



2025/391

24.2.2025

**COUNCIL DECISION (CFSP) 2025/391**

**of 24 February 2025**

**amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Whereas:

- (1) On 15 October 2012, the Council adopted Decision 2012/642/CFSP <sup>(1)</sup>.
- (2) On 24 February 2022, the President of the Russian Federation announced a military operation in Ukraine and Russian armed forces began an attack on Ukraine, including from the territory of Belarus. That attack is a blatant violation of the territorial integrity, sovereignty and independence of Ukraine.
- (3) On 2 March 2022, the Council adopted Decision (CFSP) 2022/356 <sup>(2)</sup>, which amended the title of Decision 2012/642/CFSP and introduced further restrictive measures in response to the involvement of Belarus in the Russian aggression against Ukraine.
- (4) In its conclusions of 19 February 2024, the Council strongly condemned the continued support provided by the Belarusian regime to Russia's war of aggression against Ukraine and called on Belarus to refrain from such action and to abide by its international obligations.
- (5) In view of the gravity of the situation, the Council considers that the designation criteria for the listing of persons, entities and bodies subject to the freezing of their funds and economic resources and to the prohibition on the making available to them of such funds and economic resources should be amended to allow for the application of targeted restrictive measures against natural or legal persons, entities or bodies forming part of, supporting, materially or financially, or benefiting from, the military and industrial complex of Belarus.
- (6) It is also necessary to strengthen the prohibition on the export of dual-use goods and technology and of goods and technology which might contribute to the technological enhancement of Belarus's defence and security sector, to entities on the list of legal persons, entities or bodies in Annex II to Decision 2012/642/CFSP.
- (7) It is also appropriate to expand the list of items which might contribute to Belarus's military and technological enhancement or to the development of its defence and security sector by listing items which have been used by Russia in its war of aggression against Ukraine and items which contribute to the development or production of Belarus's military systems, including chemical precursors to riot control agents, software related to computer numerical control (CNC) machines, chromium ores and compounds and controllers used to guide unmanned aerial vehicles (UAVs).
- (8) It is also appropriate to impose further restrictions on exports of goods which could contribute to the enhancement of Belarusian industrial capacities, such as chemical elements, pyrotechnic articles and combustible materials.

<sup>(1)</sup> Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine (OJ L 285, 17.10.2012, p. 1, ELI: <http://data.europa.eu/eli/dec/2012/642/oj>).

<sup>(2)</sup> Council Decision (CFSP) 2022/356 of 2 March 2022 amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus (OJ L 67, 2.3.2022, p. 103, ELI: <http://data.europa.eu/eli/dec/2022/356/oj>).

