

DECISIONS

COUNCIL DECISION (CFSP) 2022/627

of 13 April 2022

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 the proposal from 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 ⁽¹⁾.
- (2) On 21 February 2022, the President of the Russian Federation signed a decree recognising the 'independence and sovereignty' of the non-government-controlled areas of the Donetsk and Luhansk oblasts of Ukraine and ordered the Russian armed forces into those areas.
- (3) 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.
- (4) By its illegal military actions, Russia is grossly violating the territorial integrity, sovereignty and independence of Ukraine, as well as international law and the principles of the United Nations Charter.
- (5) In view of the humanitarian crisis resulting from the unprovoked invasion of Ukraine by armed forces of the Russian Federation, the Council considers that, in line with international humanitarian law, principled humanitarian action by impartial humanitarian actors addressing the humanitarian needs of the Ukrainian civilian population should continue in Ukraine.
- (6) The Council therefore considers that certain organisations and agencies acting as humanitarian partners of the Union should be exempted from the prohibition to make funds or economic resources available to designated persons, entities and bodies, for exclusively humanitarian purposes in Ukraine.
- (7) In addition, the Council considers that a derogation mechanism for exclusively humanitarian purposes in Ukraine should be introduced in relation to the freezing of the assets of, and the restrictions on making funds and economic resources available to, designated persons, entities and bodies.
- (8) Decision 2014/145/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Article 2 of Decision 2014/145/CFSP, the following paragraphs are added:

⁽¹⁾ 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 (OJ L 78, 17.3.2014, p. 16).

11. The prohibition set out in paragraph 2 shall not apply to organisations and agencies which are pillar-assessed by the Union and with which the Union has signed a financial framework partnership agreement on the basis of which the organisations and agencies act as humanitarian partners of the Union, provided that the provision of the funds or economic resources referred to in paragraph 2 is necessary for exclusively humanitarian purposes in Ukraine.

12. In cases not covered by paragraph 11, and by way of derogation from paragraphs 1 and 2, the competent authorities of a Member State may grant specific or general authorisations, under such general or specific conditions as they deem appropriate, to release certain frozen funds or economic resources or to make available certain funds or economic resources, provided that the provision of such funds or economic resources is necessary for exclusively humanitarian purposes in Ukraine.

In the absence of a negative decision, a request for information or a notification for additional time from the competent authority within 5 working days of the date of receipt of a request for authorisation, the authorisation shall be considered granted.

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

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, 13 April 2022.

For the Council
The President
J.-Y. LE DRIAN
