

EUROPE

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EU UPDATE: SANCTIONS IN REACTION TO RUSSIA'S INVASION OF UKRAINE

This is a consolidated version with information from the various Client Alerts published since 4 March 2022.

In the context of Russia's invasion of Ukraine, the US, UK, and the EU have all imposed sanctions and other measures targeting Russia and Belarus. In addition, other countries, including Australia, South Korea, Singapore, Japan, Taiwan, and Switzerland also adopted sanctions against these two countries. These sanctions have been imposed in different sets of tranches over the past weeks, following the evolution and aggravation of the situation.

At the time of writing, the EU has imposed various sanctions against Russia and Belarus, in 6 different tranches, which include:

- Prohibition on transactions related to the management of reserves as well as of assets of the Central Bank of Russia and Belarus;
- Closing of EU airspace, airports and ports to Russian planes and ships, and restrictions on the export of goods and technology as well as financing of aviation, space and maritime industries, as well as restrictions on road transportation, including transit;
- Inclusion of various Russian and Belarusian individuals and entities in the sanctions list;
- Prohibition to sell, supply, transfer or export banknotes and transferable securities in any official European currency;
- Prohibition to register and provide services to trusts or other such arrangements having Russian persons or their subsidiaries as beneficiaries;
- Prohibition to invest, participate or otherwise contribute to projects co-financed by the Russian Direct Investment Fund;
- Banning of RT and Sputnik networks and suspension of broadcasting activities for other Russian state-owned outlets;
- Wide range of import and export restrictions on goods, items and services from Russian and Belarus, including an export ban on luxury goods, energy-sector goods and technology (incl. liquefaction of national gas), oil exploration and import ban on coal and solid fuels, sea food, liquor, cement, fertilisers, and others;
- Restrictions on oil imports and oil transport services;
- Restrictions targeting new investments in the Russian energy sector;
- Prohibition on the provision of credit rating services and subscription services in relation to credit rating activities to any Russian body, entity national or resident;
- Disconnection of important Russian and Belarusian banks from SWIFT;
- Limitations on Belarus' access to EU capital and finance;
- Ban of EU exports of maritime shipping technology to Russia;
- Restrictions on cash deposits and crypto assets; clarification that crypto assets are covered by existing sanctions;
- Exclusion from public procurement, and from financing programmes, including Euratom.

1. EU MEASURES AGAINST RUSSIA

Regulations imposing sanctions against Russia apply:

- within the territory of the Union, including its airspace;
- on board any aircraft or any vessel under the jurisdiction of a Member State;
- to any person inside or outside the territory of the Union who is a national of a Member State;
- to any legal person, entity or body, inside or outside the territory of the Union, which is incorporated or constituted under the law of a Member State;
- to any legal person, entity or body in respect of any business done in whole or in part within the Union.¹

Most sanctions became applicable with the entry into force of the relevant EU regulations and without a transitional period.² Therefore, as a general rule, EU persons should not make funds or economic resources available to listed persons or engage in other prohibited transactions even if they concluded a contract requiring such transaction before the imposition of sanctions.

There are, however, certain exceptions and wind-down periods for previously concluded contracts. Nevertheless, the Commission requires these contracts to contain all necessary elements for their validity and execution of the transaction (such as indication of the parties, price, quantities, delivery dates, modalities of execution, etc.). Therefore, most framework agreements which do not contain some of these elements would not be considered as contract.³

1.1 LISTING OF INDIVIDUALS AND ENTITIES

Restrictive measures, namely **asset freezes**, **prohibitions from making funds and economic resources available** to listed individuals and entities, and **travel bans**, were imposed against **1158 individuals and 98 entities**, including:

- Bank Rossiya, VEB and Promsvyazbank (with a winding-down period until 24 August 2022⁴),
- Otkritie FC Bank, Novikombank, Sovcombank, and VTB⁵ (with a winding-down period until 9 October 2022⁶),
- Officers and members of the parliament in the breakaway regions of Russia⁷ and Russian members of the parliament,
- President Vladimir Putin and Foreign Minister Sergei Lavrov, and
- Numerous oligarchs (though divergences exist between those oligarchs targeted by the EU, US and UK).
- Various individuals and entities responsible for the crisis, family members of oligarchs and Kremlin officials, and personalities supporting the war.⁸

¹ [Consolidated text: 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](#), Article 17; [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 13; and [Council Regulation \(EU\) 2022/263 of 23 February 2022 concerning restrictive measures in response to the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and the ordering of Russian armed forces into those areas](#), Article 15.

² [General FAQ](#), Question 15.

³ [General FAQ](#), Question 13.

⁴ [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 6b(1).

⁵ [Council Implementing Regulation \(EU\) 2022/581 of 8 April 2022 implementing Regulation \(EU\) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine](#)

⁶ [Council Regulation \(EU\) 2022/580 of 8 April 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](#), Replacement Article 6b(2)

⁷ [Council Implementing Regulation \(EU\) 2022/581 of 8 April 2022 implementing Regulation \(EU\) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine](#)

It is recalled that the act of making **funds and economic resources** is interpreted broadly:

- Providing **labour or services** is also considered as providing economic resources insofar as the labour or services enables the listed person to obtain funds, goods or services.⁹
- **Intellectual property rights** also constitute an "economic resource" for the purposes of restrictive measures adopted by the EU. As a result, though non-exhaustively :
 - public institutions (e.g. a trademark register) must not enable the use of IPRs of a designated persons, or of a person owned or controlled by a designated person (e.g. no **property transfer** should be registered);
 - no further transactions, such as the payment of **license fees**, are possible with such designated persons and entities; and

EU economic operators may not make IPRs available to designated persons (e.g. by means of **licensing agreements**).¹⁰

Furthermore, in addition to direct transactions with listed persons, transactions with entities owned or controlled by the listed persons may violate sanctions unless the parent company can demonstrate that funds or economic resources concerned do not reach the listed person.¹¹

On 8 April, the EU increased the number of **derogations** from the **asset freeze** and prohibition to provide funds and economic resources. Competent national authorities may authorize the release of certain funds and economic resources or provision of funds and economic resources if:

- The funds or economic resources are to be paid into or from an account belonging to or held by a **diplomatic mission, consular post or international organisation enjoying immunities** in accordance with international law, in so far as such payments are intended to be used for official purposes of the diplomatic mission, consular post or international organisation.¹²
- The funds or economic resources are necessary for the sale and transfer by **9 October 2022** of proprietary rights in a legal person, entity or body established in the Union where those proprietary rights are directly or indirectly **owned by a listed person** and the proceeds of such sale and transfer **remain frozen** (allowing for the winding-down/closing of operations).¹³

On 13 April 2022, the EU released additional exceptions for exclusively **humanitarian purposes** in Ukraine.¹⁴ In particular, organisations and agencies acting as humanitarian partners of the EU, such as the ICRC and the UN specialised agencies, are exempted from the prohibition to make funds or economic resources available to persons and entities designated under the Ukraine territorial integrity regime when the funds or resources are necessary for exclusively humanitarian purposes in Ukraine.¹⁵

On 3 June 2022, the EU introduced further derogations, excluding from the scope of the prohibition those funds or economic resources that are strictly necessary for the provision of **electronic communication**

⁸ [Council Implementing Regulation \(EU\) 2022/878 of 3 June 2022 implementing Regulation \(EU\) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine](#)

⁹ [Opinion on the application of financial sanctions in Council Regulation \(EU\) No 269/2014 \(territorial integrity, sovereignty and independence of Ukraine\) | European Commission \(europa.eu\)](#)

¹⁰ [Sanctions adopted following Russia's military aggression against Ukraine | European Commission \(europa.eu\)](#)

¹¹ [Updated Sanctions Guidelines](#) published by the Council on 4 May 2018, p. 20-22

¹² [Council Regulation \(EU\) 2022/580 of 8 April 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](#), Replacement Article 4(1)(e).

¹³ [Council Regulation \(EU\) 2022/580 of 8 April 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](#), Replacement Article 4(1)(e).

¹⁴ [Council Regulation \(EU\) 2022/625 of 13 April 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](#), Additional Articles 2a.

¹⁵ [EU introduces exceptions to restrictive measures to facilitate humanitarian activities in Ukraine - Consilium \(europa.eu\)](#)

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.¹⁶

1.2 MEASURES SPECIFICALLY TARGETING DONETSK AND LUHANSK

The EU imposed **restrictions on economic activities** with the regions of Donetsk and Luhansk¹⁷ including:

- An **import ban** on goods originating from these regions, including prohibition of related financing, insurance and reinsurance activities, except for goods for which Ukrainian authorities issued a certificate of origin in accordance with the EU-Ukraine Association Agreement (exemption for execution of contracts concluded before 23 February 2022 until 24 May 2022)¹⁸;
- Prohibition on **investment**¹⁹ and **tourism** activities²⁰; and
- An **export ban** for **listed goods and technologies** suited for use in transport, telecommunication, energy, oil, gas, and mineral resources industries; and prohibition to provide any related technological assistance, brokering services, and financing.²¹

This prohibition only covers economic relations with the areas that are not under the control of the Ukrainian authorities. Since the situation changes quickly, a dynamic assessment is necessary.²²

On 13 April 2022, the Council issued exceptions to the export ban and related restrictions on the provision of technical assistance, brokering services and financing, exclusively for humanitarian purposes.²³ One notable category of exempted exporters involves organizations and agencies which are "pillar-assessed" by the EU and act as humanitarian partners of the EU. These are the entities with which the EU has signed a pillar assessed grant or delegation agreement.²⁴

1.3 SANCTIONS AGAINST RUSSIAN GOVERNMENT AND CENTRAL BANK

It is prohibited to make, or be part of any arrangement to make, any **new loans** to Russia, its government, and the Russian Central Bank since 23 February 2022.²⁵

However, there is an exception for contracts concluded before 23 February 2022, subject to certain conditions. Since 9 March 2022 dealing with **transferable securities and money-market instruments issued by**

¹⁶ [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](#)

¹⁷ [Council Regulation \(EU\) 2022/263 of 23 February 2022 concerning restrictive measures in response to the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and the ordering of Russian armed forces into those areas](#), Article 4 and 5. The sectors are the following: transport, telecommunication, energy, oil, gas, and mineral resources industries; and prohibition to provide any related technological assistance, brokering services, and financing.

¹⁸ [Ibid](#), Article 2.

¹⁹ [Ibid](#), Article 3.

²⁰ [Ibid](#), Article 6.

²¹ [Ibid](#), Article 4 and 5.

²² [FAQ on Oblasts](#)

²³ [Council Regulation \(EU\) 2022/626 of 13 April 2022 amending Regulation \(EU\) 2022/263 concerning restrictive measures in response to the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and the ordering of Russian armed forces into those areas](#), Additional Article 4a and 5a.

²⁴ [https://ec.europa.eu/transparency/documents-register/detail?ref=C\(2016\)5104&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=C(2016)5104&lang=en)

²⁵ [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 5a.

Russia, its government, and the Russian Central Bank is prohibited. The prohibition extends to the **Russian National Wealth Fund**.²⁶

Transactions related to the management of **reserves** as well as of **assets** of the **Central Bank of Russia**, including transactions with any legal person, entity or body acting on behalf of, or at the direction of, the Central Bank of Russia are also **prohibited**, save for those transactions that are strictly necessary to ensure the financial stability of the Union as a whole or of a Member State in particular.²⁷

1.4 FINANCIAL SECTOR SANCTIONS

The EU imposed severe **financial sanctions** targeting **the majority of the Russian government, market and key state-owned companies**, which aim at preventing Russia from **accessing EU capital markets**. It restricted public financing or financial assistance for trade with or investment in Russia, as follows (subject to limited exceptions):

- **Prohibition to deal with transferable securities and money-market instruments** (note varying maturity dates and dates for assessing public ownership for each sub-prohibition)²⁸ issued by various entities listed in annexes III, VI, XII, and XIII, including **Sberbank, Gazprombank, VEB, Promsvyazbank United Aircraft Corporation, Rosneft, Novorossiysk Commercial Sea Port; Russian Railways; and United Shipbuilding Corporation**. These instruments also include crypto assets²⁹.
- **Prohibition** on making or being part of any arrangement to make new **loans** or **credit** to any legal person, entity or body referred above after 26 February 2022.³⁰
 - Exceptions are provided in the interest of EU and third countries, as well as for drawdowns and disbursements made under a contract concluded prior to 26 February 2022, with some conditions.
- Prohibition on the **listing and provision of services on trading venues** registered or recognised by the EU for transferable securities of any Russian-established entities with public ownership of 50+%.³¹
- Restrictions on **financial fluxes and investments** between Russia and the EU:
 - **Prohibition to accept** any **deposits** from to persons or entities established in Russia, if the total value of deposits of the natural or legal person, entity or body per credit institution exceeds **EUR 100 000**.³²
 - Prohibition to provide **crypto-asset wallet, account or custody services** to Russian nationals or natural persons residing in Russia, or legal persons, entities or bodies

²⁷ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 5a.

²⁸ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 5(1) to 5(4).

²⁹ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 1(f).

³⁰ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 5(6).

³¹ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 5(5).

³² Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 5b.

established in Russia, if the total value of crypto-assets of the natural or legal person, entity or body per wallet, account or custody provider exceeds **EUR 10 000**.³³

- It has nevertheless been added that the competent national authorities may authorize such services in limited circumstances, including for the maintenance fees of frozen funds, for the payment of legal services or to satisfy basic needs.³⁴

- **EU, EEA, and Switzerland** nationals are **exempted** from **deposit and crypto** limits.

The restrictions on deposits and crypto, further, do not apply to cross-border trade in goods and services which is not prohibited under the sanctions regulations.

- **Prohibition** for Union central securities depositories to provide certain services for **transferable securities** to persons or entities established in Russia.³⁵

- The prohibition might cover situations where a European investment firm owns equities of non-Russian issuers that are currently held in the Russian National Securities Depository (NSD), and where the transfer of such equities is made from the NSD to an EU-based central security depository.

In that case, EU CSDs should assess if, in practice, the transfer of such equities would characterise the provision of CSD services (either core or ancillary) to Russian national or natural person residing in Russia or any legal person, entity or body established in Russia.³⁶

- **Prohibition to sell transferable securities denominated in any official currency of a Member State** (Euro or other) or units in collective investment undertakings with exposure to such securities, to persons or entities established in Russia.³⁷

- As an example, the prohibition does not concern the allocation of free shares by EU banks to their Russian employees as part of variable remuneration schemes. Moreover, the members' shares of mutualist or cooperative banks do not qualify as transferable securities in the meaning of the regulation and are, therefore, excluded from the scope of the prohibition.³⁸

- **Prohibition to sell banknotes denominated in any official currency of a Member State** (Euro or other) to Russia or to any natural or legal person, entity or body in Russia.³⁹

The prohibition only concerns **physical banknotes** and does not extend to transfers via bank accounts insofar as the transfer is not prohibited for any other reason.⁴⁰

³³ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Replacement Article 5b.

³⁴ New Article 5c, introduced through Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.

³⁵ [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 5e.

³⁶ [Frequently asked questions on Central securities depositories - Sanctions against Russia \(europa.eu\)](#)

³⁷ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Replacement Article 5f(1).

³⁸ [Frequently asked questions on Sale of securities denominated in an official currency of a Member State - Sanctions against Russia \(europa.eu\)](#)

³⁹ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Replacement Article 5i.

⁴⁰ [FAQ on Euro-Denominated Banknotes](#)

Exceptions are provided, such as for private use in the framework of tourism in Europe.