- (9) Furthermore, in order to minimise the risk of circumvention of restrictive measures, it is appropriate to extend the list of goods and technology subject to the prohibition on transit via the territory of Belarus of machinery and goods which could contribute, in particular, to the enhancement of Belarusian industrial capacities.
- (10) It is appropriate to establish derogations for the provision of certain goods and machinery necessary for civilian non-publicly available electronic communications networks.
- (11) Additionally, it is appropriate to introduce further restrictions on the import of primary aluminium, which allows Belarus to diversify its sources of revenue, thereby enabling its involvement in the Russian aggression against Ukraine.
- (12) It is also appropriate to impose a restriction on the sale, supply, transfer, export or provision of software related to oil and gas exploration in order to further restrict the oil and gas exploration and production capacities of Belarus and minimise the risk of circumvention of restrictive measures via the territory of Belarus.
- (13) In order to prevent Union operators from contributing to the development of Belarus's infrastructure, it is necessary to introduce a prohibition on the provision of construction services, including civil engineering works.
- (14) It is prohibited to sell, supply, transfer, export, or provide, directly or indirectly, software for the management of enterprises and software for industrial design and manufacture to the Republic of Belarus, its Government, its public bodies, corporations or agencies or to any natural or legal person, entity or body acting on their behalf or at their direction. It is appropriate to clarify that the sale, license or transfer in any other way of intellectual property rights or trade secrets related to that software is prohibited.
- (15) It is appropriate to introduce a derogation from the prohibition on the provision of construction, architectural and engineering services, legal advisory services and IT consultancy services where those services are strictly necessary for the functioning of a consular or diplomatic representation of Belarus located in a Member State.
- (16) It is also appropriate to expand the scope of the prohibition on accepting deposits to include those from legal persons, entities or bodies established in third countries and majority-owned by Belarusian nationals or natural persons residing in Belarus. Additionally, it is appropriate to subject the acceptance of deposits for non-prohibited cross-border trade to a prior authorisation by the national competent authorities.
- (17) It is also appropriate to prohibit the provision of crypto-asset wallet, account or custody services to Belarusian persons and residents, and in order to limit circumvention of this prohibition, to prohibit Belarusian nationals or natural persons residing in Belarus owning or controlling, or holding any posts on the governing bodies of the legal persons, entities or bodies providing such services.
- (18) In order to facilitate the work of civil society and media, it is appropriate to introduce an exemption from the prohibition regarding the use in Belarus of banknotes denominated in any official currency of a Member State, where it is necessary for civil society and media activities that directly promote democracy, human rights or the rule of law in Belarus, under certain conditions.
- (19) Furthermore, in order to minimise the risk of circumvention of restrictive measures, it is appropriate to amend the prohibition on the transport of goods by road within the territory of the Union, including in transit, by operators that are owned for 25 % or more by a Belarusian natural or legal person. Entities established in the Union before 8 April 2022 and already operating as road transport undertakings should be prohibited from making any changes to their capital structure that would increase the percentage share owned by a Belarusian natural or legal person, entity or body, unless that percentage share remains below 25 % following such a change.
- (20) To help combat the re-exportation of certain goods, Union operators that are selling, supplying, transferring or exporting such goods to third countries, other than countries listed in Annex IVa to Decision 2012/642/CFSP, are required to implement due diligence mechanisms capable of identifying and assessing the risks of such re-exportation to Belarus and mitigating such risks. Moreover, Union operators are required to ensure that legal

persons, entities and bodies established outside the Union that they own or control also implement those requirements.

- (21) It is appropriate to introduce a derogation allowing the release of funds that were frozen due to the involvement of a listed intermediary bank in their transfer, under the conditions that the transfer is between two non-listed natural or legal persons, entities or bodies and is carried out using accounts at non-listed credit institutions, as well as introduce a derogation allowing the release of funds that were frozen due to the involvement of a listed issuing bank in their transfer under the condition that the transfer is between two non-listed natural or legal persons, entities or bodies.
- (22) Finally, it is appropriate to introduce certain amendments in respect of the provisions of Decision 2012/642/CFSP, including provisions on exemptions and derogations to the prohibition on the export of dual-use goods and advanced technologies. In addition, it is pertinent to delete references to transition periods which have expired and other references that are not necessary for compliance with certain provisions of that Decision. The deletion of references to transition periods which have already expired is not intended to have any legal effect on past or ongoing contracts or on the applicability of those transition periods.
- (23) Decision 2012/642/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Decision 2012/642/CFSP is amended as follows:

(1) Article 1b is amended as follows:

(a) paragraphs 4, 5 and 6 are deleted;

(b) the following paragraph is inserted:

'14a. By way of derogation from paragraphs 1 and 3, the competent authorities may authorise the sale, supply, transfer or export of goods falling under CN codes 8517 62 and 8523 52, or the provision of related technical or financial assistance, for non-military-use and for a non-military end-user, after having determined that such goods or related technical or financial assistance are intended for civilian non-publicly available electronic communications networks.'

(c) paragraph 15 is replaced by the following:

'15. When deciding on requests for authorisations for the purposes included in paragraphs 8, 9, 10, 12, 13, 14 and 14a, the competent authorities shall not grant an authorisation for exports to any natural or legal person, entity or body in Belarus or for use in Belarus, if they have reasonable grounds to believe that the goods might have a military end use.'

(d) paragraph 16 is replaced by the following:

'16. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraphs 8, 9, 10, 12, 13, 14 and 14a within 2 weeks of the authorisation.'

(2) Article 2c is amended as follows:

(a) paragraph 3 is replaced by the following:

'3. Without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the prohibitions in paragraphs 1 and 2 of this Article shall not apply to the sale, supply, transfer or export of dual-use goods and technology or to the related provision of technical and financial assistance, for non-military use and for a non-military end-user, that is intended for:

- (a) humanitarian purposes, health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment or as a response to natural disasters; or
- (b) medical or pharmaceutical purposes, provided that they are not listed in Annex XXX to Regulation (EC) No 765/2006.

