

DECISIONS

COUNCIL DECISION (CFSP) 2021/908

of 4 June 2021

amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Whereas:

- (1) On 15 October 2012, the Council adopted Decision 2012/642/CFSP ⁽¹⁾ concerning restrictive measures against Belarus.
- (2) On 24 and 25 May 2021, the European Council adopted conclusions in which it strongly condemned the forced landing of a Ryanair flight in Minsk, Belarus, on 23 May 2021 endangering aviation safety, and the detention by Belarusian authorities of journalist Raman Pratasevich and Sofia Sapega. It called on the Council to adopt the necessary measures to ban overflight of Union airspace by Belarusian airlines and prevent access to Union airports of flights operated by such airlines.
- (3) In view of the gravity of that incident, the Council has determined that Member States should be required to deny permission to land in, take off from or overfly their territories to any aircraft operated by Belarusian air carriers, including as a marketing carrier.
- (4) Further action by the Union is needed in order to implement that measure.
- (5) Decision 2012/642/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following Article is inserted in Decision 2012/642/CFSP:

‘Article 2a

1. Member States shall deny permission to land in, take off from or overfly their territories to any aircraft operated by Belarusian air carriers, including as a marketing carrier, in accordance with their national rules and laws and consistent with international law, in particular relevant international civil aviation agreements.
2. Paragraph 1 shall not apply in the case of an emergency landing or an emergency overflight.
3. Paragraph 1 shall not apply in the event that the Member State or Member States concerned determine that a landing, take-off or overflight is required for humanitarian purposes or any other purpose consistent with the objectives of this Decision. In such event, the Member State or Member States concerned shall inform the other Member States and the Commission.’.

⁽¹⁾ Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures in view of the situation in Belarus (OJ L 285, 17.10.2012, p. 1).

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, 4 June 2021.

For the Council
The President
A. P. ZACARIAS