- **Prohibition to invest**, participate or otherwise contribute to **projects** co-financed by the **Russian Direct Investment Fund**.⁴¹
- **Prohibition** to provide specialized financial messaging services (such as **SWIFT**), to the following legal persons or their subsidiaries:
 - **Bank Otkritie**
 - **Novikombank**
 - **Promsvyazbank**
 - **Bank Rossiya**
 - **Sovcombank**
 - **Vnesheconombank (VEB)**
 - **VTB Bank**.⁴²
 - **Sberbank**
 - **Credit Bank of Moscow**
 - **Russian Agricultural Bank**⁴³
- **Prohibition of the provision of credit rating services** as well as access to any subscription service in relation to credit rating activities to any Russian person, body or entity.⁴⁴ It must be noted that this financial restriction **does not apply to EU nationals or residents**.
 - The rating services provided within a group (i.e. mother company in the European Union providing rating models for its subsidiary in Russia, with rating models falling within the scope of models as defined under Article 142 of the Capital Requirements Regulation) do not consist of the provision of credit rating services and are consequently out of the scope of the prohibition.⁴⁵
- **Prohibition of all transactions with 12 specified stated-owned companies and their non-EU subsidiaries listed in Annex XIX**, i.e. OPK Oboronprom; United Aircraft Corporation; Uralvagonzavod; Rosneft; Transneft; Gazprom Neft; Almaz-Antey; Kamaz; Rostec; JSC PO Sevmash; Sovcomflot; United Shipbuilding Corporation.⁴⁶
 - The prohibition does not apply to the execution until 15 May 2022 of contracts concluded before 16 March 2022 or ancillary contracts necessary for the execution of such contracts.
 - Further, on 3 June 2022, it was added that the prohibition also does not apply to the reception of payments due by the entities above, and their subsidiaries and other entities as may be applicable, pursuant to contracts performed before 15 May 2022.
- There is an **exception** for the **purchase of fossil fuel and certain minerals**: the blanket prohibition on all transactions with the designated entities does not prevent those "*transactions which are strictly necessary for the direct or indirect purchase, import or transport of **natural gas and oil**, including*

⁴¹ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 2e(3).

⁴² Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 5h.

⁴³ Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 5h.

⁴⁴ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 5j.

⁴⁵ FAQ on Credit Rating - Sanctions against Russia, question 6 (europea.eu)

⁴⁶ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 5aa.

refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore from or through Russia into the EU, EEA, Switzerland or Western Balkans.⁴⁷

- Critically, however, this exception only applies insofar as it does not run counter the prohibition on purchase, import, transfer or assistance of crude oil and certain petroleum products set out in Articles 3m or 3n introduced with the 6th package on 3 June 2022.
- Further, the exception for the **coal and other solid fossil fuels will be phased out on 10 August 2022**.⁴⁸
- In addition, following concerns from EU companies and given the realities of the business operations, a further exception has been introduced on 3 June 2022 to allow those transactions, necessary for the **winding-down**, by 5 September 2022, of **JVs or similar legal arrangements** concluded before 16 March 2022, involving entities listed in Annex XIX.

Furthermore, it is prohibited to register, provide a registered office, business or administrative address as well as management services to, a trust or any similar legal arrangement having as a trustor or a beneficiary a Russian persons or their subsidiaries, or such persons or entities that are owned, controlled or acting at the direction or on behalf of those persons.

- It is also prohibited to act, or arrange for others to act, as a trustee, nominee shareholder, director, secretary or a similar position, for these trusts.⁴⁹
- A **winding-down** period is provided until 5 July 2022 for contracts concluded before 9 April 2022 or of ancillary contracts necessary for the execution of such contracts (with a further strictly limited extension possible beyond that date, on approval from the authorities).
- The prohibition does, however, not apply where the trustor or beneficiary is a national or resident of an EU Member State.
- Exceptions are provided, upon authorisation from the authorities, amongst others, for humanitarian or civil society purposes.

In addition, since 3 June 2022, it is prohibited to provide accounting, auditing, including statutory audit, bookkeeping or tax **consulting services**, or business and management consulting or **public relations** services to the Government of Russia or to persons or entities established in Russia.⁵⁰

- Here too, a **winding-down** period is provided, under conditions, until 5 July 2022, as well as limited exceptions (e.g. for legal defence) and carve-outs (e.g. subsidiaries of EU companies in Russia).

1.5 ENERGY SECTOR SANCTIONS

- **Prohibition of the export** of listed goods and technology suited for use in **oil refining** and **liquefaction of natural gas**⁵¹ to Russia or for use in Russia, or to provide technical assistance or financing in relation to such operations.⁵²

⁴⁷ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Replacement Article 5aa(3)a

⁴⁸ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Replacement Article 5aa(3)

⁴⁹ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Additional Article 5m.

⁵⁰ New Article 5n, introduced through Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.

⁵¹ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Replacement Article 3b(1); the list is updated by [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#).

⁵² [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 3b.

- **Prohibition of the export of dual-use items** and items listed in Annex VII, which might contribute to the technological enhancement of Russia's defence and security sector, **intended for the energy sector**.⁵³
- **Prohibition** of export of **listed goods suited for oil exploration and production projects in Russia**, listed in the Annex II⁵⁴ to any Russian legal person, entity or body or for use in Russia (including its Exclusive Economic Zone and Continental Shelf). **These items were previously subject to an export authorization scheme.**
 - While an exception is provided for insofar as these goods are necessary for the transport of natural gas and oil, including refined petroleum products, from or through Russia into the Union, since 3 June 2022 this exception only holds inasmuch as it does not run counter to the new prohibitions on crude oil and petroleum under Articles 3m or 3n.⁵⁵
- **Financial restrictions targeting new investments in the Russian energy sector**, including prohibition on acquiring new stakes in Russian entities, providing loans and forming joint venture with any Russian entity.⁵⁶
 - The prohibition shall **not apply** in certain circumstances to **protect energy security of the EU** and for certain previously concluded contracts. However, since 3 June 2022, this exception only holds inasmuch as it does not run counter to the new prohibitions on crude oil and petroleum under Articles 3m or 3n.⁵⁷
- Prohibition of imports of **coal** and **other solid fuels** (listed in Annex XXII), subject to a four-month **wind-down period** (execution until 10 August 2022 of contracts concluded before 9 April 2022).⁵⁸

It is also noted that, in order to guarantee energy security in the EU, the Commission established an **EU platform for common purchase of gas, LNG and hydrogen**. The objective is to use the collective political and market weight of the EU to ensure security of energy supply at affordable prices.⁵⁹

In furtherance of this objective, the Commission indicated it would cooperate with the **private industry** for "market insights and expertise on the gas supply chain", setting up "a dedicated consultative working group consisting of industry experts [which would] have an advisory role and operate in compliance with EU antitrust rules, with strong safeguards against conflict of interests".⁶⁰

In this context, the Commission presented on 18 May, the "**RePowerEU**" plan, in response to the hardships and global energy market disruption caused by Russia's invasion of Ukraine. This plan aims to rapidly **reduce the EU dependency on Russian fossil**, starting with gas.⁶¹

⁵³ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Articles 2(7) and 2a(7); the list is updated by Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.

⁵⁴ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 3.

⁵⁵ New Article 3(3), point (a), introduced through Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.

⁵⁶ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 3a.

⁵⁷ New Article 3a(2), point (a), introduced through Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.

⁵⁸ Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Additional Article 3j.

⁵⁹ First meeting of EU Energy Purchase Platform (europa.eu)

⁶⁰ First meeting of EU Energy Purchase Platform (europa.eu)

⁶¹ Press statement by President von der Leyen on the Commission's proposals regarding REPowerEU, defence investment gaps and the relief and reconstruction of Ukraine (europa.eu)

On 27 April, Gazprom stopped gas supplies to Poland and Bulgaria alleging that they failed to pay in roubles.⁶² Following the halt of gas, Bulgaria set up a first regional taskforce, as part of the EU's Energy Purchase Platform. The task force will work on means to reduce dependency on Russian fossil fuels, fill storage ahead of next winter and further accelerate the decarbonisation of the energy sector.⁶³

The Commission said companies could open an account with Gazprombank (as requested by Moscow) to make payments for gas in euros or dollars (as specified in their contracts) and then issue a declaration that their payment obligation ends with the deposit of funds. That leaves any later conversion into roubles in Russian hands. After Russia halting the gas supply to Poland and Bulgaria, the Commission reiterated that if this is not foreseen in the contract, to pay in roubles is a breach of EU sanctions.⁶⁴

- **Restrictions on the purchase, import or transfer of crude oil or petroleum products :**

In line with the G7 leaders statements foreseeing the phasing out of the import of Russian oil, the sanctions adopted on 3 June 2022 set out⁶⁵:

- **The prohibition on the purchase, import and transfer of crude oil or certain petroleum products** which originate from Russia or are exported from Russia, as well as to provide technical assistance, brokering services, financing or financial assistance to such operations. The prohibition applies to the products as listed in **Annex XXV**.⁶⁶
 - Annex XXV lists the following to CN codes, with description:
 - **2709 00** Petroleum oils and oils obtained from bituminous minerals, crude
 - **2710** Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils'
 - Imports on crude oil will be **phase-out** in 6 months and imports of Russian refined petroleum products will be phased out in 8 months.
 - **A temporary exception will implemented for crude oil by pipeline** into Member States that are subject to a specific dependence on supplies from Russia.
 - However, these Member States are **prohibited to resell** such crude oil delivered by pipeline.⁶⁷
 - A temporary exception may be granted to source seaborne crude oil in the event supply by pipeline cannot be carried out for reasons independent of the Member State concerned.
 - The purchase, import or transfer of seaborne crude oil and of certain petroleum products which originate in a third country and **are only transiting through Russia**.

⁶² [Russia's Gazprom halts gas supplies to Poland, Bulgaria | News | DW | 27.04.2022](#)

⁶³ [Energy: Bulgaria sets up regional platform \(europa.eu\)](#)

⁶⁴ [You're next: Kremlin warns anyone not paying in rubles also faces gas shutoff – POLITICO](#)

⁶⁵ [Council Regulation \(EU\) 2022/879 of 3 June 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.](#)

⁶⁶ [Council Regulation \(EU\) 2022/879 of 3 June 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.](#)

- Those prohibitions should not apply in the situation where Russia is identified as the State of export in the customs declarations, if the country of origin for the crude oil and other petroleum products is identified in those declarations as a third State.
 - In order to avoid circumvention, the Regulation states that national authorities should ensure that the transit of third country goods does not lead to the circumvention of the prohibitions.
- **The prohibition of transfer, transport or re-sale oil** imported by pipeline, either in or to Member States or third countries.
 - Furthermore, as from 5 February 2023, where crude oil has been delivered by pipeline into a Member State it shall be prohibited to transfer or transport petroleum products falling under CN 2710 which are **obtained from** such crude oil to other Member States or to third countries, or to sell such petroleum products to purchasers in other Member States or in third countries.
 - However, for inland sales, imports and transfers, this prohibition will only enter into effect on 5 December 2023 as far as Czechia is concerned, it being provided that such imports cannot exceed the 5-year average volumes imported into Czechia from the other Member States from which it imports the relevant products obtained from crude oil which has been delivered by pipeline into another Member State.

The prohibition, following a period of eight months of the **transfer, transport or re-sale to other Member States of petroleum products obtained from such crude oil**. A derogation is put in place for Czechia, which benefit from an additional month period to obtain alternative supplies.

- Bulgaria and Croatia benefit from special derogations in the form of temporary exceptions related to imports from Russia of seaborne crude oil until the end of 2024 and vacuum gas oil until the end of 2023 respectively.
 - Oil so imported cannot, however, be sold on to buyers located in another Member State or in a third country.
- The prohibition for EU operations from **insuring and financing the transport, in particular through maritime routes of oil to third parties**, after a wind-down period of 6 months.⁶⁸

1.6 AIRSPACE, MARITIME AND TRANSPORT SECTOR SANCTIONS

It is prohibited to export **goods and technology suited for use in aviation or the space industry**, as listed (incl. aircraft, parts and equipment), including prohibition to provide technical assistance or financing.⁶⁹

⁶⁸ [Council Regulation \(EU\) 2022/879 of 3 June 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.](#)

⁶⁹ [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 3c.

It is also prohibited to export **jet fuel and fuel additives** as listed in Annex XX.⁷⁰ An aircraft financial lease, concluded before 26 February, might be executed, subject to the authorization of national competent authorities.⁷¹

The sectoral restrictions include the **prohibition to provide (re)insurance** in relation to items listed in Annex XI as well as to provide "**overhaul, repair, inspection, replacement, modification or defect rectification** of an aircraft or component, with the exception of pre-flight inspection, in relation to the goods and technology listed in Annex XI, directly or indirectly", to any person, entity or body in Russia or for use in Russia⁷².

EU airspace and airports are **closed** to Russian air carriers and non-Russian-registered aircrafts owned or chartered by Russian natural or legal person entity and body, save in emergency situations and for humanitarian purposes.⁷³

Nevertheless, the Commission has clarified that the Regulation includes an **exception** allowing for the provision of **(re)insurance** until 28 March 2022 to leasing companies "*for aircraft and engines subject to operating or finance lease arrangements signed before 26 February 2022, including when such aircraft or engine is used in Russia or leased to a Russian person*"⁷⁴.

The EU also imposed **maritime sector sanctions** to Russia:

- It is **prohibited** to **export**, as well as provide related **services** for, **maritime navigation goods** and **technology**, as listed in Annex XVI to Russia, for use in Russia, or for the placing on board of a Russian-flagged vessel.⁷⁵
- **Restrictions on access to capital** is **expanded** to cover **Russian Maritime Register of Shipping**; accordingly, it is **prohibited** to, directly or indirectly, purchase, sell, provide **investment** services or assistance in the issuance or otherwise deal with transferable **securities** and **money-market instruments issued** by **Russian Maritime Register of Shipping**.⁷⁶
- After 16 April 2022, **European ports** are **closed** to **any vessel** currently **registered, or was registered before 24 February, under the flag of Russia**. Russia has a **merchant fleet of 2873 vessels** flying its flag.⁷⁷

The Commission added details on the types of vessels subject to the EU ban. This includes, in particular, ships of 500 GT and beyond (from smaller to the biggest) **sailing commercially in international shipping falling under the scope** of the SOLAS, MARPOL or Load Lines Conventions. The ban also extends to "**fishing vessels**" holding a "certificate" issued in accordance with the above-mentioned international conventions.⁷⁸

⁷⁰ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Replacement Article 3c(1)

⁷¹ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Additional Article 3c(6)

⁷² [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 3c(2) and (3).

⁷³ [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 3d.

⁷⁴ [European Commission, Measures adopted concerning the closure of EU air space. Frequently asked questions - as of 21 March 2022](#), p. 6.

⁷⁵ [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 3f.

⁷⁶ [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 5(4) and [Council Regulation \(EU\) 2022/394 of 9 March 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Annex III.

⁷⁷ [Q&A on the fifth package of sanctions against Russia \(europa.eu\)](#)

⁷⁸ [Aggression against Ukraine - Frequently asked questions on the prohibition to access EU ports \(europa.eu\)](#)

National authorities may authorize a vessel to access the ports if it is necessary for the import of gas, oil and certain metals and chemical products.⁷⁹ However, since 3 June 2022, this exception only holds inasmuch as it does not run counter the new prohibitions on crude oil and petroleum under Articles 3m or 3n.⁸⁰

The European Commission **updated** the **EU Air Safety List**. As a result, a total of **over 20 Russian air carriers**, their aircraft and personnel, are **banned** from EU skies.⁸¹

- While explicitly not adopted as a further sanction, it does come as a consequence of sanctions adopted. Indeed, following the measures adopted by G7 countries affecting the aviation industry, Russia forced re-registration of foreign aircraft in Russia, though without access to the necessary goods and items for maintenance and repairs of the aircraft, which raises serious safety concerns, prompting the update of the EU Air Safety List to reflect this situation.