The exporter shall declare in the customs declaration that the items are being exported under the relevant exemption set out in this paragraph and shall notify the competent authority of the Member State where the exporter is resident or established of the first use per recipient in Belarus of the relevant exemption.;

(b) in paragraph 3a the words ‘, points (a) to (e), of this Article’ are deleted;

(c) the following paragraph is inserted:

‘3b. Member States shall provide for reporting requirements attached to the use of exemptions under paragraph 3 and any additional information on items exported under those exemptions that the Member State where the exporter is resident or established requires.’;

(d) paragraphs 4 and 4a are replaced by the following:

‘4. By way of derogation from paragraphs 1 and 2 of this Article, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authorities may authorise the sale, supply, transfer or export of dual-use goods and technology or the provision of related technical or financial assistance, for non-military use and for a non-military end user, after having determined that such goods or technology or the related technical or financial assistance are intended for:

- (b) intergovernmental cooperation in space programmes;
- (c) the operation, maintenance, fuel reprocessing and safety of civil nuclear capabilities, as well as civil nuclear cooperation, in particular in the field of research and development;
- (e) civilian non-publicly available electronic communications networks which are not the property of an entity that is publicly controlled or with over 50 % public ownership;
- (f) the exclusive use of entities owned, or solely or jointly controlled by a legal person, entity or body which is incorporated or constituted under the law of a Member State or of a partner country;
- (g) the diplomatic representations of the Union, Member States and partner countries, including delegations, embassies and missions;
- (h) ensuring cyber-security and information security for natural and legal persons, entities and bodies in Belarus except for its Government and undertakings directly or indirectly controlled by that Government;
- (i) software updates;
- (j) use as consumer communication devices; or
- (k) medical or pharmaceutical purposes, provided that they are listed in Annex XXX to Regulation (EC) No 765/2006.

4a. By way of derogation from paragraph 1a, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authorities may authorise the transit via the territory of Belarus of dual-use goods and technology after having determined that such goods or technology are intended for the purposes set out in points (b), (c), (d), (h) and (k) of paragraph 4 of this Article.’;

(f) paragraph 7 is replaced by the following:

'7. When deciding on requests for authorisations referred to in paragraphs 4 and 5, the competent authorities shall not grant an authorisation if they have reasonable grounds to believe that:

- (i) the end-user might be a military end-user, a natural or legal person, entity or body in Annex II or that the goods might have a military end-use, unless the sale, supply, transfer or export of goods and technology referred to in paragraph 1 of this Article or the provision of related technical or financial assistance is allowed under Article 2da(1b), point (a); or
- (ii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1 of this Article or the provision of related technical or financial assistance is intended for aviation or the space industry;'

(3) Article 2d is amended as follows:

(a) paragraph 3 is replaced by the following:

'3. The prohibitions in paragraphs 1 and 2 shall not apply to the sale, supply, transfer or export of the goods and technology referred to in paragraph 1 or to the related provision of technical and financial assistance, for non-military use and for a non-military end-user, that is intended for:

- (a) humanitarian purposes, health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment or as a response to natural disasters; or
- (b) medical or pharmaceutical purposes, provided that they are not listed in Annex XXX to Regulation (EC) No 765/2006.

The exporter shall declare in the customs declaration that the items are being exported under the relevant exemption set out in this paragraph and shall notify the competent authority of the Member State where the exporter is resident or established of the first use per recipient in Belarus of the relevant exemption.;

(b) in paragraph 3a the words ', points (a) to (e)' are deleted;

(c) the following paragraph is inserted:

'3b. Member States shall provide for reporting requirements attached to the use of exemptions under paragraph 3 and any additional information on items exported under those exemptions that the Member State where the exporter is resident or established requires.;

(d) paragraph 4 is replaced by the following:

'4. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise the sale, supply, transfer or export of the goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance, for non-military use and for a non-military end user, after having determined that such goods or technology or the related technical or financial assistance are intended for:

- (b) intergovernmental cooperation in space programmes;
- (c) the operation, maintenance, fuel reprocessing and safety of civil nuclear capabilities, as well as civil nuclear cooperation, in particular in the field of research and development;
- (d) maritime safety;

