

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2023/1462

of 17 July 2023

amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria

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

Whereas:

- (1) On 18 January 2012, the Council adopted Decision 2013/255/CFSP ⁽¹⁾ and Regulation (EU) No 36/2012 ⁽²⁾ concerning restrictive measures in view of the situation in Syria, pursuant to the adoption of Council conclusions in which the Council condemned the violence and widespread and systematic gross violations of human rights in Syria.
- (2) In view of the deteriorating situation in Syria and the widespread and systematic violations of human rights and international humanitarian law, including the use of chemical weapons against the civilian population, the Council has continued to add names to the lists of persons and entities subject to Union restrictive measures.
- (3) The tragic earthquake of 6 February 2023 has exacerbated the dire conditions and increased the suffering of the Syrian population.
- (4) In its conclusions of 9 February 2023, the European Council reaffirmed the Union's readiness to provide further assistance to alleviate the suffering in all affected regions. It called on all to ensure humanitarian access to the victims of the earthquake in Syria irrespective of where they are and called on the humanitarian community, under the auspices of the United Nations, to ensure the speedy delivery of aid.
- (5) Union restrictive measures, including those adopted in view of the situation in Syria, are not meant to impede the supply of humanitarian aid to persons in need. Trade in the majority of sectors between the Union and Syria – including in food and medicines – is not restricted by the restrictive measures adopted by the Council in view of the situation in Syria. Moreover, as regards individual measures, exceptions are in place to allow for funds and economic resources to be made available to designated persons and entities, where such funds or economic resources are necessary solely for the purpose of providing humanitarian relief in Syria or assistance to the civilian population in Syria. In certain cases, prior authorisation from the relevant national competent authority is necessary.

⁽¹⁾ Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures in view of the situation in Syria (OJ L 147, 1.6.2013, p. 14).

⁽²⁾ Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 (OJ L 16, 19.1.2012, p. 1).

- (6) On 23 February 2023, the Council adopted Decision (CFSP) 2023/408 ⁽³⁾ and Regulation (EU) 2023/407 ⁽⁴⁾, which introduced an exemption to the freezing of the assets of, and to the restrictions on making funds and economic resources available to, designated natural or legal persons and entities. The Council decided that this exemption should apply to the benefit of international organisations and certain defined categories of actors involved in humanitarian activities and for an initial period of six months, i.e., until 24 August 2023.
- (7) In order to respond to the continuing urgency of the humanitarian crisis in Syria exacerbated by the earthquake and with a view to facilitating the rapid delivery of aid, it is appropriate to prolong this exemption until 24 February 2024.
- (8) The amendments included within this Regulation fall within the scope of the Treaty and therefore regulatory action at the level of the Union is necessary in order to implement them, in particular with a view to ensuring their uniform application in all Member States.
- (9) Regulation (EU) No 36/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 16a(1) of Regulation (EU) No 36/2012, the date '25 August 2023' is replaced by '24 February 2024'.

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, 17 July 2023.

For the Council
The President
N. CALVIÑO SANTAMARÍA

⁽³⁾ Council Decision (CFSP) 2023/408 of 23 February 2023 amending Decision 2013/255/CFSP concerning restrictive measures in view of the situation in Syria (OJ L 56 I, 23.2.2023, p. 4).

⁽⁴⁾ Council Regulation (EU) 2023/407 of 23 February 2023 amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria (OJ L 56 I, 23.2.2023, p. 1).