1.7 DUAL-USE GOODS AND ADVANCED TECHNOLOGY ITEMS

The EU imposed **trade restrictions/prohibitions** and **export controls** to cut Russia's access to crucial **technology** and other **strategic sectors**.⁸²

- Prohibition to export **dual-use goods and technology**, to Russia or for use in Russia, or to provide technical assistance or financing in relation to such operations
 - License to be refused if the operation is destined for (a listed - Annex IV) military end-use(r), space and aviation industry and/or energy industry (certain exceptions still apply⁸³).
- Prohibition to export **goods and technology which might contribute to Russia's military and technological enhancement**, or the development of the **defence and security sector**, as listed, to Russia or for use in Russia, or to provide technical assistance or financing in relation to such operations
 - Annex VII lists broadly goods and items relating to restricting access **to drones** and drone-related software, software **encryption**, **semiconductors**, and **advanced electronics**.

The list also covers equipment for **oil production** or **oil exploration**, **quantum computers**, **microscopes** and **advanced semiconductors**.⁸⁴

- License to be refused if the operation is destined for (a listed - Annex IV) military end-use(r), space and aviation industry and/or energy industry (certain exceptions still apply⁸⁵).
- With regards to these prohibitions, it is further noted that the package adopted on 3 June 2022 has:

⁷⁹ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Additional Article 3ea.

⁸⁰ New Article 3ea(5), point (a), introduced through Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.

⁸¹ [Q&A: Commission adopts new EU Air Safety List \(europa.eu\)](#); <https://www.aviation24.be/organisations/european-commission/european-commission-adds-one-russian-airline-to-new-eu-air-safety-list-comprising-118-airlines/>.

⁸² Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Articles 2 and 2a; the list of items is updated by [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#).

⁸³ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Replacement Article 2(7).

⁸⁴ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#).

⁸⁵ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Replacement Article 2a(7).

- vastly expanded **Annex IV** adding tens of designations to the list, including entities active in sectors such as electronics, communications, engineering or scientific research.
- vastly expanded **Annex VII**, adding numerous entries to the list of goods and items controlled, including many **chemicals** that can be used for chemical weapons.⁸⁶
- National authorities may **authorize the export of dual-use** items and goods and technology which might contribute to Russia's military and technological enhancement if they are intended for the **exclusive use** of **entities** owned, or solely or jointly controlled by a legal person, entity or body which is **incorporated or constituted under the law of a Member State or of a partner country**⁸⁷ (i.e. the US, Japan, the UK and South Korea⁸⁸).
- Prohibition to provide **public financing** or financial assistance for **trade** with, or **investment** in, Russia, save for already binding financing or financial assistance commitments, or inferior to 10M€/project for SMEs, or for trade in food, and for agricultural, medical or humanitarian purposes.⁸⁹

This financing does not have to be provided directly to an SME, but it can also be provided in another way benefiting the SME.⁹⁰

- Authorizations/exceptions are included for **winding-down** operations, as well as general licenses and facilitation of exports to Russian entities owned/controlled by EU or US parents, and;
- **Prohibition to satisfy claims** related to the implementation of the sanctions with regards to the export and investment restriction.⁹¹

The Regulation 833/2014 does **not** contain a "**shipping clause**" allowing delivery of goods shipped before the imposition of sanctions. Therefore, if an export item was shipped before the imposition of the relevant sanction and it was still underway inside the EU on that date, its subsequent delivery to Russia would violate export control rules.⁹²

The EU revoked certain Union General Authorisations available for exports to Russia concerning repair and replacement (EU003), exhibitions and fairs (EU004), and telecommunications (EU005).⁹³ Union general export authorisation means an export authorisation for exports to certain countries of destination that are available to all exporters who respect the conditions and requirements listed in Annex II of the Dual-Use Regulation.

1.8 SUSPENSION OF MOST-FAVOURLED NATION TREATMENT AT THE WTO

⁸⁶ Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

⁸⁷ [Council Regulation \(EU\) 2022/394 of 9 March 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Articles 2(4)(f) and 2a(4)(f).

⁸⁸ Japan is added among the partner countries by [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#).

⁸⁹ [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 2e.

⁹⁰ [Council Regulation \(EU\) 2022/394 of 9 March 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 1(3).

⁹¹ [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 11.

⁹² [FAQ on export-related restrictions pursuant to Articles 2, 2a and 2b of Council Regulation No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine \(hereinafter: the 'Sanctions Regulation'\), as amended by Council Regulation \(EU\) 2022/328 of 25 February 2022](#), Question 37.

⁹³ [Commission Delegated Regulation \(EU\) 2022/699 of 3 May 2022 amending Regulation \(EU\) 2021/821 of the European Parliament and of the Council by removing Russia as a destination from the scope of Union general export authorisations](#)

On 15 March 2022, the EU Commission officially stated that the EU, along with the G7 countries and other like-minded partners, revoked Russia's most-favoured nation ("MFN") status within the WTO framework.⁹⁴

The EU decided to impose sanctions against specific goods instead of preparing a separate tariff schedule for Russian goods. Exclusion from SWIFT services is also considered to be a form of MFN violation under the WTO's General Agreement on Trade in Services (GATS).⁹⁵

As a result, the EU imposed **trade restrictions concerning iron and steel**, prohibiting :⁹⁶

- The **import/purchase/transport** of iron and steel products listed in the Annex XVII if they originate in Russia, located in Russia, or have been exported from Russia; and
- The provision of **technical or financial assistance** and services associated with the above restrictions.

The prohibitions do not apply to the execution, until 17 June 2022, of contracts or obligations arising from contracts concluded prior to 16 March 2022. The import ban is expected to cause **EUR 3.3 billion in lost export revenue** for Russia.⁹⁷

There are also restrictions on luxury goods⁹⁸ involving the prohibition on the export of the goods listed in Annex XVIII to Russia or for use of Russia. The prohibition applies to goods **with a value exceeding EUR 300 per item**, unless specified otherwise.

- The EUR 300 value is to be assessed based on the statistical value of the goods in the export declaration, defined as the price actually paid or payable for the exported goods, excluding arbitrary or fictitious values excl. VAT and adjusted where necessary.⁹⁹ The calculation of the value and its indication in the export customs declaration is the same as already used and required, and is not affected by the Sanctions Regulations.¹⁰⁰

The transfer or export to Russia of **cultural goods** which are on loan in the context of formal cultural cooperation with Russia may be authorized by national authorities.¹⁰¹

On 8 April, the EU **restricted, with wind-down periods, the imports of:**

- Certain **sea food, liquor, cement, fertilizers, tyres, wood, glass fibres, aluminium, lead, turbojets** and **maritime transportation vehicles** (Annex XXI - amended on 3 June 2022).¹⁰²

⁹⁴ [Statement by Executive Vice-President Dombrovskis on EU Decision to Stop Treating Russia as a Most-Favoured-Nation at the WTO | European Commission \(europa.eu\)](#)

⁹⁵ https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_1776

⁹⁶ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 3g; the list is updated by Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.

⁹⁷ https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_1776

⁹⁸ Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Article 3h; the list is updated by Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.

⁹⁹ https://ec.europa.eu/info/business-economy-euro/banking-and-finance/international-relations/restrictive-measures-sanctions/sanctions-adopted-following-russias-military-aggression-against-ukraine_en#general.

¹⁰⁰ [Frequently asked questions on Customs related questions - Sanctions against Russia \(europa.eu\)](#)

¹⁰¹ Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Additional Article 3h(4).

¹⁰² Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, Additional Article 3i.

- It is also noted that, after the wind-down period till 10 July 2022, the prohibitions shall **not apply to** import, purchase or transport, or the related technical or financial assistance, for imports of:
 - **837 570 tonnes of potassium chloride of CN 3104 20** between 10 July of a given year and 9 July of the following year; and
 - **1 577 807 tonnes combined of the other products** listed in **Annex XXI** under **CN 3105 20¹⁰³, 3105 60¹⁰⁴ and 3105 90¹⁰⁵** between 10 July of a given year and 9 July of the following year.
- **Coal** and other **solid fuels** (Annex XXII).¹⁰⁶
- Goods which could contribute to the **enhancement** of Russian **industrial capacity** (Annex XXIII).¹⁰⁷

The prohibition on the import of coal is expected to cause Russia an **EUR 8 billion** loss of revenue *per annum*.¹⁰⁸

The prohibition does not concern the **execution, until 10 July 2022, of contracts concluded before 9 April 2022**, or ancillary contracts necessary for the execution of such contracts.

Russia is reported to request consultations at the WTO to challenge the suspension of its MFN status, the first step in the WTO's dispute settlement mechanism.

1.9 OTHER MEASURES

It is **prohibited** for any **road transport undertaking** established in Russia to **transport goods** by **road** within the territory of the Union, **including in transit**, with the exception of mail as a universal service.¹⁰⁹

- There are other **exceptions** in relations to the import of gas and oil, certain metals, wheat and fertilizers, and medical products.¹¹⁰ Nevertheless, from 3 June 2022, this exception with regards to natural gas and oil, titanium, aluminium, copper, nickel, palladium and iron ore, only holds inasmuch as it does not run counter the new prohibitions on crude oil and petroleum under Articles 3m or 3n.¹¹¹

It is **prohibited to award or continue** the execution of any **public or concession contract** to or with Russian persons, their subsidiaries, and persons acting on their behalf or at their direction.

- The prohibition is **extended to subcontractors**, suppliers or entities whose capacities are being relied on, where they account for **more than 10 % of the contract value**.

¹⁰³ Mineral or chemical fertilisers containing the three fertilising elements nitrogen, phosphorus and potassium.

¹⁰⁴ Mineral or chemical fertilisers containing the two fertilising elements phosphorus and potassium.

¹⁰⁵ Fertilisers other. With a nitrogen content exceeding 10 % by weight on the dry anhydrous product.

¹⁰⁶ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Additional Article 3j.

¹⁰⁷ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Additional Article 3k.

¹⁰⁸ [Q&A on the fifth package of sanctions against Russia \(europa.eu\)](#)

¹⁰⁹ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Additional Article 3l.

¹¹⁰ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Additional Article 3l.

¹¹¹ New Article 3l(4), point (a), introduced through Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.

- There are **exceptions** provided for **nuclear** goods and services, **intergovernmental cooperation** in **space** programs, and **import of oil, gas and certain minerals**.¹¹²

Additionally, it is **prohibited** to provide **direct or indirect support, including financing** and financial assistance or any other benefit under a **Union, Euratom or Member State national programme** and contracts within the meaning of Regulation (EU, Euratom) 2018/1046, to any legal person, entity or body **established in Russia with over 50 % public ownership or public control**.¹¹³

- The prohibition to provide financial and non-financial support applies with **immediate effect**:
 - Ongoing contracts should be terminated, and further contracts may not be awarded to entities falling under the scope of these sanctions.¹¹⁴
 - Terminating authorities are protected from liability by **no-claims clause**.¹¹⁵

Sanctions taken on 8 April address **public procurement**, implementing an EU-wide ban on Russian contractors participating in public contracts and concessions awarded in EU member states.¹¹⁶

- The sanctions cover **ongoing and future public procurement procedures**, as well as **awarded public contracts and concessions**, i.e. to a majority of public procurement contracts covered by the **EU public procurement Directives**. Additionally to the scope of the Directives, the sanctions cover also procurement concerning, for instance, financial instruments, loans and some central banks services or concessions implemented outside the EU.¹¹⁷
- Consequently:
 - New contracts falling under the prohibition should not be signed ;
 - Ongoing contracts shall be terminated by 10 October 2022, except for specific cases authorised in accordance with Article 5k(2) of the Regulation.¹¹⁸

Visa rules were revised, ending privileged access of diplomats and related groups and business people to the EU policies, through the **partial suspension** of the application of the **EU-Russia Agreement on the facilitation of the issuance of visas**.¹¹⁹ EU citizens should not be affected.

The Commission also issued a **recommendation**, urging Member States to **repeal investor citizenship** schemes and to withdraw citizenship and residence granted to individuals listed in EU sanction programs against Russia and Belarus under investment schemes.¹²⁰

- On 6 April, the Commission proceeded with **infringement case** against **Malta** for its investment citizenship program.¹²¹

¹¹² [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Additional Article 5k.

¹¹³ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Additional Article 5l.

¹¹⁴ [Q&A on the fifth package of sanctions against Russia \(europa.eu\)](#)

¹¹⁵ [Q&A on the fifth package of sanctions against Russia \(europa.eu\)](#)

¹¹⁶ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#)

¹¹⁷ [Frequently asked questions on public procurement - Sanctions against Russia \(europa.eu\)](#)

¹¹⁸ [Frequently asked questions on public procurement - Sanctions against Russia \(europa.eu\)](#)

¹¹⁹ [Council Decision \(EU\) 2022/333 of 25 February 2022 on the partial suspension of the application of the Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation](#).

¹²⁰ [Commission urges Member States to act on 'golden passports' \(europa.eu\)](#)

On 4 March 2022, the Commission announced measures affecting the **cooperation and research programmes** with Russia and Belarus:

- Commission **suspended cooperation** with Russia in **research, science and innovation**.¹²²
- The Commission also **suspended the cooperation** with Russia and its ally Belarus **in the European Neighbourhood Instrument cross-border cooperation programs (ENI CBC)** as well as in the **Interreg Baltic Sea region program**.
- On 8 April 2022, the EU Commission released a statement explaining that Russian individuals, as opposed to public bodies, are still eligible for research and education programs under certain conditions.¹²³

In parallel, the Commission is working on strengthening the cooperation programs between the EU countries (Poland, Hungary, Romania, and Slovakia) and Ukraine, as well as the participation of Ukraine in the **ENI CBC Black Sea Basin Programme** or the **Interreg Danube Transnational Programme**.¹²⁴

On 5 April, the **Council** adopted its **conclusions on strategic autonomy of the European economic and financial sector**. Within the context of sanctions, the documents highlighted the importance of coordination between member states and like-minded partners, warned against the threat of sanctions evasions, and rejected extra-territorial application of sanctions.¹²⁵

On 6 April 2022, the **Commission** released a **Communication** providing guidance to Member States concerning **foreign direct investment (FDI) from Russia and Belarus**.