- (e) civilian non-publicly available electronic communications networks which are not the property of an entity that is publicly controlled or with over 50 % public ownership;
  - (f) the exclusive use of entities owned, or solely or jointly controlled by a legal person, entity or body which is incorporated or constituted under the law of a Member State or of a partner country;
  - (g) the diplomatic representations of the Union, Member States and partner countries, including delegations, embassies and missions;
  - (h) ensuring cyber-security and information security for natural and legal persons, entities and bodies in Belarus except for its Government and undertakings directly or indirectly controlled by that Government;
  - (j) software updates;
  - (k) use as consumer communication devices; or
  - (l) medical or pharmaceutical purposes, provided that they are listed in Annex XXX to Regulation (EC) No 765/2006.;
- (e) paragraphs 4a and 5a are deleted;
- (f) in paragraph 4b, the words 'points (b), (c), (d) and (h)' are replaced by the words 'points (b), (c), (d), (h) and (l)';
- (g) paragraph 7 is replaced by the following:
- '7. When deciding on requests for authorisations referred to in paragraphs 4 and 5, the competent authorities shall not grant an authorisation if they have reasonable grounds to believe that:
- (i) the end-user might be a military end-user, a natural or legal person, entity or body in Annex II, or that the goods might have a military end-use, unless the sale, supply, transfer or export of goods and technology referred to in paragraph 1 of this Article or the provision of related technical or financial assistance is allowed under Article 1da(1b), point (a); or
  - (ii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1 of this Article or the provision of related technical or financial assistance is intended for aviation or the space industry.;
- (4) Article 2da is amended as follows:
- (a) paragraph 1 is replaced by the following:
- '1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, dual-use goods and technology, as well as goods and technology listed in Annex Va to Regulation (EC) No 765/2006, whether or not originating in the Union, to any natural or legal person, entity or body listed in Annex II.;
- (b) the following paragraphs are inserted:
- '1a. It shall be prohibited to:
- (a) provide technical assistance, brokering services or other services related to the goods and technology referred to in paragraph 1 and to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly to any natural or legal person, entity or body listed in Annex II;
  - (b) provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any sale, supply, transfer or export of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly to any natural or legal person, entity or body listed in Annex II; or
  - (c) sell, license or transfer in any other way intellectual property rights or trade secrets as well as grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets related to the goods and technology referred to in paragraph 1 and to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly to any natural or legal person, entity or body listed in Annex II.

1b. By way of derogation from paragraphs 1 and 1a, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authorities may allow the sale, supply, transfer or export of dual-use goods and technology, as well as goods and technology as listed in Annex Va to Regulation (EC) No 765/2006, or the provision of related technical or financial assistance only after having determined that:

- (a) such goods or technology or the related technical or financial assistance are necessary for the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment; or
- (b) such goods or technology or the related technical or financial assistance are due under contracts concluded before 26 February 2022, or ancillary contracts necessary for the execution of such a contract, provided that the authorisation is requested before 1 May 2022.;

(5) the following article is inserted:

*‘Article 2ed*

1. It shall be prohibited to sell, supply, transfer, export or provide, directly or indirectly, software, to any natural or legal person, entity or body in Belarus or for use in Belarus.

2. It shall be prohibited to:

- (a) provide technical assistance, brokering services or other services related to the sale, supply, transfer, export or provision of software referred to in paragraph 1, directly or indirectly to any natural or legal person, entity or body in Belarus, or for use in Belarus;
- (b) provide financing or financial assistance related to the sale, supply, transfer, export or provision of software referred to in paragraph 1, or for the provision of related technical assistance, brokering services or other services, directly or indirectly to any natural or legal person, entity or body in Belarus, or for use in Belarus; or
- (c) sell, license or transfer in any other way intellectual property rights or trade secrets as well as grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets related to the sale, supply, transfer, export or provision of software referred to in paragraph 1, directly or indirectly to any natural or legal person, entity or body in Belarus or for use in Belarus.

3. The prohibitions in paragraph 1 shall not apply to the sale, supply, transfer, export or provision of software that is necessary for the execution until 26 May 2025 of contracts concluded before 25 February 2025, or of ancillary contracts necessary for the execution of such contracts.

