛЁТ	Airline code QD International Highway, House 31, building 1, 141411 Moscow 141411, г. Москва, Международное ш., дом 31, строение 1 Website: www.dobrolet.com	Dobrolet was a subsidiary of a Russian State-owned airline. Since the illegal annexation of Crimea Dobrolet exclusively operated flights between Moscow and Simferopol. It therefore facilitated the integration of the illegally annexed Autonomous Republic of Crimea into the Russian Federation and undermined Ukrainian sovereignty and territorial integrity.	30.7.2014
28.	Luhansk Economic Union (Luganskiy Ekonomicheskiiy Soyuz) Луганский экономический союз		'Social organisation' that presented candidates in the illegal so-called 'elections' of the so-called 'Lugansk People's Republic' on 2 November 2014. Nominated a candidate, Oleg AKIMOV, to be 'Head' of the so-called 'Lugansk People's Republic'. These 'elections' are in breach of Ukrainian law and therefore illegal. In participating formally in the illegal 'elections' it has therefore actively supported actions and policies which undermine the territorial integrity, sovereignty and independence of Ukraine, and to further destabilise Ukraine.	29.11.2014

	Name	Identifying information	Reasons	Date of listing
29.	Cossack National Guard Казачья Национальная Гвардия	http://казакнацгвард.рф/	Armed separatist group which has actively supported actions which undermine the territorial integrity, sovereignty and independence of Ukraine and further destabilise Ukraine. Commanded by and therefore associated with a listed person Nikolay KOZITSYN. Reportedly part of the so-called '2nd Army Corps' of the 'Lugansk People's Republic'.	16.2.2015
41.	'State Unitary Enterprise of the Crimean Republic "Crimean Sea Ports"' (Государственное унитарное предприятие Республики Крым "Крымские морские порты"), including branches: — Feodosia Commercial Port, — Kerch Ferry, — Kerch Commercial Port.	28 Kirova Street Kerch 298312 Crimea (298312, Крым, гор. Керчь, ул. Кирова, дом 28)	The 'Parliament of Crimea' adopted Resolution No 1757-6/14 on 17 March 2014 'On nationalisation of some companies belonging to the Ukrainian Ministries of Infrastructure or Agriculture' and Resolution No 1865-6/14 on 26 March 2014 'On State-Owned Enterprise "Crimean Sea Ports"' ('О Государственном предприятии "Крымские морские порты"') declaring the appropriation of assets belonging to several State enterprises which were merged into the 'State Unitary Enterprise of the Crimean Republic "Crimean Sea Ports"' on behalf of the 'Republic of Crimea'. Those enterprises were thus effectively confiscated by the Crimean 'authorities' and the 'Crimean Sea Ports' has benefited from the illegal transfer of their ownership.	16.9.2017

COMMISSION DECISION (EU) 2018/393**of 12 March 2018**

approving, on behalf of the European Union, amendments to the Protocol between the European Union and the Kingdom of Morocco setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2013/785/EU of 16 December 2013 on the conclusion, on behalf of the European Union, of the Protocol between the European Union and the Kingdom of Morocco setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco ⁽¹⁾, and in particular Article 3 thereof,

Whereas:

- (1) Article 10 of the Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco ⁽²⁾, hereinafter referred to as ‘the Agreement’, approved by Council Regulation (EC) No 764/2006 ⁽³⁾, establishes a Joint Committee responsible for monitoring the application of the Agreement and, in particular, for supervising the implementation, interpretation and smooth operation thereof, as well as for reassessing, where appropriate, the level of fishing opportunities.
- (2) Article 5 of the Protocol between the European Union and the Kingdom of Morocco setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco ⁽⁴⁾, hereinafter referred to as ‘the Protocol’, approved by Decision 2013/785/EU, authorises the Joint Committee to review the fishing opportunities by mutual agreement, provided that this review is designed to ensure the sustainability of Moroccan fisheries resources.
- (3) At the meeting of the Joint Committee, which was held in Brussels from 25 to 27 October 2017, the Moroccan side announced its intention to reduce the quota allocated in 2018 to industrial pelagic trawlers (see fishing datasheet No 6) in order to ensure the sustainable exploitation of the stocks in question. In light of the expected impact of such a measure on the fleet in question, the European side then proposed changing certain arrangements for implementing the Protocol relating to industrial pelagic fishing, with a view to optimising the use of fishing opportunities in that category.
- (4) Immediately after the Joint Committee meeting in question, the Commission sent the Council a document setting out the particulars of the envisaged Union position on the intended changes.
- (5) The envisaged Union position was approved by the Council in accordance with point 3 of the Annex to Decision 2013/785/EU.
- (6) The outcome of the Joint Committee meeting held in Brussels from 25 to 27 October 2017 concerning the change to the quota, to the monthly catch ceiling and to the catch composition by category 6 species group has been confirmed by Exchange of Letters between the Moroccan Ministry of Agriculture, Marine Fisheries, Rural Development, Water and Forests and the European Commission.
- (7) Those amendments should be approved on behalf of the European Union,

⁽¹⁾ OJ L 349, 21.12.2013, p. 1.

⁽²⁾ OJ L 141, 29.5.2006, p. 4.

⁽³⁾ Council Regulation (EC) No 764/2006 of 22 May 2006 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco (OJ L 141, 29.5.2006, p. 1).

⁽⁴⁾ OJ L 328, 7.12.2013, p. 2.

HAS ADOPTED THIS DECISION:

Article 1

The amendments to fishing datasheet No 6 of the Protocol between the European Union and the Kingdom of Morocco setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco, adopted by the Joint Committee established by Article 10 of the Agreement via the Exchange of Letters as set out in the Annex to this Decision, are hereby approved on behalf of the Union.

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, 12 March 2018.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

A. Extract from letter (Ares) 5493915 of 10 November 2017 sent by the Directorate-General for Maritime Affairs and Fisheries of the European Commission

Dear Madam,

Further to my letter of 3 November regarding the follow-up to the conclusions of the recent Joint Committee meeting (ref. Ares 5362568 of 3 November 2017), I am pleased to confirm that, pursuant to Article 5 of the Protocol, the Council of the European Union agreed on a 15 % reduction to the quota allocated in 2018 to category 6 vessels in order to ensure the sustainable exploitation of the stocks in question.

[...]

Furthermore, as stated in the above-mentioned letter, I would ask you to approve by return letter the changes to the following technical conditions in category 6, their purpose being to optimise the use of fishing opportunities in that category:

- change to the catch composition by increasing the catch rate for the sardine-sardinella group of species to 40 % of the allocated quota, with the increase being offset by an equivalent decrease in catch rates for the horse mackerel/mackerel/anchovies group of species and the by-catch percentage remaining unchanged;
- increase in the monthly catch ceiling, which is raised to 12 000 tonnes for the period 1 April to 14 July 2018, bearing in mind that the European side insists that this monthly ceiling be maintained for the period running from 1 January to 14 July 2018.

[Complimentary close]

B. Extract from letter No 8885 of 27 November 2017 sent by the Moroccan Ministry of Agriculture, Marine Fisheries, Rural Development, Water and Forests

Dear Sir,

First of all, let me thank you for the efforts made by your unit to obtain the Council of the European Union's agreement for the 15 % reduction to the quota allocated in 2018 to category 6 vessels.

[...]

As regards the other items referred to in your letter, please note the following points made in my letter of 10 November 2017:

1. We would confirm the possibility of revising the composition of category 6 catches according to the following rates: 40 % sardine-sardinella, 58 % horse mackerel/mackerel/anchovies and 2 % by-catch.
2. The Moroccan side does not object to setting the monthly ceiling at 12 000 tonnes, but only as from March 2018. For the months of January and February, which correspond to the end of the sardine's egg-laying period, the ceiling will be kept at 10 000 tonnes.

[Complimentary close]

