

COUNCIL REGULATION (EU) 2021/1986
of 15 November 2021
amending Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus

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 2012/642/CFSP of 15 October 2012 concerning restrictive measures in view of the situation in Belarus ⁽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 765/2006 ⁽²⁾ gives effect to Decision 2012/642/CFSP and provides in particular for the freezing of funds and economic resources of, and prohibits making funds or economic resources available to, persons, entities or bodies responsible for serious violations of human rights or the repression of civil society and democratic opposition, or whose activities otherwise seriously undermine democracy or the rule of law in Belarus or who benefit from or support the Lukashenka regime.
- (2) Council Regulation (EU) 2021/1030 ⁽³⁾, which amended Regulation (EC) No 765/2006, introduced further targeted economic sanctions, including a prohibition on providing insurance and re-insurance to the Belarusian Government and Belarusian public bodies and agencies.
- (3) On 15 November 2021, the Council adopted Decision (CFSP) 2021/1989 ⁽⁴⁾, which amends Decision 2012/642/CFSP and introduces certain exceptions to the prohibition on providing insurance and re-insurance to the Belarusian Government and Belarusian public bodies and agencies, in order to avoid unintended consequences.
- (4) Certain measures fall within the scope of the Treaty and, therefore, with a view to ensuring its uniform application by economic operators in all Member States, regulatory action at the level of the Union is necessary in order to implement those measures.
- (5) Regulation (EC) No 765/2006 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 11 of Regulation (EC) No 765/2006 is replaced by the following:

‘Article 11

1. It shall be prohibited to provide insurance or re-insurance to:
 - (i) the Belarusian Government, its public bodies, corporations or agencies; or
 - (ii) any natural or legal person, entity or body acting on behalf or at the direction of a legal person, entity or body referred to in point (i).

⁽¹⁾ OJ L 285, 17.10.2012, p. 1.

⁽²⁾ Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in respect of Belarus (OJ L 134, 20.5.2006, p. 1).

⁽³⁾ Council Regulation (EU) 2021/1030 of 24 June 2021 amending Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus (OJ L 224 I, 24.6.2021, p. 1).

⁽⁴⁾ Council Decision (CFSP) 2021/1989 of 15 November 2021 amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus (see page 8 of this Official Journal).

2. The prohibitions in paragraph 1 shall not apply to the provision of compulsory or third party liability insurance to Belarusian persons, entities or bodies where the risk insured is situated in the Union or to the provision of insurance for Belarusian diplomatic or consular missions in the Union.

3. The prohibitions in paragraph 1 shall be without prejudice to the execution of contracts concluded before 25 June 2021, or ancillary contracts necessary for the execution of such contracts.’

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, 15 November 2021.

For the Council
The President
J. BORRELL FONTELLES
