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► **M1** COUNCIL DECISION 2014/386/CFSP

of 23 June 2014

concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol ◀

(OJ L 183, 24.6.2014, p. 70)

Amended by:

Official Journal

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Council Decision 2014/507/CFSP of 30 July 2014

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COUNCIL DECISION 2014/386/CFSP

of 23 June 2014

**concerning restrictive measures in response to the illegal annexation
of Crimea and Sevastopol**

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THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 6 March 2014, the Heads of State or Government of the Union's Member States strongly condemned the unprovoked violation of Ukrainian sovereignty and territorial integrity by the Russian Federation.
- (2) On 17 March 2014, the Council adopted Decision 2014/145/CFSP ⁽¹⁾ concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.
- (3) At its meeting on 20-21 March 2014, the European Council strongly condemned the illegal annexation of the Autonomous Republic of Crimea ('Crimea') and the city of Sevastopol ('Sevastopol') to the Russian Federation and emphasised that it will not recognise it. The European Council considered that certain economic, trade and financial restrictions regarding Crimea should be proposed for rapid implementation.
- (4) On 27 March 2014, the United Nations General Assembly adopted Resolution 68/262 on the territorial integrity of Ukraine, affirming its commitment to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognised borders, underscoring the invalidity of the referendum held in Crimea on 16 March, and calling upon all States not to recognise any alterations to the status of Crimea and Sevastopol.
- (5) In these circumstances, the Council considers that the import into the European Union of goods originating in Crimea or Sevastopol should be prohibited, with the exception of goods originating in Crimea or Sevastopol having been granted a certificate of origin by the Government of Ukraine.
- (6) In order to ensure that the measures provided for in this Decision are effective, it should enter into force on the day following that of its publication.
- (7) Further action by the Union is needed in order to implement certain measures,

⁽¹⁾ OJ L 78, 17.3.2014, p. 16.

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HAS ADOPTED THIS DECISION:

Article 1

1. The import into the Union of goods originating in Crimea or Sevastopol shall be prohibited.
2. It shall be prohibited to provide, directly or indirectly, financing or financial assistance, as well as insurance and reinsurance, related to the import of goods originating in Crimea or Sevastopol.

Article 2

The prohibitions set out in Article 1 shall not apply to goods originating in Crimea or Sevastopol which have been made available for examination to, and have been controlled by the Ukrainian authorities and which have been granted a certificate of origin by the Government of Ukraine.

Article 3

The prohibitions set out in Article 1 shall be without prejudice to the execution until 26 September 2014 of contracts concluded before 25 June 2014 or ancillary contracts necessary for the execution of such contracts, to be concluded and executed not later than 26 September 2014.

Article 4

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions laid down in Article 1.

▼M1*Article 4a*

1. The sale, supply or transfer of key equipment and technology for the creation, acquisition or development of infrastructure projects in the following sectors in Crimea and Sevastopol, by nationals of Member States, or from the territories of Member States, or using vessels or aircraft under the jurisdiction of Member States, shall be prohibited whether or not originating in their territories:

- (a) transport;
- (b) telecommunications;
- (c) energy.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this paragraph.

2. It shall be prohibited to provide the following to enterprises in Crimea and Sevastopol that are engaged in the creation, acquisition or development of infrastructure in the sectors referred to in paragraph 1 in Crimea and Sevastopol:
 - (a) technical assistance or training and other services related to key equipment and technology as determined in accordance with paragraph 1;

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- (b) financing or financial assistance for any sale, supply, transfer or export of key equipment and technology as determined in accordance with paragraph 1 or for the provision of related technical assistance or training.

3. It shall be prohibited to participate, knowingly or intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in paragraphs 1 and 2.

Article 4b

1. The sale, supply or transfer of key equipment and technology for the exploitation of the following natural resources in Crimea and Sevastopol, by nationals of Member States, or from the territories of Member States, or using vessels or aircraft under the jurisdiction of Member States, shall be prohibited whether or not originating in their territories:

- (a) oil;
- (b) gas;
- (c) minerals.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this paragraph.

2. It shall be prohibited to provide the following to enterprises that are engaged in exploitation, in Crimea and Sevastopol, of the natural resources referred to in paragraph 1:

- (a) technical assistance or training and other services related to key equipment and technology as determined in accordance with paragraph 1;
- (b) financing or financial assistance for any sale, supply, transfer or export of key equipment and technology as determined in accordance with paragraph 1 or for the provision of related technical assistance or training.

3. It shall be prohibited to participate, knowingly or intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in paragraphs 1 and 2.

Article 4c

The prohibitions set out in Articles 4a and 4b shall be without prejudice to the execution, until 28 October 2014, of contracts concluded before 30 July 2014 or ancillary contracts, necessary for the execution of such contracts, to be concluded and executed no later than 28 October 2014.

Article 4d

The following shall be prohibited:

- (a) the granting of any financial loan or credit specifically relating to the creation, acquisition or development of infrastructure in the sectors referred to in Article 4a;

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- (b) the acquisition or extension of a participation in enterprises established in Crimea and Sevastopol that are engaged in the creation, acquisition or development of infrastructure in the sectors referred to in Article 4a, including the acquisition in full of such enterprises and the acquisition of shares and securities of a participating nature;
- (c) the creation of any joint venture relating to the creation, acquisition or development of infrastructure in the sectors referred to in Article 4a.

Article 4e

The following shall be prohibited:

- (a) the granting of any financial loan or credit specifically relating to the exploitation of the natural resources referred to in Article 4b in Crimea and Sevastopol;
- (b) the acquisition or extension of a participation in enterprises established in Crimea and Sevastopol that are engaged in the exploitation of the natural resources referred to in Article 4b in Crimea and Sevastopol, including the acquisition in full of such enterprises and the acquisition of shares and securities of a participating nature;
- (c) the creation of any joint venture relating to the exploitation of the natural resources referred to in Article 4b in Crimea and Sevastopol.

Article 4f

The prohibitions in Articles 4d and 4e:

- (a) shall be without prejudice to the execution of an obligation arising from contracts or agreements concluded before 30 July 2014;
- (b) shall not prevent the extension of a participation, if such extension is an obligation under an agreement concluded before 30 July 2014.

Article 4g

The prohibitions in Articles 4b and 4e shall be without prejudice to transactions related to maintenance in order to ensure safety of existing infrastructure.

▼ **B***Article 5*

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

This Decision shall apply until 23 June 2015.

This Decision shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met. ► **M1** Articles 4a to 4g shall be reviewed no later than 31 December 2014. ◀