



2024/669

20.2.2024

COUNCIL REGULATION (EU) 2024/669

of 19 February 2024

amending Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism

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 (CFSP) 2024/628 of 19 February 2024 amending Common Position 2001/931/CFSP on the application of specific measures to combat terrorism ⁽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 (EC) No 2580/2001 ⁽²⁾ gives effect to Common Position 2001/931/CFSP ⁽³⁾.
- (2) On 19 February 2024, the Council adopted Decision (CFSP) 2024/628 which amended Common Position 2001/931 to introduce a humanitarian exemption pursuant to United Nations Security Council Resolution 2664 (2022), a further derogation mechanism for those organisations and actors involved in humanitarian activities that cannot benefit from that humanitarian exemption, and a review clause related to those exceptions.
- (3) These measures fall within the scope of the Treaty on the Functioning of the European Union and, therefore, notably with a view to ensuring their uniform application by economic operators in all Member States, regulatory action at the level of the Union is necessary in order to implement them.
- (4) Regulation (EC) No 2580/2001 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 6 of Regulation (EC) No 2580/2001, the following paragraphs are added:

‘3. Article 2(1) and (2) shall not apply to the making available of funds or economic resources necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations (UN), including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the UN General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in UN Humanitarian Response Plans, Refugee Response Plans, other UN appeals or humanitarian clusters coordinated by the UN Office for the Coordination of Humanitarian Affairs;

⁽¹⁾ OJ L 2024/628, 20.2.2024, ELI: <http://data.europa.eu/eli/dec/2024/628/oj>

⁽²⁾ Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism (OJ L 344, 28.12.2001, p. 70).

⁽³⁾ Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism (OJ L 344, 28.12.2001, p. 93).

- (e) organisations and agencies to which the Union has granted the Humanitarian Partnership Certificate or which are certified or recognised by a Member State in accordance with national procedures;
- (f) Member States' specialised agencies;
- (g) employees, grantees, subsidiaries or implementing partners of the entities referred to in points (a) to (f) while and to the extent that they are acting in those capacities.

4. Without prejudice to paragraph 3, and by way of derogation from Article 2(1) and (2), the competent authorities of a Member State may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, after having determined that the provision of such funds or economic resources is necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs.

5. In the absence of a negative decision, a request for information or a notification for additional time from the relevant competent authority within five working days of the date of receipt of a request for authorisation under paragraph 4, that authorisation shall be considered granted.

6. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under paragraph 4 within four weeks of the granting of such authorisation.

7. Paragraphs 3 and 4 shall be reviewed at least every 12 months, or at the urgent request of a Member State, the High Representative of the Union for Foreign Affairs and Security Policy, or the Commission following a fundamental change in circumstances.

8. Paragraph 3 shall apply until 22 February 2025.

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, 19 February 2024.

For the Council
The President
J. BORRELL FONTELLES