- In this Communication, the Commission urges Member States to use their FDI screening mechanisms to assess and prevent threats related to Russian and Belarusian investments on grounds of security and public order.
- Additionally, Member States with an intra-EU investment screening mechanism are encouraged to use them in relation to investment ultimately controlled by Russian or Belarusian persons.¹²⁶

On 3 June 2022, the **suspension of broadcasting activities in the EU** of three outlets, Rossiya RTR/RTR Planeta, Rossiya 24/Russia 24 and TV Centre International was adopted.¹²⁷ This comes on top of the previous prohibition set out on 1 March 2020 on the **broadcasting** of **RT** and **Sputnik** networks in the EU, in pursuance of the objective to take action to counter disinformation and "other forms of hybrid warfare".¹²⁸ Further, the prohibition of advertising products and services in any content produced by the designated Russian media outlets is also prohibited.¹²⁹

2. EU MEASURES AGAINST BELARUS

2.1 IMPORT/EXPORT RESTRICTIONS

¹²¹ ['Golden passport' schemes \(europa.eu\)](#)

¹²² [Commission suspends cooperation with Russia on R&I \(europa.eu\)](#)

¹²³ https://europa.eu/newsroom/ecpc-failover/pdf/statement-22-2391_en.pdf

¹²⁴ [Commission suspends cross-border cooperation \(europa.eu\)](#)

¹²⁵ [Council adopts conclusions on strategic autonomy of the European economic and financial sector - Consilium \(europa.eu\)](#)

¹²⁶ [EUR-Lex - 52022XC0406\(08\) - EN - EUR-Lex \(europa.eu\)](#)

¹²⁷ [Council Regulation \(EU\) 2022/879 of 3 June 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), amending Article 2f and Annex XV

¹²⁸ [Consolidated text: Council Regulation \(EU\) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Article 2f and Annex XV

¹²⁹ [Council Regulation \(EU\) 2022/879 of 3 June 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#) amending Article 2f

- **Prohibition** to sell/supply/transfer/export to **Belarus** and to provide related services or financing with respect to:
 - **dual-use items** as listed in Annex I of Regulation (EU) 2021/821;¹³⁰
 - items which might contribute to Russia's **military and technological enhancement**, or the development of the **defence and security sector**, as listed in Annex Va, such as microprocessors¹³¹
 - **machinery** as listed in Annex XIV, **nuclear reactors**, various types of **turbines and engines**, and **furnaces**¹³²
 - **goods** listed in Annex VI, including **tobacco** products and **machinery**¹³³
- The EU measures taken on 3 June 2022 expanded **the list of entities subject to restrictions** with regard to authorisations for the sale, supply, transfer or export of dual-use goods and technology, and goods and technology which might contribute to Belarus's military and technological enhancement.¹³⁴ The list is widened (from 1 to 25 entities).¹³⁵
- **Prohibition** to **import/purchase** following products from **Belarus**, **transport** those products originated in Belarus or are being exported from Belarus to any other country and to provide related services and financing:
 - **wood** products listed in Annex X¹³⁶
 - **cement** products listed in Annex XI¹³⁷
 - **iron** and **steel** products as listed in Annex XII¹³⁸
 - **rubber** products as listed under XIII¹³⁹
 - **potassium chloride products** as listed in Annex VIII.¹⁴⁰
 - **mineral** products as listed in Annex VII, including **oil** and **gas**.¹⁴¹

Similar to the trade restrictions with Russia, Belarusian restrictions also have **exemptions** for the purposes of humanitarian aid, health emergencies, medical and pharmaceutical purposes, temporary use by news media, software updates, use as consumer communication devices, etc.¹⁴²

It is **prohibited** for any **road transport** undertaking established in Belarus to **transport goods** by **road** within the territory of the Union, including in **transit**, with the **exception** of **mail as a universal service**.

¹³⁰ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1e.

¹³¹ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1f.

¹³² [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1s.

[Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1g.

¹³⁴ [Council Regulation \(EU\) 2022/877 of 3 June 2022 amending Regulation \(EC\) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#)

¹³⁵ [EU adopts sixth package of sanctions against Russia \(europa.eu\)](#)

¹³⁶ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1o.

¹³⁷ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1p.

¹³⁸ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1q.

¹³⁹ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1r.

¹⁴⁰ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1i.

¹⁴¹ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1h.

¹⁴² As an example see [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1s(2).

- There are other **exceptions** in relations to the **import** of **gas** and **oil**, certain **metals** (titanium, aluminium, copper, nickel, palladium and iron ore), **wheat** and **fertilizers**, and **medical** products.
- A "**shipping clause**" is also included which exempts from the prohibition, until **16 April 2022**, transport *"started before 9 April 2022, provided that the vehicle of the road transport undertaking was already in the territory of the Union on 9 April 2022, or needs to transit through the Union in order to return to Belarus"*.¹⁴³

2.2 FINANCIAL SECTOR SANCTIONS

The EU also imposed **financial sanctions** against **Belarus**, mostly replicating the measures against Russia:

- Transactions related to the **management of reserves** as well as of **assets** of the **Central Bank of Belarus**, including transactions with any legal person, entity or body acting on behalf of, or at the direction of, the Central Bank of Belarus, are **prohibited**.¹⁴⁴
- It is **prohibited** to list and provide services on **trading venues** registered or recognised in the Union for the transferable securities of any legal person, entity or body established in Belarus and with 50+% public ownership.¹⁴⁵
- It is **prohibited** to provide **public financing** or financial assistance for **trade** with, or **investment** in, Belarus.¹⁴⁶
- It is **prohibited** to accept **deposits** exceeding **EUR 100 000** from Belarusian nationals or natural persons residing in Belarus, or legal entities established in Belarus, with the **exception** of the **citizens** and **residents** of the **EU**, the **EEA** and **Switzerland**.¹⁴⁷

There are also **other exceptions** for non-prohibited trade, **basic needs** of account holders and their families, **humanitarian** purposes, the payment for professional services, and official purposes of a diplomatic mission.¹⁴⁸

- Financial institutions should **inform** the **national competent authorities** regarding deposits exceeding **EUR 100 000** held by Belarusians, including those acquired citizenship of a Member State through an investor citizenship/residence scheme.¹⁴⁹
- It is **prohibited** for **Union central securities depositories** to provide any **services** for **transferable securities** issued after 12 April 2022 to any **Belarusian** national or natural person residing in Belarus or any legal person, entity or body established in Belarus.¹⁵⁰

¹⁴³ [Council Regulation \(EU\) 2022/577 of 8 April 2022 amending Regulation \(EC\) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Additional Article 1zc.

¹⁴⁴ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1ja.

¹⁴⁵ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1jb.

¹⁴⁶ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1t.

¹⁴⁷ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1u.

¹⁴⁸ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Articles 1v and 1w.

¹⁴⁹ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1z.

¹⁵⁰ [Consolidated text: Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1x.

- It is **prohibited** to **sell transferable securities denominated in any official currency of a Member State** (Euro or other)¹⁵¹ issued after 12 April 2022 or **units in collective investment undertakings** providing exposure to such securities, to any **Belarusian** national or natural person residing in Belarus or any legal person, entity or body established in Belarus.¹⁵²
- It is **prohibited** to sell, supply, transfer or export **banknotes denominated in any official currency of a Member State** (Euro or other)¹⁵³ to Belarus or to any natural or legal person, entity or body in Belarus, including the Government and the Central Bank of Belarus, or for use in Belarus.¹⁵⁴
- It is **prohibited**, as of 20 March 2022, to provide specialized financial messaging services, such as **SWIFT**, which are used to exchange financial data, to the legal persons, **entities** or bodies **listed** below or their **subsidiaries**:
 - **Belagroprombank**
 - **Bank Dabrabyt**
 - **Development Bank of the Republic of Belarus**¹⁵⁵
 - The **Belarusian Bank for Development and Reconstruction**, as added on 3 June 2022.¹⁵⁶

Two Belarusian companies brought cases before the General Court of the EU to challenge their listing in sanctions program.¹⁵⁷

2.3 AIRSPACE

Prior to the invasion of Ukraine by Russia, the EU had sanctions in place against Belarus, preventing Belarusian air carriers from landing in, taking off from or overflying the territory of the Union.¹⁵⁸ On 9 March 2022, the EU published a corrigendum to this regulation adding the definition of Belarusian air carrier.¹⁵⁹

For a compendium of the various regulations adopted and published since 23 February 2022, please refer to the *Appendix* attached at the end of this client alert.

3. MEASURES TO PROTECT UNION INDUSTRIES

The Commission adopted a **Temporary Crisis Framework** to enable Member States to support the economy in the context of Russia's invasion of Ukraine. The new framework will enable Member States to **(i)** grant limited amounts of **aid** to companies affected by the current crisis or by the related sanctions and

¹⁵¹ [Council Regulation \(EU\) 2022/577 of 8 April 2022 amending Regulation \(EC\) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Replacement Article 1y(1).

¹⁵² Consolidated text: [Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1y.

¹⁵³ [Council Regulation \(EU\) 2022/577 of 8 April 2022 amending Regulation \(EC\) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Replacement Article 1za.

¹⁵⁴ Consolidated text: [Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1za.

¹⁵⁵ Consolidated text: [Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 1zb.

¹⁵⁶ [Council Decision \(CFSP\) 2022/882 of 3 June 2022 amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#)

¹⁵⁷ [Companies on EU's Belarus sanctions list challenge their inclusion - EU Law Live](#)

¹⁵⁸ Consolidated text: [Council Regulation \(EC\) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine](#), Article 8b.

¹⁵⁹ [Corrigendum to Council Regulation \(EU\) 2021/1030 of 24 June 2021 amending Regulation \(EC\) No 765/2006 concerning restrictive measures in respect of Belarus \(Official Journal of the European Union L 224 I of 24 June 2021\)](#)

countersanctions; **(ii)** ensure that **sufficient liquidity** remains available to businesses; and **(iii)** compensate companies for the **additional costs incurred due to exceptionally high gas and electricity prices**.¹⁶⁰

- The first approved scheme under the framework is a **French loan guarantee scheme ("PGE Résilience aux entreprises")** that enables up to **EUR 155 billion in liquidity** support for companies across all sectors in the context of Russia's invasion of Ukraine.¹⁶¹ The French **Direction Générale du Trésor** has announced an **FAQ** about the scheme.¹⁶²
- The Commission subsequently approved a €169 million Spanish scheme to support the milk producers sector,¹⁶³ an €18 million Irish scheme to support the road haulage sector,¹⁶⁴ an up to €20 billion German scheme to support companies active in all sectors,¹⁶⁵ a German umbrella scheme with a budget of around €11 billion to support companies across sectors,¹⁶⁶ and a €836 million (PLN 3.9 billion) Polish scheme to support the agricultural sector¹⁶⁷ within the context of Russia's invasion of Ukraine.

Furthermore, the European Commission, the European Investment Bank (EIB) and the European Investment Fund (EIF) signed the Guarantee Agreement on a **European Union budget guarantee of EUR 19.65 billion** to support investment projects across Europe. Executive Vice-President for an Economy that Works for People, Valdis Dombrovskis, stated that **InvestEU** will be instrumental in addressing economic and social consequences of the war in Ukraine.¹⁶⁸

Member states can also use of **residual entitlement of loans** under the EU's Recovery and Resilience Facility, amounting to EUR 732.8 billion.¹⁶⁹

The **European Maritime, Fisheries and Aquaculture Fund (EMFAF)** will enable Member States to grant **financial compensation** to operators for income foregone due to the current market disruption, as well as 'storage aid' to producer organisations. This step comes in addition to the Temporary Crisis Framework, which enables Member States to provide support through State aid.¹⁷⁰ Link to [decision](#) and [Q&A](#). The Commission released the relevant implementing regulation on 29 March 2022.¹⁷¹

4. ENFORCEMENT OF EU RESTRICTIVE MEASURES

4.1 TASK FORCES AND ACTIONS ENSURING ENFORCEMENT OF SANCTIONS

Restrictive measures are adopted on the basis of Article 29 TEU and Article 215 TFEU. The same provisions serve as a legal basis for obliging Member States to lay down **penalties, including criminal penalties**. In the absence of Union-level harmonisation, national systems **vary across Member States** when it comes to the criminalisation of the violation of EU restrictive measures. Indeed, currently, there are over 40 regimes of restrictive measures in place in the EU.

¹⁶⁰ [State aid: Commission adopts Temporary Crisis Framework \(europa.eu\)](#)

¹⁶¹ [Commission approves French liquidity scheme \(europa.eu\)](#)

¹⁶² [Ouverture du PGE Résilience aux entreprises affectées par les conséquences économiques du conflit en Ukraine | Direction générale du Trésor \(economie.gouv.fr\)](#)

¹⁶³ [State aid: Commission approves €169 million Spanish scheme \(europa.eu\)](#)

¹⁶⁴ [State aid: Commission approves €18 million Irish scheme \(europa.eu\)](#)

¹⁶⁵ [State aid: Commission approves €20 billion German scheme \(europa.eu\)](#)

¹⁶⁶ [State aid: Commission approves German umbrella scheme \(europa.eu\)](#)

¹⁶⁷ [State aid: Commission approves €836 million Polish scheme \(europa.eu\)](#)

¹⁶⁸ [European Commission and EIB Group sign InvestEU agreements \(europa.eu\)](#)

¹⁶⁹ [EU explores measures to shelter economy from Russia sanctions blowback – POLITICO](#)

¹⁷⁰ [Commission activates crisis measures to financially support fishery and aquaculture sectors](#)

¹⁷¹ [EUR-Lex - 32022D0500 - EN - EUR-Lex \(europa.eu\)](#)

- In order to ensure effective enforcement of sanctions, the EU established the **EU Sanctions Whistle-blower Tool**.¹⁷² Whistle-blowers can **anonymously report past, ongoing or planned sanctions violations** and attempts to **circumvent** EU sanctions.
- An international task force became operational and it is named as **Russian Elites, Proxies, and Oligarchs ("REPO") Task Force**. The objective of the task force is to identify the assets of key Russian elites and their proxies and to act against their enablers and facilitators.¹⁷³
- At the EU-level, there is a separate **"Freeze and Seize" Task Force** headed by Commissioner Reynders, which coordinates the sanctions enforcement activities at the national level.¹⁷⁴

The Freeze and Seize Task Force has been meeting regularly to ensure coordination between Member States.

- They informed about **frozen assets worth €29.5 billion**, including assets such as boats, helicopters, real estate and artwork (worth almost €6.7 billion).
- In addition, **about €196 billion of transactions** have reportedly been blocked.¹⁷⁵

On 11 April 2022, Europol, Eurojust, Frontex and EU Member States **initiated a joint operation called Operation "Oscar"** to investigate criminal assets owned by persons sanctioned in relation to the Russian invasion of Ukraine. The Operation will also target circumvention efforts against the EU sanctions.¹⁷⁶

- On 25 May, in the context of the Freeze and Seize Task Force, the Commission submit a proposal for a **Directive on asset recovery and confiscation**.¹⁷⁷ The proposal put forward by the Commission aims to **modernise EU asset recovery rules**. Consequently, the proposed directive should:
 - **Extend the mandate of Asset Recovery Offices** to identify assets of individuals and entities subject to EU sanctions. These powers will also apply to criminal assets, including by urgently freezing property when there is a risk that assets could disappear ;
 - **Expand the possibilities for assets forfeiture from a wider range of crimes ;**
 - **Establishing Asset Management Offices in all EU Member States** to ensure that frozen property does not lose value, (depreciable or costly to maintain).¹⁷⁸
- Regarding the use of **crypto assets** for the circumvention from sanctions, the Commission clarified that **(i)** crypto assets are included in the definition of transferable securities, **(ii)** when they are converted into fiat currency, they are subject to anti-money laundering rules, and **(iii)** after being identified, it is easier to track crypto transactions.¹⁷⁹ Additionally, provision of **crypto-asset wallet, account or custody services** to Russian nationals are prohibited (see *supra*). National authorities

¹⁷² [EU sanctions - frontpage \(integrityline.com\)](https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_1776)

¹⁷³ [Task Force Ministerial Joint Statement \(europa.eu\)](https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_1776)

¹⁷⁴ https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_1776

¹⁷⁵ [Freeze and Seize Task Force' with U.S. and Ukrainians \(europa.eu\)](https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_1776)

¹⁷⁶ [EU-wide operation targeting criminal assets in relation to the Russian invasion of Ukraine | Europol \(europa.eu\)](https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_1776)

¹⁷⁷ [The Commission proposes rules on freezing and confiscating assets of oligarchs violating restrictive measures and of criminals \(europa.eu\)](https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_1776)

¹⁷⁸ [The Commission proposes rules on freezing and confiscating assets of oligarchs violating restrictive measures and of criminals \(europa.eu\)](https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_1776)

¹⁷⁹ https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_1776

should inform other member states and the Commission concerning detected breaches of the sanctions through crypto assets.¹⁸⁰

- As part of the 6th package of sanctions, the Council clarified and strengthened the provisions on national penalties for the breach of the measures by introducing the obligation to take appropriate criminal penalties to ensure that all the measures are effective and to "provide for appropriate measures of confiscation of the proceeds of infringements"¹⁸¹.