4. By way of derogation from paragraphs 1 and 2, the competent authorities may authorise, under such conditions as they deem appropriate, the sale, supply, transfer or export and the provision of technical or financial assistance, after having determined that it is necessary for ensuring critical energy supply within the Union.

5. The Member State or Member States concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 4 within 2 weeks of the authorisation.

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

(6) in Article 2ec, paragraph 3 is deleted;

(7) in Article 2f, paragraph 5 is deleted;

(8) Article 2hc is amended as follows:

(a) in paragraph 2, the introductory wording is replaced by the following:

‘2. It shall be prohibited to provide, directly or indirectly, construction, architectural and engineering services, legal advisory services and IT consultancy services to:’;

(b) paragraph 5 is replaced by the following:

‘5. It shall be prohibited to:

(a) provide technical assistance, brokering services or other services related to the goods and services referred to in paragraphs 1 to 4 for their provision, directly or indirectly, to the Republic of Belarus, its Government, its public bodies, corporations or agencies or to any natural or legal person, entity or body acting on behalf or at the direction of such a legal person, entity or body;

(b) provide financing or financial assistance related to the goods and services referred to in paragraphs 1 to 4 for their provision, or for the provision of related technical assistance, brokering services or other services, directly or indirectly, to the Republic of Belarus, its Government, its public bodies, corporations or agencies or to any natural or legal person, entity or body acting on behalf or at the direction of such a legal person, entity or body;  
or

(c) sell, license or transfer in any other way intellectual property rights or trade secrets as well as grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets related to the software referred to in paragraph 4 and to the provision, manufacture, maintenance and use of that software, directly or indirectly to the Republic of Belarus, its Government, its public bodies, corporations or agencies or to any natural or legal person, entity or body acting on behalf or at the direction of such a legal person, entity or body.’;

(c) paragraph 6 is deleted;

(d) paragraph 9 is deleted;

(e) the following paragraph is inserted:

‘12a. By way of derogation from paragraph 2, the competent authorities may authorise the provision of services referred to therein, under such conditions as they deem appropriate, after having determined that those services are strictly necessary for the functioning of a consular or diplomatic representation of Belarus located in a Member State.’;

(f) paragraph 13 is amended as follows:

(i) points (g) and (h) are replaced by the following:

‘(g) the provision of electronic communication services by Union telecommunication operators necessary for the operation, maintenance and security, including cybersecurity, of electronic communication services in Belarus, in Ukraine, in the Union, between Belarus and the Union, and between Ukraine and the Union, and for data centre services in the Union;

(h) the exclusive use of legal persons, entities or bodies established in Belarus that are owned by, or solely or jointly controlled by, a legal person, entity or body which is incorporated or constituted under the law of a Member State, a member country of the European Economic Area, Switzerland or a partner country as listed in Annex IV; or’;

(ii) the following point is added:

‘(i) the ongoing construction of infrastructures up to 25 m in height necessary for civil energy supply and distribution to educational and healthcare facilities.’;

(9) in Article 2o, paragraph 2 is deleted,

(10) in Article 2p, paragraph 2 is deleted;

(11) in Article 2q, paragraph 2 is deleted;

(12) in Article 2r, paragraph 2 is deleted;

(13) Article 2ra is amended as follows:

(a) paragraph 9 is deleted;

(b) the following paragraph is inserted:

‘9a. With regard to the goods falling under the CN code 7601, the prohibitions in paragraphs 1 and 2 shall not apply to the execution until 26 May 2025 of contracts concluded before 25 February 2025, or of ancillary contracts necessary for the execution of such contracts.’;

(14) Article 2s, is amended as follows:

(a) paragraph 3 is deleted;

(b) the following paragraph is inserted:

‘3aa. By way of derogation from paragraph 1, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authorities may authorise the sale, supply, transfer or export of machinery falling under CN code 8471 80 or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such machinery or the related technical or financial assistance are intended for civilian non-publicly available electronic communications networks.’;

(c) paragraph 3b is replaced by the following:

‘3b. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraphs 3a and 3aa within 2 weeks of the authorisation.’;

(15) in Article 2sa, paragraph 5 is deleted;

(16) Article 2t is amended as follows:

(a) in paragraph 2, point (b) is deleted;

(b) the following paragraphs are added:

‘3. By way of derogation from paragraph 1, the competent authorities may authorise, under such conditions as they deem appropriate, the provision of public financing or financial assistance up to the total value of EUR 10 000 000 per project benefiting small and medium-sized enterprises established in the Union.

