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COUNCIL REGULATION (EU) 2026/1844

of 23 July 2026

amending 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, and in particular Article 215 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],

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

Whereas:

(1) Council Regulation (EU) No 269/2014 [2] gives effect to restrictive measures provided for in Decision 2014/145/CFSP.

(2) On 23 July 2026, the Council adopted Decision (CFSP) 2026/1845 [3], amending Decision 2014/145/CFSP.

(3) Decision (CFSP) 2026/1845 introduces a derogation from the asset freeze and the prohibition of making funds and economic resources available to some specific designated entities. That derogation is designed to allow a payment due by natural or legal persons, entities or bodies listed in Annex I or by an insurance provider as a result of a risk for which they are liable.

(4) Decision (CFSP) 2026/1845 introduces additional derogations from the asset freeze and the prohibition of making funds and economic resources available to some specific designated persons. Those derogations are narrowly circumscribed to allow a Union operator to exercise a specific pre-existing contractual obligation, arising from an agreement concluded in 2015 prior to the imposition of any applicable restrictive measures. Those derogations do not undermine the general objectives of Regulation (EU) No 269/2014 and are justified solely by the need to address an unintended adverse consequence for a Union operator.

(5) Decision (CFSP) 2026/1845 introduces an exemption from the asset freeze and the prohibition on making funds and economic resources available to designated persons to enable the continued operation of necessary transport by rail, between Russia and the Union, through the Union, and within Russia. The introduction of Article 6g is without prejudice to the case-by-case assessment of control of designated persons over non-designated entities.

(1) OJ L 78, 17.3.2014, p. 16, ELI: http://data.europa.eu/eli/dec/2014/145(1)/oj.
(2) 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 (OJ L 78, 17.3.2014, p. 6, ELI: http://data.europa.eu/eli/reg/2014/269/oj).
(3) Council Decision (CFSP) 2026/1845 of 23 July 2026 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, 2026/1845, 23.7.2026, ELI: http://data.europa.eu/eli/dec/2026/1845/oj).

(6) Decision (CFSP) 2026/1845 introduces an exemption from the asset freeze and the prohibition on making funds and economic resources available to certain designated entities to enable the continued operation of the Paks II project and to avoid undermining nuclear safety and security.

(7) Council Regulation (EU) 2026/511 [4] extended the scope of the prohibition on the satisfaction of claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by Union restrictive measures to claims brought by natural or legal persons, entities or bodies established in third countries other than partner countries listed in Annex VIII to Council Regulation (EU) No 833/2014 [5]. Those persons can, however, bring claims in third-country jurisdictions in connection with contracts and transactions affected by those prohibitions, causing loss to nationals of a Member State or legal persons incorporated under the law of a Member State. Hence, it is necessary to extend the possibility to recover damages before the courts of a Member State.

(8) Russian legislation and court practice enable persons to lodge a claim before certain Russian courts, which then assert jurisdiction over disputes and render judgments condemning Union companies in relation to contracts or transactions affected by Union restrictive measures. Accordingly, evidence shows that Russian persons, entities or bodies, or persons, entities or bodies acting through or on behalf of one of those Russian persons, entities or bodies, or owned or controlled by such persons, entities or bodies, seek or might seek to initiate and pursue legal proceedings in connection with measures imposed under Regulations (EU) No 269/2014 and (EU) No 833/2014, or seek or might seek to obtain recognition or enforcement of judgments granted through such legal proceedings. In order to preserve the effectiveness of Union restrictive measures, it is necessary for the Union to take action to mitigate the effect of such practices, by requiring Member States not to recognise or enforce any injunction, order, relief, judgment or other court or administrative decision given by a Russian court or authority in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under Regulations (EU) No 269/2014 and (EU) No 833/2014.

(9) Where the application of the measures imposed under Regulation (EU) No 269/2014 could generate undue economic benefits for listed persons, entities or bodies, it may undermine the effectiveness and objectives of the Union's restrictive measures. The Commission should therefore monitor such cases and present its assessment to the Council without undue delay and, jointly with the High Representative, make, where appropriate, proposals to avoid conferring unintended benefits on listed persons, entities or bodies. The Council should examine such proposals with a view to adopting the necessary measures in the sanctions framework at the earliest opportunity, so as to avoid undue economic benefits accruing to listed persons, entities or bodies.

(10) These measures fall within the scope of the Treaty on the Functioning of the European Union and therefore, in particular with a view to ensuring their uniform application in all Member States, regulatory action at the level of the Union is necessary.

(11) Regulation (EU) No 269/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 269/2014 is amended as follows:

(1) Article 6b is amended as follows:

(a) the following paragraph is inserted:

'5ea. By way of derogation from Article 2, the competent authorities of a Member State may authorise the release of certain frozen funds or economic resources belonging to natural or legal persons, entities or bodies listed in Annex I pursuant to Article 3(1), point (k), or the making available of certain funds or economic resources to those natural or legal persons, entities or bodies under such conditions as the competent authorities deem appropriate and after having determined that:

(4) Council Regulation (EU) 2026/511 of 23 April 2026 amending Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L, 2026/511, 23.4.2026, ELI: http://data.europa.eu/eli/reg/2026/511/oj).

(5) Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 1, ELI: http://data.europa.eu/eli/reg/2014/833/oj).