4.2 PROPOSAL FOR A COMMON STANDARD ON CRIMINAL OFFENCES FOR THE VIOLATION OF EU RESTRICTIVE MEASURES

- In the framework of the sixth sanctions package, the Commission proposed to strengthen the penalties for the violation of EU restrictive measures.

On 25 May 2022, the EU Commission proposed, **through the amendment of Article 83 of the TFEU** in order to **add the "violation of EU restrictive measures" to the list of EU serious crimes** "with a cross-border dimension" which currently includes terrorism or money laundering. The purpose is to allow to set a **common basic standard on criminal offences and penalties** across the EU. The violation of EU restrictive measures is a criminal offence in only 12 Member States, such as France and in 13 others, the violation can amount to an administrative or a criminal offence. According to the Commission, a common set of rules would make it easier to investigate, prosecute and punish violations of restrictive measures in all Member States.

Accompanying the amendment of Article 83 of the TFEU, the Commission plans on submitting a draft **directive** to the Council and the Parliament. The directive aims to **set minimum rules for enforcing criminal liability**. The Directive should include provisions on a common framework on penalties, on aggravating and mitigating circumstances but also on precise definitions of various criminal offences related to EU restrictive measures violations, such as:

- engaging in actions or activities that seek to directly or indirectly **circumvent** the restrictive measures, including by concealing assets ;
- **failing to freeze funds** belonging to, held or controlled by a designated person/entity ; or
- **engaging in trade**, such as importing or exporting goods covered by trade bans.¹⁸²

4.3 ENFORCEMENT ACTIONS BY MEMBER STATES

Member States are also developing their sanctions enforcement capabilities. Some States have outlined plans to strengthen their respective implementation and enforcement of EU sanctions.

- For instance, in March 2022, **Germany** set up a task force to enforce sanctions such as the seizure of yachts, private jets and houses.¹⁸³

¹⁸⁰ [Council Regulation \(EU\) 2022/576 of 8 April 2022 amending Regulation \(EU\) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#), Additional Article 6(1)(d).

¹⁸¹ [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](#)

¹⁸² [Communication from the Commission to the European Parliament and the Council Towards a Directive on criminal penalties for the violation of Union restrictive measures](#)

¹⁸³ [Berlin to create task force to enact Russia sanctions — report | News | DW | 12.03.2022](#)

Going further, on 10 May, the Germany's ruling coalition presented to the Bundestag a **draft Sanctions Enforcement Act**. The proposal seeks to enable authorities to play a more active role in identifying and freezing property tied to sanctioned parties. The Germany's federal financial intelligence unit (FIU) would also gain authority by enabling, for example, the FIU to participate in these investigations or to conduct their own related inquiries. Moreover, the proposal would require the targeted individuals and entities to disclose any assets that they hold in Germany to the Bundesbank.

The establishment of a national database of assets tied to targeted individuals and the creation of a new agency for whistle-blowers to flag attempts to evade sanctions in Germany, is also proposed.¹⁸⁴

- In **Netherlands**, in April, the Government set up a task force responsible for promoting active detection and enforcement of sanctions. Notably, the task force seeks to improve the monitoring and enforcement of sanctions in areas where this is not yet regulated and to coordinate and introduce a stronger legal basis to allow domestic authorities to collect and exchange data on individuals and companies in the context of sanctions enforcement.¹⁸⁵
- Moreover, the French Ministry of Economy implemented a task force, composed of Tracfin - an investigation service placed under the authority of the Ministry of the Economy - the Public Finance Department and the Customs Department, to identify assets and freeze them. The French DG Trésor maintains a **publicly-available list of frozen real estates** in France.¹⁸⁶

5. DEVELOPMENTS IN OTHER JURISDICTIONS

- **The following countries** have also been adopting broad sanctions against Russia:
 - **UK:** please refer to the UK-specific Client Alert available on Gide.com for details on the UK sanctions.
 - **US:** The US **banned the import of Russian oil, LNG, and coal** as well as investments in Russia's energy sector.¹⁸⁷ It also prohibited the Russian Central Bank and Finance Ministry from making **transactions in USD** and imposed export controls on dual use goods.¹⁸⁸

On 24 March, the US announced further sanctions on Russian defence entities and Duma members.¹⁸⁹

On 4 April, the US prevented the Russian Government to use the reserves it held at US Banks to pay holders of its sovereign debt. The US had been previously authorizing the use of these funds on a case-by-case basis.

With this new restriction, Russia should either use its limited foreign reserves not frozen by the US or risk defaulting on its sovereign debt.¹⁹⁰

¹⁸⁴ [Germany, Netherlands Prioritize Sanctions Enforcement \(moneylaundering.com\)](https://moneylaundering.com/news/germany-netherlands-prioritize-sanctions-enforcement)

¹⁸⁵ [Stef Blok appointed National Coordinator for Sanctions Compliance and Enforcement \(government.nl\)](https://government.nl/en/news/2022/04/14/stef-blok-appointed-national-coordinator-for-sanctions-compliance-and-enforcement)

¹⁸⁶ [Liste des biens immobiliers faisant l'objet d'un gel en application du règlement \(UE\) 269/2014 modifié | Direction générale du Trésor \(economie.gouv.fr\)](https://economie.gouv.fr/fr/actualites/2022/04/14/liste-des-biens-immobiliers-faisant-lobjet-dun-gel-en-application-du-reglement-ue-269-2014-modifie)

¹⁸⁷ [FACT SHEET: United States Bans Imports of Russian Oil, Liquefied Natural Gas, and Coal | The White House](https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/24/)

¹⁸⁸ [Treasury Prohibits Transactions with Central Bank of Russia and Imposes Sanctions on Key Sources of Russia's Wealth | U.S. Department of the Treasury](https://www.treasury.gov/press-releases/Pages/pr20220404)

¹⁸⁹ [U.S. Treasury Sanctions Russia's Defense-Industrial Base, the Russian Duma and Its Members, and Sberbank CEO | U.S. Department of the Treasury](https://www.treasury.gov/press-releases/Pages/pr20220404)

¹⁹⁰ [U.S. stops Russian bond payments, raising risk of default | Reuters](https://www.reuters.com/markets/bonds/us-stops-russian-bond-payments-raising-risk-of-default-2022-04-14/)

In the case of a default, there is limited options for bondholders to enforce the obligations of Russia under its sovereign bonds. Even if a court in a competent jurisdiction rules against Russia, confiscation of the assets of a sovereign is difficult and protracted process.¹⁹¹ After S&P placed Russia in selective default, Russian Minister of Finance announced that they will go to court, without specifying the forum.¹⁹²

On 6 April, the US announced new sanctions against Russia, including full blocking sanctions against, among others, Sberbank, Alfa Bank and adult children of Vladimir Putin, prohibition of new investments in Russia by US persons as well as certain services, and prohibition on making debt payments with funds subject to US jurisdiction.¹⁹³

The US Treasury and State Departments announced on 8 May the identification of accounting, trust and corporate formation, and management consulting as categories of services that are subject to a prohibition on the export, re-export, sale, or supply, directly or indirectly, by a U.S. person, wherever located, to any person located in Russia. The US also imposes financial sanctions and visa restrictions on Russian bank executives and other individuals, defense companies, and state-owned television stations.¹⁹⁴

The US Treasury started to block Russia from paying American bondholders by letting an exceptions license expire on 25 May 2022, which is expected to result in defaults of the Russian debtors.¹⁹⁵

- **Canada: revoked the most-favoured nation (MFN) status** of Russia and Belarus under WTO law.¹⁹⁶ It also imposed sanctions (including asset freezes) on a list of individual persons and entities.¹⁹⁷

It has restricted Canadians' access to Russian financial services and energy markets, and restricted the export of goods and services used for oil exploration¹⁹⁸ and defence.¹⁹⁹ It also banned imports of Russian petroleum.²⁰⁰

After the G7 meeting on 24 March, Canada imposed **additional export control** rules against Russia.²⁰¹

- **Switzerland:** continues to **closely follow the EU** in its imposition of sanctions. Previously, it had restricted trade with Russian-occupied Ukrainian territories.²⁰² On 4 March, the Federal Council adopted the EU sanction packages. This included prohibitions on dual-use, oil refining and military exports, as well as financial services restrictions.²⁰³

Swiss authorities also fully replicated the EU Council's list of persons subject to asset freezes and entry restrictions²⁰⁴ and adopted the EU measures against Belarus in full.²⁰⁵

¹⁹¹ [Litigating a Russian Bond Default - Transnational Litigation Blog \(tlblog.org\)](https://tlblog.org/)

¹⁹² [Russia threatens to take legal action if it defaults on its debt | Les Echos](#)

¹⁹³ [FACT SHEET: United States, G7 and EU Impose Severe and Immediate Costs on Russia | The White House](#)

¹⁹⁴ [U.S. Treasury Takes Sweeping Action Against Russia's War Efforts \(home.treasury.gov\)](#)

¹⁹⁵ [Notice on Russian Harmful Foreign Activities Sanctions General License 9C \(home.treasury.gov\)](#)

¹⁹⁶ [Canada revokes Russia and Belarus's Most Favoured Nation status as trade partners | CBC.ca](#)

¹⁹⁷ [Consolidated Canadian Autonomous Sanctions List \(international.gc.ca\)](#)

¹⁹⁸ [Canadian Sanctions Related to Russia \(international.gc.ca\)](#)

¹⁹⁹ [Canada Sanctions Abramovich, Bars Defense Trade With 32 Russian Firms, Entities | World News | US News](#)

²⁰⁰ [Regulations Amending the Special Economic Measures \(Russia\) Regulations \(international.gc.ca\)](#)

²⁰¹ [Regulations Amending the Special Economic Measures \(Russia\) Regulations \(international.gc.ca\)](#)

²⁰² [Switzerland adopts EU sanctions against Russia \(admin.ch\)](#)

²⁰³ [Measures related to the situation in Ukraine \(admin.ch\)](#)

²⁰⁴ [Violations of international law in Ukraine: further individuals sanctioned \(admin.ch\)](#)

²⁰⁵ [Ukraine: Federal Council tightens sanctions against Belarus \(admin.ch\)](#)

On 18 March, the Swiss Federal Council further adopted the EU's fourth package of sanctions²⁰⁶, and in April 2022, Switzerland adopted new sanctions in line with the EU's fifth package, for example, a ban on imports of coal and certain fossil fuels as well as imports of industrial goods.²⁰⁷

- **Japan**²⁰⁸, **Australia**²⁰⁹, **New Zealand**²¹⁰, **South Korea**²¹¹, and **Singapore**²¹² are imposing sanctions in line with measures adopted by the EU, the UK and the US.
- Whereas it was reported that Serbia would begin to align itself with EU sanctions,²¹³ its position remains unclear. The press reported that, on 29 May, Serbia's president announced that he has secured an "favourable" natural gas deal with Russia during a telephone conversation with Vladimir Putin, which puts any alignment with EU sanctions in doubt.²¹⁴
- The **International Bank of Settlements** has suspended Russia.²¹⁵
- **Poland**: please refer to the UK-specific Client Alert available on Gide.com for details on the UK sanctions.
- Cayman Island is reported to freeze assets worth US\$7.3 billion under the Russia sanctions enforcement.²¹⁶

6. RUSSIAN COUNTERSANCTIONS

Since the onset of its invasion of Ukraine, Russia took several measures to resist the impact of international sanctions, and occasionally, to insert economic damage against sanction implementing countries:

- **Capital markets and finance**
 - Authorities required the **exporters** of commodities, including gas and oil, to **convert 80%** of their **foreign currency** revenue to **roubles**, which may cause problems for these exporter when importing equipment and technologies.²¹⁷
 - The Government **banned** Russian **residents** from **lending foreigners in foreign currency**, **crediting** foreign currency in their deposit accounts located outside the territory of Russia, and making **money transfers** without opening a bank account by using electronic means of payment services provided by foreigners.²¹⁸
 - The government **prohibited** from 2 March 2022, the **export** from the **Russian** Federation of cash **foreign currency** and (or) **monetary instruments in foreign currency** in an **amount exceeding**

²⁰⁶ [Ukraine: Adoption of further EU sanctions against Russia \(admin.ch\)](#) and [Ukraine: Implementation of further EU sanctions \(admin.ch\)](#)

²⁰⁷ [Ukraine: Further EU sanctions against Russia implemented \(admin.ch\)](#)

²⁰⁸ [Japan joins sanctions on Russian central bank, says 'Japan is with Ukraine' | Euronews](#)

²⁰⁹ [Economic Measures Against Russia And Lethal Military Equipment For Ukraine | Prime Minister of Australia](#)

²¹⁰ [NZ allows for significant expansion of sanctions on Russia | Beehive.govt.nz](#)

²¹¹ [READOUT: Deputy Secretary of the Treasury Wally Adeyemo's Meeting with Korea First Vice Minister of Economy and Finance Eog-weon Lee | U.S. Department of the Treasury](#)

²¹² [In rare stand, South Korea, Singapore unveil sanctions on Russia | Russia-Ukraine crisis News | Al Jazeera](#)

²¹³ [Serbia to slowly align with restrictive EU measures on Russia, says analyst – EURACTIV.com](#)

²¹⁴ [Despite EU sanctions, Serbian president secures gas deal with Putin \(euronews.com\)](#)

²¹⁵ [Russia Suspended From Bank for International Settlements \(wsj.com\)](#)

²¹⁶ [Sanctions: Cayman Islands Freezes US\\$7.3 billion in Russian Assets | i-AML Israel Anti-Money Laundering](#)

²¹⁷ [Russia's Central Bank takes urgent steps to halt sanction panic | Upstream Online](#) and [Указ о применении специальных экономических мер в связи с недружественными действиями США и примкнувших к ним иностранных государств и международных организаций • Президент России \(googleusercontent.com\)](#)

²¹⁸ [Executive Order on the Application of Special Economic Measures in Connection with Unfriendly Actions of the United States and Foreign States and International Organisations That Have Joined Them • President of Russia \(googleusercontent.com\)](#)

the equivalent of **10 thousand USD** and calculated at the official rate of the Central Bank of the Russian Federation established on the date of export.²¹⁹

- The government established a **special mechanism** for the Russian Federation, public bodies, and residents to **fulfil** their **obligations** under **loans** from **foreign creditors** who are **connected** to **foreign states that commit unfriendly acts against Russia**, including the EU.

In order to fulfil the debt, a **special bank account of type “C” in roubles** is opened for **creditors**. Creditors can use the funds in their C accounts in a manner determined by the Russian Central Bank.²²⁰

Type C account provides for the possibility to make **transactions with securities recorded in C-type accounts, tax payments, and transfers between C-type accounts**.²²¹

- Russian Central Bank held that **until 9 September** customers can only **withdraw** up to **10 thousand US dollars in cash and the remaining funds in roubles at the market exchange rate as of the date of a withdrawal**.

Withdrawals are made in **USD regardless** of the currency of **accounts**. People may continue to hold funds in foreign currency accounts or deposits and open new foreign currency accounts. During this period **banks will not sell foreign currency cash to citizens**.²²²

- Some tourism agencies in Russia are organizing short trips to ex-Soviet countries so that Russian nationals can apply for Visa or Mastercard and buy foreign currencies and gold.²²³
- In order to alleviate the negative effect of sanctions to a certain extent, Russia is calling out BRICS Group to use national currencies in trade, to integrate payment systems and cards, and to establish an independent financial messaging system and rating agency.²²⁴

- **Export restrictions:**

- Director of Russian space agency announced that the agency will not ship **rocket engines** to the US and maintaining the 24 engines that are currently owned by the country, and it halt scientific experiments on the **International Space Station**.²²⁵
- A **ban/restriction on export** outside the territory of the Russian Federation of certain **products** including **more than 200 items of goods** in total, such as railway cars and locomotives, containers, turbines, machines for processing metal and stone, monitors, projectors, consoles and panels. The export of these goods is banned until the **end of 2022 to all countries** save the Eurasian Economic Union members, Abkhazia and South Ossetia.²²⁶

For the list of items subject to export restriction please refer to **Resolution No. 311**, **Resolution No. 312** and **Resolution No. 313**.

