

**COUNCIL REGULATION (EU) 2022/880****of 3 June 2022****amending Regulation (EU) No 269/2014 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 the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to 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 <sup>(1)</sup>,

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 (EU) No 269/2014 <sup>(2)</sup> gives effect to restrictive measures provided for in Decision 2014/145/CFSP.
- (2) On 3 June 2022, the Council adopted Decision (CFSP) 2022/885 <sup>(3)</sup> amending Decision 2014/145/CFSP, which introduced further derogation options from the asset freeze and the prohibition to make funds and economic resources available to designated persons and entities. It is also appropriate to clarify and strengthen the provisions on national penalties for the breach of the measures in that Regulation.
- (3) These amendments 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.
- (4) Regulation (EU) No 269/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) No 269/2014 is amended as follows:

- (1) the following article is inserted:

*'Article 6c*

Article 2 shall not apply to funds or economic resources that are strictly necessary for the provision of electronic communication services by Union telecommunication operators, for the provision of associated facilities and services necessary for the operation, maintenance and security of such electronic communication services, in Russia, in Ukraine, in the Union, between Russia and the Union, and between Ukraine and the Union, and for data centre services in the Union.';

<sup>(1)</sup> OJ L 78, 17.3.2014, p. 16.

<sup>(2)</sup> Council Regulation (EU) No 269/2014 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. 6).

<sup>(3)</sup> Council Decision (CFSP) 2022/885 of 3 June 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 153, 3.6.2022).

(2) in Article 15, paragraph 1 is replaced by the following:

'1. Member States shall lay down the rules on penalties, including as appropriate criminal penalties, applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall also provide for appropriate measures of confiscation of the proceeds of such infringements.'

*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, 3 June 2022.

*For the Council*  
*The President*  
C. COLONNA

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