4. The Member State or Member States concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 3 within 2 weeks of the authorisation.’;

(17) Article 2u is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. It shall be prohibited to accept any deposits from Belarusian nationals or natural persons residing in Belarus, or legal persons, entities or bodies established in Belarus or a legal person, entity or body established outside the Union and whose proprietary rights are directly or indirectly owned for more than 50 % by Belarusian nationals or natural persons residing in Belarus, if the total value of deposits of the natural or legal person, entity or body per credit institution exceeds EUR 100 000.’;

(b) the following paragraphs are inserted:

‘1a. It shall be prohibited to provide crypto-asset wallet, account or custody services to Belarusian nationals or natural persons residing in Belarus, or legal persons, entities or bodies established in Belarus.

1b. It shall be prohibited as from 26 March 2025 to allow Belarusian nationals or natural persons residing in Belarus to directly or indirectly own or control, or to hold any posts in the governing bodies of, a legal person, entity or body which is incorporated or constituted under the law of a Member State and is providing the services referred to in paragraph 1a.’;

(c) in paragraph 2, the words ‘Paragraph 1’ are replaced by the words ‘Paragraphs 1, 1a and 1b’;

(d) paragraph 3 is deleted.

(e) paragraph 4 is amended as follows:

(i) the introductory wording is replaced by the following:

‘4. By way of derogation from paragraphs (1) and (1a), the competent authorities may authorise the acceptance of such a deposit or the provision of wallet, account or custody service, under such conditions as they deem appropriate, after having determined that the acceptance of such a deposit or the provision of wallet, account or custody service is:’

(ii) in point (c), the word ‘or’ is deleted;

(iii) the following points are added:

‘(e) intended exclusively for the payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources; or

(f) necessary for non-prohibited cross-border trade in goods and services between the Union and Belarus.’;

(f) in paragraph 5, the introductory wording is replaced by the following:

‘5. By way of derogation from paragraphs (1) and (1a), the competent authorities may authorise the acceptance of such a deposit or provision of wallet, account or custody service, under such conditions as they deem appropriate, after having determined that the acceptance of such a deposit or provision of wallet, account or custody service is’.

(18) in Article 2x, paragraph 2 is replaced by the following:

‘2. The prohibition in paragraph 1 shall not apply to the sale, supply, transfer or export of banknotes denominated in any official currency of a Member State provided that such sale, supply, transfer or export is necessary for:

(a) the personal use of natural persons travelling to Belarus or members of their immediate families travelling with them;

(b) the official purposes of diplomatic missions, consular posts or international organisations in Belarus enjoying immunities in accordance with international law; or

(c) civil society and media activities that directly promote democracy, human rights or the rule of law in Belarus which receive public funding from the Union, Member States or countries listed in Annex Vba to Regulation (EC) No 765/2006.’;

(19) Article 2z is amended as follows:

(a) paragraph 1b is replaced by the following:

'1b. It shall be prohibited for any legal person, entity or body established in the Union which is owned for 25 % or more by a Belarusian natural or legal person, entity or body to be admitted to become a road transport undertaking which transports goods by road within the territory of the Union, including in transit.

It shall be prohibited for any legal person, entity or body established in the Union before 8 April 2022 and that is already a road transport undertaking which transports goods by road within the territory of the Union, including in transit, to make any changes to its capital structure that would increase the percentage share owned by a Belarusian natural or legal person, entity or body, unless that percentage remains below 25 % following such a change.;

(b) paragraph 3 is deleted;

(20) In Article 3, paragraph (1), is replaced by the following:

'1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of persons listed in Annex I who:

(a) are responsible for serious violations of human rights or the repression of civil society and democratic opposition, or whose activities otherwise seriously undermine democracy or the rule of law in Belarus, and any person associated with them;

(b) benefit from or support the Lukashenka regime;

(c) organise or contribute to activities by the Lukashenka regime that facilitate:

(i) the illegal crossing of the external borders of the Union; or

(ii) the transfer of prohibited goods and the illegal transfer of restricted goods, including hazardous goods, into the territory of a Member State;

or

(d) form part of, support, materially or financially, or benefit from, the military and industrial complex of Belarus, including by being involved in the development, production or supply of military technology and equipment.;