²¹⁹ [Executive Order on Additional Temporary Economic Measures to Ensure Russia's Financial Stability • President of Russia \(kremlin.ru\)](#)

²²⁰ [Executive Order on the Temporary Procedure for Fulfilling Obligations to Certain Foreign Creditors • President of Russia \(kremlin.ru\)](#)

²²¹ [Bank of Russia clarifies rules for Russian issuers' external debt repayments | Bank of Russia \(cbr.ru\)](#)

²²² [Bank of Russia establishes temporary procedure for foreign cash transactions | Bank of Russia \(cbr.ru\)](#)

²²³ [Comment les Russes contournent les sanctions grâce aux banques des ex-républiques soviétiques | Les Echos](#)

²²⁴ [Russia calls for integrating BRICS payment systems \(arabnews.com\)](#)

²²⁵ [Russia's space agency hits back at US — RT Russia & Former Soviet Union](#)

²²⁶ <http://government.ru/news/44762/>

The list mostly **include manufactured goods**, and it **excludes raw materials** which form a lifeline for Russian economy as it is one of the top producers of iron, steel, aluminium, nickel and palladium.²²⁷

- In addition, **exports of timber** are **banned** to those countries listed as "**unfriendly States**", which includes the EU countries.²²⁸
- Russia also imposed a **temporary ban on the export of grains** to the countries of the Eurasian Economic Union and the **export of white sugar and raw cane sugar** to third countries.²²⁹

In the meantime, Russian government is giving **permits for the import of food products from other destinations**, such as Turkey, India, China, Belarus, Azerbaijan, Kyrgyzstan, and Kazakhstan.²³⁰

Further developments can be expected in the (near) future and will be included in upcoming updates of this document.

- Though unconfirmed thus far, there are reports of **Russian customs barring imports** of EU from entrance into the Russian Federation. It is recalled that, in 2014, Russian counter-sanctions included a restrictions on imports of European foodstuffs and agricultural products.
- Russia extended its **export ban on ammonium nitrate** until 1 May 2022. The ban was in place since 1 February.²³¹
- On 31 March 2022, President Putin signed a Decree requiring **payments for Russian gas** to be in **roubles** starting 1 April. The new measure still allows a mechanism to pay for Russian gas in **foreign currency**, thereby reducing the threat of a gas shutdown.²³² However, it is reported that the EU Commission considers the mechanism allowing payments in foreign currency in potential violation of sanctions against the Russian government, its central bank and Gazprom.²³³
- Dmitry Medvedev, former president and current deputy secretary of Russia's security council, announced that Russia **may limit its export of agricultural products, including wheat** to friendly nations and conduct these transactions in **roubles** and corresponding national currency.²³⁴

This remark was followed by Putin's statement that the government is **monitoring food exports to hostile countries**.²³⁵

- EU Foreign Minister Josep Borrell stated that the Russian military is targeting Ukrainian bulk carriers of wheat and wheat stocks.²³⁶
- On 11 May 2022, the Russian government **imposed sanctions on 31 entities**. This list includes Polish pipeline owner EuRoPol Gaz, Gazprom Germania and the Gazprom subsidiaries in Austria, Belgium, Bulgaria, Czechia, France, Germany, Italy, Hungary, Poland, Romania, Slovakia, Switzerland, UK, as well as the US and Singapore.

²²⁷ [Russia bans export of over 200 products but leaves energy and metals | Fortune](https://fortune.com/2022/03/31/russia-bans-export-of-over-200-products-but-leaves-energy-and-metals/)

²²⁸ https://edition.cnn.com/europe/live-news/ukraine-russia-putin-news-03-10-22/h_11095a35610c1cf7b9a436e5d1270a31.

²²⁹ <http://government.ru/docs/44807/>

²³⁰ <http://government.ru/news/44804/>

²³¹ [Russia Extends Ammonium Nitrate Export Suspension | 29.03.2022 \(seanews.ru\)](https://seanews.ru/29.03.2022/Russia-Extends-Ammonium-Nitrate-Export-Suspension/)

²³² [Putin signs order demanding gas payments in roubles from Friday | Russia | The Guardian](https://www.theguardian.com/world/2022/mar/31/putin-signs-order-demanding-gas-payments-in-roubles-from-friday)

²³³ [War in Ukraine: EU Warns Putin's Rubles-for-Gas Demand Would Breach Sanctions - Bloomberg](https://www.bloomberg.com/news/articles/2022/03/31/putin-signs-order-demanding-gas-payments-in-roubles-from-friday)

²³⁴ [Putin ally warns agriculture supplies could be limited to 'friends' | Reuters](https://www.reuters.com/world/europe/putin-ally-warns-agriculture-supplies-could-be-limited-to-friends-2022-03-31/)

²³⁵ [Putin Says Russia Will 'Monitor' Food Exports to 'Hostile' Countries - The Moscow Times](https://www.themoscowtimes.com/2022/03/31/putin-says-russia-will-monitor-food-exports-to-hostile-countries/a6984444-3103-4b4a-b000-000119000000)

²³⁶ [Ukrainian wheat stocks targeted by Moscow | Journal of the Merchant Navy \(journalmarinemarchande.eu\)](https://www.journalmarinemarchande.eu/ukrainian-wheat-stocks-targeted-by-moscow/)

- The sanctions were adopted on the basis of a Decree signed by the Russian president on 3 May, providing that **no Russian entity would be allowed to make deals** with those on the sanctions list, or even fulfil its obligations under existing deals. The Decree explicitly **forbids the export of products and raw materials** to people and entities on the list.²³⁷ **Closing of Russian airspace to EU and UK air carriers:** Russia closed its airspace to airlines in the UK, Latvia, Lithuania, Estonia and Slovenia.²³⁸
- It is also reported that Russian government decided that **intellectual property rights should not be paid to patent holders from unfriendly countries**, including 27 EU Member States.²³⁹

On 6 April 2022, the Russian government allowed import of certain goods without the agreement of the intellectual property owner. Accordingly, civil liability is waived in cases where products are imported by importers bypassing official distribution channels. However, the Ministry insists that this is not an authorization for the import of counterfeits.²⁴⁰

- It is further reported that since 2 March 2022, restrictions have been adopted by the Russian government for **real estate transactions** involving persons and/or entities from "unfriendly States", and for which prior approval would be required.

This measure would limit possible exiting from Russia of foreign economic players.²⁴¹

- The government **allowed certain companies not to disclose otherwise required information** if the disclosure will lead to the introduction of restrictive measures in relation to the issuer or other persons.²⁴²

It is also planning to **increase the minimum threshold for the number of shares** the shareholders need **to request joint-stock companies' documents, and challenge actions of the company and its management**.

Specifically for financial institutions, the Central Bank of Russia will determine a list of information that cannot be publicly available.²⁴³

- Russian government is also taking measures to **seize remaining foreign assets in Russia**. Russian Prime Minister Mikhail Mishustin said that the government has drafted a legislation to **transfer the control of businesses**, which are controlled by a foreigner, **to an external administration** in Russia.

According to reports, seized assets are planned to be auctioned off instead of being nationalized.²⁴⁴ The draft law was approved by Russian Lawmakers in first reading on 24 May 2022.²⁴⁵

- A legislation is adopted to allow **Russian airlines to register planes leased from foreigners as the airlines' property**.²⁴⁶ Bermuda and Ireland, where most of the leased planes in Russia are registered, suspended their certificate of airworthiness.

In response, Russia passed a measure that allows **registration and certification of safety of leased planes in Russia**.²⁴⁷

²³⁷ [Russia puts sanctions on Gazprom subsidiaries in Europe - \(euractiv.com\)](#)

²³⁸ [Russia closes airspace to planes from several EU countries | Euronews](#)

²³⁹ [Russia legalises intellectual property piracy – EURACTIV.com](#)

²⁴⁰ [Moscow Allows Sanction-Busting Imports - The Moscow Times](#)

²⁴¹ [Russian countermeasures getting more comprehensive - Noerr](#)

²⁴² <http://government.ru/docs/44798/>

²⁴³ <http://government.ru/news/44756/>

²⁴⁴ [Putin seeking 'legal solutions' to seize assets of Western companies exiting Russia | Fortune](#)

²⁴⁵ [Russian lawmakers give initial approval to bill allowing foreign asset takeover | Reuters](#)

²⁴⁶ [Documents - Government of Russia](#)

²⁴⁷ [Putin changes law on leased jets to keep them flying - BBC News \(amproject.org\)](#)

- Russian government announced that it is preparing a retaliatory measure against the **admission of the ships of unfriendly countries to the Russian ports**.²⁴⁸
- It is reported that on 15 March, Russia imposed **sanctions** against several American officials, including **President Biden**, Secretary of State Antony Blinken and Hillary Clinton, as well as Biden's son Hunter Biden.

On 21 May 2022, the Russian Foreign Ministry released a **list of 963 American citizens who are banned to come to Russia**.²⁴⁹

- Russia also banned **Canadian Prime Minister** and other Canadian officials from entering the country.²⁵⁰ It is not clear whether these measures will be followed by sanctions against EU officials. Russia reportedly prohibited Russian **insurers** from completing transactions with insurers, reinsurers and broker firms in unfriendly states, which also cover transfer of funds under existing contracts.²⁵¹
- It is reported that Russia requested Brazil's support in multinational fora, such as the IMF, the World Bank and the G20 group, with fears that it might be expelled from decision-making mechanism.²⁵²
- On 16 April, Russian government obliged Russian companies to remove their listings from overseas stock exchanges.²⁵³
- It has been reported by a Russian press agency that the political party "United Russia" presented a Bill to the State Duma deputies seeking to modify a provision in the Criminal code, with the introduction of new aggravating circumstance: "enforcement of a decision of a foreign state, an alliance of foreign states or an international organization on the introduction of restrictive measures against the Russian Federation".
 - The penalties are proposed to be up to 1 million roubles and up to 10 years of imprisonment in case of implementation of foreign sanctions.²⁵⁴

7. PRIVATE ACTIONS WITH IMPACT ON BUSINESSES

Several private actors have taken independent action, beyond and aside from legal obligations. By for 25 March over **450 companies has already announced their withdrawal from Russia**.²⁵⁵ Below we provide, a non-exhaustive list of, examples of actions taken by private actors in response to the adoption of sanctions:

- **Divestment of Pension and Sovereign Funds from Russian Assets:** the **Swiss Federal Pension Fund PUBLICA** has resolved not to purchase any further Russian securities and divest its existing holdings, both in compliance with EU sanctions and as a responsible investment practice.²⁵⁶
- **Logistics:** **Boeing** announced that it will suspend parts, maintenance and technical support for Russian airlines²⁵⁷; **Maersk**, **FedEx**, **UPS**, and **DHL** have stopped sending shipments to Russia²⁵⁸.

²⁴⁸ <http://government.ru/docs/44897/>

²⁴⁹ Russian Foreign Ministry publishes list of 963 US citizens barred from entering Russia (tass.com)

²⁵⁰ [Russia issues sanctions against Biden and a long list of US officials and political figures - CNNPolitics](#)

²⁵¹ [Russian government bans majority of foreign re/insurance transactions :: Insurance Day \(informa.com\)](#)

²⁵² [Russia asks Brazil to help keep sway at IMF, World Bank | Reuters](#)

²⁵³ [Putin Signs Decree to Remove Russian Stocks From Overseas Exchanges \(businessinsider.com\)](#)

²⁵⁴ [United Russia asks the Duma to expedite the adoption of a draft on responsibility for the implementation of sanctions \(tass.ru\)](#)

²⁵⁵ [Over 300 Companies Have Withdrawn from Russia—But Some Remain | Yale School of Management](#)

²⁵⁶ [PUBLICA excludes Russia from its market portfolio \(admin.ch\)](#)

²⁵⁷ [Boeing, Airbus suspend parts for Russia - Airport Technology \(airport-technology.com\)](#)

²⁵⁸ [Nike stops selling shoes online in Russia because it can't find anyone to deliver them \(yahoo.com\)](#)

- **Russian banks crippled under sanctions:** the **Single Resolution Board** determined on 27 February that **Sberbank Europe AG** in Austria and its subsidiaries in Croatia (Sberbank d.d.) and Slovenia (Sberbank banka d.d.) were failing or likely to fail due to a rapid deterioration in their liquidity situation, and it decided to transfer all shares of the group's Croatian subsidiary Sberbank d.d. to Hrvatska Poštanska Banka d.d. (Croatian Postbank) and all shares of the group's Slovenian subsidiary Sberbank banka d.d. to Nova ljubljanska banka d.d. (NLB d.d.).²⁵⁹
 - **Financial services:** **Apple Pay** and other services have been limited²⁶⁰; **Visa**, **Mastercard** and **American Express** said they were blocking Russian banks from their payment networks following international sanctions.²⁶¹; and the **World Bank** Group stopped all its programs in Russia and Belarus.²⁶² In addition, it announced a large package of financing in support to Ukraine.²⁶³
 - **Energy:** **Exxon Mobil**²⁶⁴, **Shell**²⁶⁵ and **BP**²⁶⁶ announced that they are winding down their operations and exiting investments and joint ventures; and it is reported in the news that **Nord Stream 2 company** based in Switzerland filed for insolvency.²⁶⁷
 - **Software:** Software giants **Oracle**²⁶⁸ and **SAP**²⁶⁹ suspend operations in Russia; **Sabre Corp.**, which provides ticket distribution and reservation services for air carriers, announced that it terminated its distribution agreement with Russia's Aeroflot, which may impact the latter's ability to sell seats.²⁷⁰ As a result, Aeroflot tickets will not show up on online travel agencies or other third-party sites.
 - **Others:** **Apple**²⁷¹, **IKEA**²⁷², and **Nike**²⁷³ stopped selling their products in Russia. **McDonald's** suspended its operations.²⁷⁴
 - **Over-compliance:** There are concerns that different sanctions programs instituted by different jurisdictions may cause a "chilling effect" on financial institutions to execute cross-border payments and provide trade finance.²⁷⁵
- Case in point, **Société Générale SA** and **Credit Suisse AG** are reported to have stopped the financing of commodities trading from Russia over the concerns that future sanctions may include energy. Similarly, **ING Groep NV** decided not to do any new business with any Russian companies.
- Nevertheless, it is noted that many companies having announced the termination of their operations in Russia seem to instead **spin-off** their Russian activities, which would allow them continuing to operate in Russia and not lose their positions in a strategic market (market share that would otherwise fall, for two cents on the dollar, in other hands) without bearing the burden of potentially high reputational damage.