(a) such release or making available of funds or economic resources is necessary to allow a payment due by those natural or legal persons, entities or bodies listed in Annex I pursuant to Article 3(1), point (k) or by an insurance provider as a result of a risk for which those natural or legal persons, entities or bodies listed in Annex I pursuant to Article 3(1), point (k) are liable, to be made to an entity established in the Union, in a country member of the European Economic Area, in Switzerland or in a partner country as listed in Annex VIII to Regulation (EU) No 833/2014, or to a national or resident of a Member State, of a country member of the European Economic Area, of Switzerland or of a partner country as listed in Annex VIII to Regulation (EU) No 833/2014 and not listed in Annex I; and

(b) such payment constitutes the indemnity or benefit provided further to the materialisation of a risk for which those natural or legal persons, entities or bodies listed in Annex I pursuant to Article 3(1), point (k) are liable.';

(b) the following paragraph is inserted:

'5l. By way of derogation from Article 2, the competent authorities of the Member States may, under such conditions as they deem appropriate, authorise:

(a) the disposal or transfer of shares, participations or other equity instruments by a credit institution established in the Union to an entity established in the Union that is, prior to such transfer, minority-owned directly or indirectly, individually or jointly, by one or both of the individuals listed under entries number 674 and 675 under the heading "Persons" in Annex I, where the transfer would result in an increase of the shareholdings of one or both those individuals in that entity after having determined that such disposal or transfer is carried out on the basis of a put option right contractually agreed and duly exercised prior to 28 February 2022, but not yet effected as at the date of entry into force of this derogation, provided that any shares or participations of those individuals, including those due to an increase of their shareholdings following the transfer, are frozen;

(b) the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources belonging to, owned, held or controlled, directly or indirectly, individually or jointly, by one or both of the individuals listed under entries 674 and 675 under the heading "Persons" in Annex I, or by any entity directly or indirectly owned, controlled or participated by those individuals, or funds or economic resources owned, held or controlled by such individuals in entities or credit institutions listed (under the entries 198 or 270) under the heading "Entities" in Annex I after having determined that:

(i) such release or making available of funds or economic resources is carried out for the sole purpose of enabling the counterparty to discharge its payment obligation owed to a credit institution established in the Union pursuant to a put option right contractually agreed and duly exercised prior to 28 February 2022, but not yet effected as at the date of entry into force of this derogation;

(ii) the funds or economic resources released or made available are transferred directly to the credit institution established in the Union in satisfaction of such contractual obligation; and

(iii) the credit institution established in the Union to which the consideration is paid is not a person, entity or body listed in Annex I.';

(2) the following Articles are inserted:

'*Article 6g*

1. Article 2(1) shall not apply to funds or economic resources of JSC Russian Railways which are necessary for the transport by rail of goods or persons, or the provision of related railway infrastructure, by JSC Russian Railways between Russia and the Union, in transit through the Union, between the Kaliningrad Oblast and Russia, or within Russia, or to funds or economic resources of JSC Russian Railways necessary for the provision of services related to the operation, maintenance or security of such rail transport.

2. Article 2(2) shall not apply to the making available of funds or economic resources to JSC Russian Railways which are necessary for the transport by rail of goods or persons, or the provision of related railway infrastructure, by JSC Russian Railways between Russia and the Union, in transit through the Union, between the Kaliningrad Oblast and Russia, or within Russia, or to the making available of funds or economic resources to JSC Russian Railways necessary for the provision of services related to the operation, maintenance or security of such rail transport.

Article 6h

1. Article 2 shall not apply to funds or economic resources belonging to, owned, held or controlled by the entities listed under entry numbers 975, 976 and 977 under the heading "Entities" in Annex I or to the making available of funds or economic resources, directly or indirectly, to or for the benefit of those entities, provided that those funds or economic resources are strictly necessary with regard to the Paks II project for activities necessary for the establishment, operation, maintenance, fuel supply and retreatment and safety of civil nuclear capabilities, and the continuation of design, construction and commissioning required for the completion of civil nuclear facilities in that project.

2. Entities making funds or economic resources available to the entities referred to in paragraph 1 shall notify the competent authority of Hungary of any activity pursuant to which funds or economic resources are used or made available within two weeks of the start of that activity. Hungary shall inform the other Member States and the Commission of any information received under this Article within two weeks of receipt of that information.';

(3) in Article 11a, paragraph 1 is replaced by the following:

'1. Any person referred to in Article 17, point (c) or (d), shall be entitled to recover, in judicial proceedings before the competent courts of a Member State, any direct or indirect damages, including legal costs, incurred by that person or by a legal person, entity or body that the person referred to in Article 17, point (d), owns or controls, as a consequence of claims lodged with courts in third countries by persons, entities and bodies referred to in Article 11(1), point (a), (b) or (c), in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Regulation, provided that the person concerned does not have effective access to the remedies under the relevant jurisdiction. Such damages may be recovered from the persons, entities or bodies referred to in Article 11(1), point (a), (b) and (c), that lodged the claims with the courts in the third country, or from persons, entities or bodies that own or control those entities or bodies.';

(4) the following Article is inserted:

'*Article 11c*

No injunction, order, relief, judgment or other court or administrative decision pursuant to or derived from Article 248.1 or Article 248.2 of the Arbitration Procedure Code of the Russian Federation or equivalent Russian legislation, or given by a Russian court or authority pursuant to any other Russian law, holding a person referred to in Article 17, points (c) or (d), liable, whether in contract or in tort or on any other legal basis, or giving effect, directly or indirectly, to any claim, right or alleged obligation against such person, including in the context of insolvency, bankruptcy, restructuring or analogous proceedings, in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Regulation, shall be recognised, given effect or enforced in a Member State.'.

Article 2

This Regulation shall enter into force on the date 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, 23 July 2026.

For the Council

The President

T. BYRNE