(21) Article 4(1) is amended as follows:

(a) the following point is inserted:

'(da) natural or legal persons, entities or bodies forming part of, supporting, materially or financially, or benefiting from, the military and industrial complex of Belarus, including by being involved in the development, production or supply of military technology and equipment.;

(b) points (e) and (f) are replaced by the following:

'(e) legal persons, entities or bodies owned or controlled by persons, entities or bodies falling under points (a) to (da);

(f) natural or legal persons, entities or bodies associated with the persons, entities or bodies referred to in points (b), (c), (d) or (da).;

(22) the following article is inserted:

'Article 5b

1. By way of derogation from Article 4 of this Decision, and provided that the funds concerned were frozen as a result of the involvement of a legal person, entity or body listed in Annex I to this Decision, or of a legal person owned or controlled by a legal person, entity or body listed in that Annex, acting as intermediary bank during a transfer of those funds to the Union from the Republic of Belarus, from a third country or from the Union, the

competent authorities of a Member State may, under such conditions as they deem appropriate, authorise the release of certain frozen funds, after having determined that the transfer of such funds is:

- (a) between two natural or legal persons, entities or bodies that are not listed in Annex I to this Decision;
- (b) carried out using accounts at credit institutions that are not listed in Annex I to this Decision; and
- (c) not in breach of Article 4(2) or Article 2k of this Decision.

This paragraph shall not apply in relation to frozen funds or economic resources held by Central securities depositories within the meaning of Regulation (EU) No 909/2014.

2. By way of derogation from Article 4 of this Decision, and provided that the payment concerned was frozen as a result of a transfer to the Union from the Republic of Belarus, from a third country, or from the Union, initiated through or from a legal person, entity or body listed in Annex I to this Decision, or through or from a legal person owned or controlled by a legal person, entity or body listed in that Annex, the competent authorities of a Member State may, under such conditions as they deem appropriate, authorise the release of that frozen payment, after having determined that the transfer of that payment is:

- (a) between two natural or legal persons, entities or bodies that are not listed in Annex I to this Decision; and
- (b) not in breach of Article 4(2) or Article 2k of this Decision.

This paragraph shall not apply in relation to frozen funds or economic resources held by Central securities depositories within the meaning of Regulation (EU) No 909/2014.

The beneficiaries of a transfer as referred to in the first subparagraph of this paragraph shall only be nationals of a Member State, of a country member of the European Economic Area or of Switzerland, or natural persons having a temporary or permanent residence permit in a Member State, in a country member of the European Economic Area or in Switzerland.

One authorisation per applicant may be granted under this paragraph.

The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under this paragraph within one week of the authorisation.;

(23) in Article 6a, paragraph 4 is replaced by the following:

‘4. The competent authorities of the Member States, including enforcement authorities, customs authorities within the meaning of Regulation (EU) No 952/2013 of the European Parliament and of the Council, competent authorities within the meaning of Regulation (EU) No 575/2013 of the European Parliament and of the Council (\*) and of Directives (EU) 2015/849 (\*\*), and (EU) 2014/65 (\*\*\*) of the European Parliament and of the Council, as well as Financial Intelligence Units, as referred to in Directive (EU) 2015/849, and administrators of official registers wherein natural persons, legal persons, entities and bodies as well as immovable or movable property are registered, shall process and exchange without delay information, including personal data and, if necessary, the information referred to in Article 6b, with other competent authorities of their Member State, with competent authorities of other Member States and with the Commission, if such processing and exchange is necessary to carry out the tasks of the processing authority or the receiving authority under this Decision, in particular when they detect instances of breach,

circumvention, or attempts at breach or circumvention of the prohibitions set out in this Decision. This provision is without prejudice to rules regarding the confidentiality of information held by judicial authorities.

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- (\*) Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/575/oj>).
  - (\*\*) Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73, ELI: <http://data.europa.eu/eli/dir/2015/849/oj>).
  - (\*\*\*) Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349, ELI: <http://data.europa.eu/eli/dir/2014/65/oj>).

#### Article 2

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

Done at Brussels, 24 February 2025.

*For the Council*

*The President*

K. KALLAS