²⁵⁹ [Sberbank Europe AG: Croatian and Slovenian subsidiaries resume operations after being sold while no resolution action is required for Austrian parent company | Single Resolution Board \(europa.eu\)](#)

²⁶⁰ [Apple joins other global giants in Russia exit – POLITICO](#)

²⁶¹ [Visa, Mastercard, Amex Block Russian Banks After Sanctions - The Moscow Times](#)

²⁶² [World Bank Group Statement on Russia and Belarus](#)

²⁶³ [Russia Ukraine conflict: World Bank stops all projects in Russia, Belarus with 'immediate effect' - The Economic Times \(indiatimes.com\)](#)

²⁶⁴ <https://www.politico.com/news/2022/03/01/exxon-russia-ukraine-energy-00013003>

²⁶⁵ <https://www.shell.com/media/news-and-media-releases/2022/shell-intends-to-exit-equity-partnerships-held-with-gazprom-entities.html>

²⁶⁶ https://www.bp.com/en/global/corporate/news-and-insights/press-releases/bp-to-exit-rosneft-shareholding.html?utm_source=C%26A%7Cexternal%7Cbp.com%20news&utm_medium=email&utm_campaign=13028613_27%20Feb&dm_i=1PGC.7R8XX.PJ4FCC.VMMP3.1

²⁶⁷ [Nord Stream 2 files for bankruptcy, fires employees – EURACTIV.com](#)

²⁶⁸ [Oracle sur Twitter : "@FedorovMykhailo @SAP On behalf of Oracle's 150,000 employees around the world and in support of both the elected government of Ukraine and for the people of Ukraine, Oracle Corporation has already suspended all operations in the Russian Federation." / Twitter](#)

²⁶⁹ [Standing in Solidarity with Ukraine | SAP News Center](#)

²⁷⁰ [Airline software giant ends service with Russia's Aeroflot \(cnbc.com\)](#)

²⁷¹ [Apple joins other global giants in Russia exit – POLITICO](#)

²⁷² [IKEA pauses operations in Russia and Belarus](#)

²⁷³ [Nike stops selling shoes online in Russia because it can't find anyone to deliver them \(yahoo.com\)](#)

²⁷⁴ [McDonald's To Temporarily Close Restaurants & Pause Operations in Russia \(mcdonalds.com\)](#)

²⁷⁵ [Sanctions against Russia may prompt Iran-style de-risking by banks | S&P Global Market Intelligence \(spglobal.com\)](#)

Of note in this regard is the **Commission's response** to the question whether Russian subsidiaries of EU parent companies are bound to comply with the EU sanctions (Regulation 883/2014 in particular). To this, the Commission reiterated the position that while *"EU sanctions must be complied with by all EU persons – both natural and legal – and therefore by all EU incorporated companies, including subsidiaries of Russian companies in the EU. Russian branches of EU companies remain EU persons, and thus bound by the Regulation."*, *"Russian subsidiaries of EU parent companies are incorporated under Russian law, not under the law of a Member State, hence they are not bound by the measures"*.²⁷⁶

Critically, however, the Commission stressed that *"it is prohibited for EU parent companies to use their Russian subsidiaries to **circumvent** the obligations that apply to the EU parent, for instance by delegating to them decisions which run counter the sanctions, or by approving such decisions by the Russian subsidiary"*.²⁷⁷

Caution is thus warranted in the spin-off of Russian activities of European companies and, depending on the operation of the Russian entity and its ties with the European Group, such activities might be scrutinised by the national competent authorities in charge of sanctions enforcement.

8. WHAT'S NEXT FOR COMPANIES?

The sanctions imposed against Russia and Belarus have broad implications for the business activities of EU companies in Russia and also for their international reputation.

International measures restrict the operations of the Russian central bank, Russian oligarchs, media networks, airlines, oil and gas industry, defence industry, aviation and space industry, other high-tech industries, and state-owned and private financial institutions.

8.1 RISK ASSESSMENT

- **Focus on payments and SWIFT impact**

- For EU businesses exporting to or importing from Russia, it is relevant to **identify open payment** channels.
- Even if the transaction does not involve a restricted item, or the corresponding Russian bank is not in a sanction list, **European banks** might be **very cautious** in processing payments to and from Russia or providing export/import finance.
- The exclusion of the 11 identified banks, and their majority-owned subsidiaries, from **SWIFT** creates difficulties for international payments to go through.

However, insofar as the banks are not the object of asset freeze measures, payments may still take place; though not using the SWIFT messaging system.

- **Focus on logistics**

²⁷⁶ [Frequently asked questions on general questions related matters concerning sanctions adopted following Russia's military aggression against Ukraine \(europa.eu\).](#)

²⁷⁷ [Frequently asked questions on general questions related matters concerning sanctions adopted following Russia's military aggression against Ukraine \(europa.eu\).](#)

- On top of restrictions on goods and items that may be traded and of reported actions by Russian customs, the **bans on shipping** in the UK, Russia, and others, as well as reciprocal **restrictions on flights and aircraft** render trade between the EU bloc and Russia increasingly difficult.
- In addition, due to sanctions and reputational risks, major international **logistics companies** are refraining to conduct business in Russia, which **affect** the **supply chain** of exporters and importers in the EU.
- **Focus on customs**
 - While most **border crossing points appear to remain open**, such may evolve rapidly. On the EU side, a few border crossing points are closed between Lithuania and Belarus (though reportedly for reasons independent of the present crisis). Several border crossing points in **Poland** are also reportedly closed.²⁷⁸ This includes:
 - Lithuania/Belarus border:
 - Adučiškis-Moldevičiai, Krakūnai-Geranainys, Eišiškės-Dotiškės, Rakai-Petiulevcai,
 - Norviliškės-Pickūnai, Latežeris-Pariečė
 - Poland/Russia border: Gronowo, Gołdap
 - Poland/Belarus border: Kuźnica, Połowce, Ślawatycze.²⁷⁹
 - Prohibitions on trade (import and export in various forms) in goods identified in the various applicable sanctions regulations apply to the products declared in the **customs declaration**.

The prohibition applies to the commercial object of the movement of the products (e.g. the product itself and not the packaging if such packaging is a good subject to prohibitions).²⁸⁰

- Through Notice 2022/C 87 I/01, the European Commission clarified that, given the situation in the territories in the **Luhansk and Donetsk** regions that are not under Ukrainian control, the **preferential tariffs** under the EU-Ukraine Association Agreement could not apply for imports of goods into the Union from those regions.

However, as parts of the Luhansk and Donetsk regions are still under Ukrainian control, preferential tariffs may be claimed for imports from those parts.²⁸¹ It remains to be seen, however, how this will be established in practice given the ever-moving control lines.

- It is also noted that exports of prohibited goods with final destination Russia and which originate from outside the EU, but **transit** through the Union, will fall under the sanctions prohibitions.

However, in cases of "external transit, transshipment, reshipment, re-exported from a free zone, temporary stored and directly re-exported from a temporary storage facility, introduced into the customs territory of the Union on the same vessel or aircraft that will take them out of that territory without unloading", the goods at issue are under **customs supervision** until they exit the Customs Union.

In such cases, the customs authorities will carry out a risk assessment and carry out controls where it considers warranted in light of the sanctions regulations.²⁸²

²⁷⁸ [Aggression against Ukraine - Customs related frequently asked questions \(europa.eu\)](#).

²⁷⁹ [Frequently asked questions in the context of European sanctions against Russia \(tresor.economie.gouv.fr\)](#).

²⁸⁰ [Aggression against Ukraine - Customs related frequently asked questions \(europa.eu\)](#).

²⁸¹ [Notice to importers - Imports of products into the Union under the EU-Ukraine Association Agreement from the non-government controlled areas of the Donetsk and Lugansk oblasts of Ukraine \(2022/C 87 I/01\); Aggression against Ukraine - Customs related frequently asked questions \(europa.eu\)](#).

²⁸² [Aggression against Ukraine - Customs related frequently asked questions \(europa.eu\)](#).

- Also of note is the recommendation by the Commission for holders of an authorisation for **temporary storage facilities** to request authorisation for customs warehouse for those facilities as a means of extending the 90-day time limit normally applicable for temporary storage.²⁸³
- Potential **reputational implications** for businesses is also a consideration. Several private actors have taken independent action, beyond and aside from legal obligations.
- For those businesses planning to **exit the Russian market**, there is an increased risk of getting caught by **Russian restrictions**.

It is important to closely monitor Russian sanctions and, in the case of a potential damage, to identify **alternative dispute settlement** mechanisms.

8.2 DUE DILIGENCE

- Lists of sanctioned persons and entities can continue to be **further updated** and **broadened**. The scope of permissible transactions may thus rapidly vary in light of additional designations.
- Due diligence on transactions involving exporters of **controlled items** should include compliance with **new export control rules**.
 - **Lists of controlled goods may evolve rapidly and can be (very) extensive**. Exporters of dual-use and military items should carefully review new export rules.
 - **US rules** can have significant **extraterritorial effects** which renders them relevant for exports from non-US countries to Russia and, in certain cases, exports between two countries outside of Russia (e.g. foreign direct product rule).
 - It cannot be excluded that the US sanctions evolves towards **secondary sanctions** which may involve significant operational challenges in international groups, such as isolating group operational functions like IT, accounting, e-mail and other corporate services and the monitoring of the activities of overseas subsidiaries that currently carry out these activities independently.
 - As is the case in Canada and the UK, and possibly others to follow, measures may involve **cancellation of existing export licenses**.

Exporters with previous export control experience should review the new rules to identify whether they have any implication on their licenses.

- The EU, the UK and the US came up with a comprehensive sanctions and export control mechanism which might be implemented in the context of **future international disputes**.

It is notable that China has also claims over its neighbouring territory Taiwan. Members of the US Congress have introduced the "*Detering Communist Chinese Aggression Against Taiwan Through Financial Sanctions Act*"²⁸⁴ in this regard.

- Companies with little exposure to Russia may wish to assess their exposure to other regions of the world in light of the wide-ranging sanctions adopted against Russia and integrate in their risk exposure analysis.

²⁸³ [Aggression against Ukraine - Customs related frequently asked questions \(europa.eu\)](#).

²⁸⁴ [Sen. Cramer, Colleagues Introduce Bill to Sanction Communist China in the Event of Taiwan Invasion \(senate.gov\)](#).

- It would be prudent to **reinforce internal compliance mechanisms** and inquire potential clients regarding intended end-use of products.
- Pay attention to less reported **sub-national sanctions measures**: some **states/provinces and cities** are looking at their own by-laws or other legally binding measures.

Companies dealing with such jurisdictions should **(i) liaise** with relevant authorities to determine whether sanctions are adopted/considered, **(ii)** have a **protocol** for up to date information-sharing with their operations teams and **(iii)** consider where such measures are indiscriminate or represent a business **risk** that should be addressed by setting up alternative **arrangements**.

- Many sanction and export restriction programs include **wind-down periods** to finalize restricted activities subject to the conditions listed in relevant legislations.
- Businesses facing a sanction or export restriction program are advised to be observant about the **deadlines** and to establish appropriate winding-down **strategies**.

These **may be complex operations**. Companies should note that, for example:

- EU/UK companies will have to prepare to justify not to pay close-out payments in relation to **unwinding portfolios of investments** that have the effect of providing finance to sanctioned entities, such as derivatives transactions;
- **JVs** involving affected assets (e.g. real estate, stocks and shares) may need to be **isolated** or **divested**, all of which will need time to achieve.
- Consult (updates of) **guidelines** published by your national administrations. Be aware that **export licenses** are being suspended, re-examined and **revoked**.
- Most **national administrations** are publishing (updates of) **guidance** on the sanctions and export controls adopted.

Consultation of these is also highly recommended to accompany your (re)screening of partners and (re)classification of items for export control purposes. Please note these are updated regularly, in the same way the sanctions are.

The most recent guidelines on sanctions released by EU institutions and national authorities are available in the Appendix attached at the end of this client alert.

- In this regard, the **French Finance Ministry** has set up **dedicated** support to assist companies. Relevant **contacts** as follows²⁸⁵:
 - Sanctions (Bercy) : sanctions-russie@dgtresor.gouv.fr
 - Sanctions (MEDEF/MEDEFI) : information-russie@medef.fr
 - Export controls on dual-use goods : doublusagesanctions.russie@finances.gouv.fr
 - Supplying issues : tensions-approvisionnements.russie@finances.gouv.fr
 - Cyber threats: cert-fr.cossi@ssi.gouv.fr
- The **French Customs** authorities (**DGDDI**) have released a very useful flowchart ([available here](#)) to assist companies in the decision-making process of **exports** to Russia or Belarus in light of sanctions

²⁸⁵ [Ukraine et sanctions économiques contre la Russie : des points de contacts dédiés aux entreprises affectées | Direction générale du Trésor \(economie.gouv.fr\)](#)

adopted, depending on the items involved and including the formalities to be carried out with the relevant authorities. A similar guidance from the DGDDI is available regarding **imports** from Russia or Belarus in view of the sanctions ([available here](#)).

- **Overall**, it is strongly advised to
 - (i) **review** the new sanctions adopted,
 - (ii) **(re)screen** (potential) customers and parties involved in (contemplated) transactions,
 - (iii) **(re)consider classification** of goods and other items under export control rules and (re)apply for licenses where needed,
 - (iv) stay up-to-date and **regularly review**.
- Be alert on the risk of **sanctions evasion and circumvention**: It is recalled that it is "*prohibited to participate in activities the object or effect of which is to circumvent prohibitions*" set out in the sanctions regulations.
- In line with the **EU's territorial application of sanctions**, the Commission once more recalled that legal persons incorporated in third countries are not bound to comply with EU sanctions.

Such would, for example, be the case for companies in third countries with Russian or Russia-established ultimate beneficial owners.

- Nevertheless, as part of their due diligence, EU persons and entities (those under obligation to comply with EU sanctions) must verify that these third country persons and/or entities are not being used as a **screen** for designated ultimate beneficial owners to **evade sanctions**.²⁸⁶
- In this regard, it is noted that the South, Middle East and most Asian-Pacific countries have not aligned on G7/NATO sanctions. There is some concern that entities in those jurisdictions could be used to evade sanctions. **High vigilance** should be exercised in particular with regards to those **countries that are grey- or blacklisted by the FATF**.
- Several, private sector, tools have been put into place to help with due diligence and the tracking of assets. A few helpful examples include:
 - Peterson Institute for International Economics "Realtime economic issues watch" with a detailed worldwide sanctions tracker [accessible here](#).
 - Bloomberg on the richest Russian Oligarch's assets [accessible here](#).
 - The Organized Crime and Corruption Reporting Project's ("OCCRP") "asset tracker" [accessible here](#).

These sources are merely highlighted as indicative. As always, due diligence has to be carried out on a case-by-case basis and information must be verified before using.

Gide's International Trade & Regulation Team in Brussels and London will provide further updates and guidance as matters continue to unfold.

²⁸⁶ [Sanctions adopted following Russia's military aggression against Ukraine | European Commission \(europa.eu\)](#).

Our Team will gladly assist you should you have questions or need legal assistance in ensuring compliance when dealing under the newly adopted sanctions.

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You can also find this legal update on our website in the News & Insights section: [gide.com](https://www.gide.com)

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APPENDIX: EU MEASURES PUBLISHED IN THE EU OFFICIAL JOURNAL UNTIL 3 JUNE 2022

→ **Latest Consolidated List** of persons, groups and entities subject to EU Sanctions, involving an asset freeze and the prohibition to make fund and economic resources available to them, published by the Commission: **European Union Consolidated Financial Sanctions List (updated on 03/06/22)**:

→ **For a Consolidated Version of Regulations:**

- Consolidated text: 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
- Consolidated text: Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine
- Council Regulation (EU) 2022/263 of 23 February 2022 concerning restrictive measures in response to the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and the ordering of Russian armed forces into those areas
- Consolidated text: Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine

→ **For Guidelines and Resources on the measures adopted in reaction to Russia's invasion in Ukraine:**

Recent Guidelines and Resources on sanctions

European Union

Council of the European Union: EU Sanctions against Russia explained

Commission's FAQ on sanctions adopted following Russia's military aggression against Ukraine

- General questions concerning sanctions adopted following Russia's military aggression against Ukraine
- FAQ on Circumvention and due diligence
- FAQ on Asset freeze and prohibition to provide funds or economic resources
- FAQ on credit-rating
- FAQ on crypto-assets
- FAQ on Deposits
- FAQ on banknotes
- FAQ on sale of securities
- FAQ on investment funds
- FAQ on central securities depositories
- FAQ on Trading
- FAQ on Russian Central Bank
- FAQ on Insurance and Reinsurance
- FAQ on SWIFT
- FAQ on (Re)financing

Recent Guidelines and Resources on sanctions

- [FAQ on Export-related restrictions](#)
- [FAQ Customs Related Questions](#)
- [FAQ on Luxury Goods](#)
- [FAQ on Financial assistance](#)
- [FAQ on Maritime safety](#)
- [FAQ on Technical Assistance](#)
- [FAQ on Donetsk and Luhansk oblasts](#)
- [FAQ on the Closure of EU Airspace](#)
- [FAQ on Energy sector](#)
- [FAQ on Media](#)
- [FAQ on Access to EU ports](#)
- [FAQ on Road transport](#)
- [FAQ on Humanitarian Aid](#)
- [FAQ on Intellectual Property rights](#)
- [FAQ on State-owned enterprises](#)[FAQ on Public procurement](#)

Belgium

- [FAQ Régime de Sanctions Russie-Ukraine- SPF Finances](#)

France

- [French Customs' Guide on export restrictions \(Guide des douanes relatif aux sanctions contre la Russie et la Biélorussie : mesures restrictives à l'importation\)](#)
- [Foire aux questions \(FAQ\) sur les gels d'avoirs : Mise en œuvre des sanctions en lien avec la violation par la Russie de l'intégrité territoriale de l'Ukraine.](#)
- [List of real estate subject to a freeze under Regulation \(EU\) 269/2014 as amended / Liste des biens immobiliers faisant l'objet d'un gel en application du règlement \(UE\) 269/2014 modifié](#)
- [FAQ Sectorielle - Questions transversales \(DG Trésor\)](#)
- [FAQ Sectorielle - Questions Immobilier \(DG Trésor\)](#)
- [FAQ Sectorielle - Question Finance et secteur bancaire \(DG Trésor\)](#)
- [FAQ Sectorielle - Questions exportation / importation \(DG Trésor\)](#)
- [FAQ Sectorielle - Questions aviation \(DG Trésor\)](#)
- [FAQ Sectorielle - Autres questions \(DG Trésor\)](#)

Germany

- [BAFA's Overview of the country-specific embargos \(as of 21 March 2022\)](#)
- [Questions and Answers on Sanctions against Russia \(Federal Ministry for Economic Affairs and Climate Action\)](#)

Netherlands

Recent Guidelines and Resources on sanctions	
<ul style="list-style-type: none">• <u>Q&A Ukraine / Russia: influence on business (Netherlands Enterprise Agency)</u>• <u>International sanctions Documents (Dutch)</u>	
Lithuania	
<ul style="list-style-type: none">• <u>Information Notice to Businesses on the EU Restrictive Measures Against Russia and Belarus</u>	
Luxembourg	
<ul style="list-style-type: none">• <u>FAQ regarding International Financial Sanctions - CSSF</u>	
Malta	
<ul style="list-style-type: none">• <u>Guidance Notes</u>	
Spain	
<ul style="list-style-type: none">• <u>FAQ on International Financial Sanctions - Ministry of Economic and Digital Transformation</u>• <u>Obligations of natural and legal persons in respect of international financial sanctions</u>	
Sweden	
<ul style="list-style-type: none">• <u>National Board of Trade Sweden -FAQ Sanctions against Russia</u>	
Switzerland	
<ul style="list-style-type: none">• <u>FAQ Sanctions against Russia (DE,FR,IT)</u>	

EU SANCTIONS TARGETING THE RUSSIAN FEDERATION		
Date of publication in the EU Official Journal	Reference to the Regulation(s) and/or Decision(s) adopted	Legal act amended, if any
New sanctions against 65 individuals and 18 entities		
3 June 2022	<ul style="list-style-type: none"> Council Implementing Regulation (EU) 2022/878 of 3 June 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine 	Regulation (EU) No 269/2014
<p>"De-SWITing" of 3 three additional Russian credit institutions ;</p> <p>Expansion of the list of the goods and technology as well as the list entities and individuals that are concerned by export restrictions regarding dual-use goods and technology ;</p> <p>Suspension of broadcasting activities to additional Russian media outlets ;</p> <p>Prohibitions on the purchase, import or transfer of crude oil and certain petroleum products originating in Russia or are exported from Russia, and on the insurance and reinsurance of maritime transport of such goods to third countries and temporal exceptions ;</p> <p>Prohibition of the transfer, transport or re-sale of crude oil from Russia delivered into the EU by pipeline and derogations ;</p> <p>Prohibitions on the provision of certain services (accounting, auditing, Bookkeeping, tax consulting, business consulting and public relations Services);</p>		
3 June 2022	<ul style="list-style-type: none"> Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine 	Regulation (EU) No 833/2014
Further derogation options from the asset freeze and the prohibition to make funds and economic resources available to designated persons and entities		
3 June 2022	<ul style="list-style-type: none"> Council Regulation (EU) 2022/88 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 	Regulation (EU) No 269/2014
Dual-use regulation: Removal of Russia from the scope of the Union General Export Authorisations (Nos EU003, EU004, and EU005)		
4 May 2022	<ul style="list-style-type: none"> Commission Delegated Regulation (EU) 2022/699 of 3 May 2022 amending Regulation (EU) 2021/821 of the European Parliament and of the Council by removing Russia as a destination from the scope of Union general export authorisations 	Regulation (EU) No 2021/821
New sanctions against two individuals		

EU SANCTIONS TARGETING THE RUSSIAN FEDERATION		
21 April 2022	<ul style="list-style-type: none"> <u>Council Implementing Regulation (EU) 2022/658 of 21 April 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine</u> 	Regulation (EU) No 269/2014
Additional exceptions for humanitarian activities		
13 April 2022	<ul style="list-style-type: none"> <u>Council Regulation (EU) 2022/625 of 13 April 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</u> 	Regulation (EU) No 269/2014
Additional exceptions for humanitarian activities		
13 April 2022	<ul style="list-style-type: none"> <u>Council Regulation (EU) 2022/626 of 13 April 2022 amending Regulation (EU) 2022/263 concerning restrictive measures in response to the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and the ordering of Russian armed forces into those areas</u> 	Regulation (EU) No 2022/263
Updating of the contact information for national competent authorities		
12 April 2022	<ul style="list-style-type: none"> <u>Commission Implementing Regulation (EU) 2022/595 of 11 April 2022 amending certain Regulations concerning restrictive measures and setting out a single list for the Annexes to those Regulations containing the contact details of Member States' competent authorities and the address for notifications to the European Commission</u> 	Regulation (EU) No 269/2014 Regulation (EU) No 2022/263 Regulation (EU) No 833/2014
<p>Extension of the prohibition on deposits to crypto-wallets, on the export of euro-denominated banknotes and on the sale of euro-denominated transferrable securities to all official currencies of the Member States ;</p> <p><i>Prohibition of the award and continued execution of public contracts and concessions with Russian nationals and entities or bodies;</i></p> <p><i>Prohibition of the provision of support, including financing and financial assistance or any other benefit from a Union, Euratom or Member State programme to Russian publicly owned or controlled entities ;</i></p> <p>Prohibition on being a beneficiary, acting as trustee or in similar capacities for Russian persons and entities, as well as a prohibition on providing certain services to trusts ;</p> <p><i>Prohibition of access to ports in the territory of the Union to vessels registered under the flag of Russia ;</i></p> <p><i>Restriction of exports of jet fuel and other goods to Russia and additional import restrictions on certain goods exported by or originating from Russia, including coal and other solid fossil fuels ;</i></p> <p><i>Prohibition to any road transport undertaking established in Russia to transport goods by road within the territory of the Union;</i></p> <p><i>Extension of the exemption from the prohibition to engage in transactions with certain State-owned entities to Switzerland, the European Economic Area and the Western Balkans ;</i></p> <p><i>Introduction of certain derogations in relation to the restrictions on dual-use goods and technologies, goods and technologies.</i></p>		

EU SANCTIONS TARGETING THE RUSSIAN FEDERATION		
8 April 2022	<ul style="list-style-type: none"> <u>Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine</u> <u>Council Decision (CFSP) 2022/578 of 8 April 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine</u> 	Regulation (EU) No 833/2014
<p><i>Restrictive measures on leading businesspersons involved in economic sectors providing a substantial source of revenue to, and on persons supporting or benefitting from, the Government of the Russian Federation ;</i></p> <p><i>Restrictive measures on the Ministers and members of the 'People's Council' of the so-called 'Donetsk People's Republic' and 'Luhansk People's Republic' ;</i></p> <p><i>Restrictive measures on companies supporting, materially or financially, or benefitting from the Government of the Russian Federation and materially or financially supporting its actions.</i></p>		
8 April 2022	<ul style="list-style-type: none"> <u>Council Implementing Regulation (EU) 2022/581 of 8 April 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine</u> 	Regulation (EU) No 269/2014
<p><i>Further derogation options from the asset freeze and the prohibition to make funds and economic resources available to designated persons and entities.</i></p>		
8 April 2022	<ul style="list-style-type: none"> <u>Council Regulation (EU) 2022/580 of 8 April 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</u> <u>Council Decision (CFSP) 2022/582 of 8 April 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine</u> 	Regulation (EU) No 269/2014
<p><i>Prohibitions of all transactions with certain state-owned companies;</i></p> <p><i>Prohibitions of the provision of any credit rating services, as well as access to any subscription services in relation to credit rating activities, to any Russian person or entity;</i></p> <p><i>Expansions of the list of persons connected to Russia's defence and industrial base ;</i></p> <p><i>Prohibitions of new investments in the Russian energy sector ;</i></p> <p><i>Export restriction on equipment, technology and services for the energy industry in Russia, with the exception of nuclear industry and the downstream sector of energy transport ;</i></p> <p><i>Trade restrictions concerning iron, steel as well as luxury goods</i></p>		
15 March 2022	<ul style="list-style-type: none"> <u>Council Regulation (EU) 2022/428 of 15 March 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine</u> 	Regulation (EU) No 833/2014

EU SANCTIONS TARGETING THE RUSSIAN FEDERATION		
	<ul style="list-style-type: none"> Council Decision (CFSP) 2022/430 of 15 March 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine 	
<i>New sanctions against 15 individuals and 9 entities</i>		
15 March 2022	<ul style="list-style-type: none"> Council Implementing Regulation (EU) 2022/427 of 15 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine Council Decision (CFSP) 2022/429 of 15 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine 	Regulation (EU) No 269/2014
<i>Update of the description for listings of individuals</i>		
11 March 2022	<ul style="list-style-type: none"> Council Implementing Regulation (EU) 2022/408 of 10 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine Council Decision (CFSP) 2022/411 of 10 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine 	Regulation (EU) No 269/2014
<i>Correction of a spelling error in the name of an individual</i>		
10 March 2022	<ul style="list-style-type: none"> Corrigendum to Council Decision (CFSP) 2022/267 of 23 February 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine 	Decision 2014/145/CFSP
<i>New restrictive measures regarding the export of maritime navigation goods and technology; Expansion to the maritime sector, the list of persons, entities and bodies subject to financing limitations via loans, transferable securities and money market instruments</i>		
9 March 2022	<ul style="list-style-type: none"> Council Regulation (EU) 2022/394 of 9 March 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine Council Decision (CFSP) 2022/395 of 9 March 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine 	Regulation (EU) No 833/2014
<i>New sanctions against 146 members of the Russian Federation Council (who ratified the government decisions of the 'Treaty of Friendship, Cooperation and Mutual Assistance between the Russian Federation and the Donetsk People's Republic and between the Russian Federation and the Luhansk People's Republic'); New sanctions against 14 persons supporting and</i>		

EU SANCTIONS TARGETING THE RUSSIAN FEDERATION

benefitting from the Government of the Russian Federation or associated with listed persons or entities

9 March 2022	<ul style="list-style-type: none"> • Council Implementing Regulation (EU) 2022/396 of 9 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine • Council Decision (CFSP) 2022/397 of 9 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine 	Regulation (EU) No 269/2014
<p><i>Extension of restrictive measures until 6 March 2023 in respect of three persons, and until 6 September 2022 in respect of four persons; Update of the information (in the Annex to Decision 2014/119/CFSP) regarding the rights of defence and the right to effective judicial protection; Removal of the entry for one person</i></p>		
4 March 2022	<ul style="list-style-type: none"> • Council Implementing Regulation (EU) 2022/375 of 3 March 2022 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine • Council Decision (CFSP) 2022/376 of 3 March 2022 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine 	Regulation (EU) No 208/2014
<p><i>SWIFT ban for seven Russian banks : Bank Otkritie; Novikombank; Promsvyazbank; Bank Rossiya; Sovcombank; VNESHECONOMBANK (VEB); VTB BANK)</i></p>		
2 March 2022	<ul style="list-style-type: none"> • Council Regulation (EU) 2022/345 of 1 March 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine • Council Decision (CFSP) 2022/346 of 1 March 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine 	Regulation (EU) No 833/2014
<p><i>Prohibition on the broadcasting of two Russian operators in the EU: RT (Russia Today English, Russia Today UK, Russia Today Germany, Russia Today France and Russia Today Spanish) and Sputnik</i></p>		
2 March 2022	<ul style="list-style-type: none"> • Council Regulation (EU) 2022/350 of 1 March 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine • Council Decision (CFSP) 2022/351 of 1 March 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine 	Regulation EU No 833/2014
<p><i>Prohibition of any transactions with the Central Bank of Russia; Closing of the EU airspace for Russian air carriers</i></p>		

EU SANCTIONS TARGETING THE RUSSIAN FEDERATION		
28 February 2022	<ul style="list-style-type: none"> Council Regulation (EU) 2022/334 of 28 February 2022 amending Council Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine Council Decision (CFSP) 2022/335 of 28 February 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine 	Regulation EU No 833/2014
<i>New sanctions against 26 persons and one entity (business persons, government officers, members of media):</i>		
28 February 2022	<ul style="list-style-type: none"> Council Implementing Regulation (EU) 2022/336 of 28 February 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine Council Decision (CFSP) 2022/337 of 28 February 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine 	Regulation (EU) No 269/2014
<i>Amendment of the criteria of designation to include persons and entities supporting and benefitting from the Government of the Russian Federation, providing a substantial source of revenue to it, or associated with listed persons and entities</i>		
25 February 2022	<ul style="list-style-type: none"> Council Regulation (EU) 2022/330 of 25 February 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 Council Decision (CFSP) 2022/329 of 25 February 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine 	Regulation (EU) No 269/2014
<i>Partial suspension of the Agreement between the EU and Russia on the facilitation of the issuance of visas to the citizens of EU and Russia:</i>		
25 February 2022	<ul style="list-style-type: none"> Council Decision (EU) 2022/333 of 25 February 2022 on the partial suspension of the application of the Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation 	
<i>Sanctions against the members of the National Security Council who supported Russia's immediate recognition of the two self-proclaimed republics Donetsk and Luhansk:</i>		
25 February 2022	<ul style="list-style-type: none"> Council Implementing Regulation (EU) 2022/332 of 25 February 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine Council Decision (CFSP) 2022/331 of 25 February 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial 	Regulation (EU) No 269/2014

EU SANCTIONS TARGETING THE RUSSIAN FEDERATION		
	<u>integrity, sovereignty and independence of Ukraine</u>	
<i>Restrictive measures related to the finance, defence, energy, aviation and space sectors; Expansion of existing financial restrictions on access by certain Russia entities to capital markets ; Restrictions on exports of dual-use goods and technologies ; Restrictions on the sale, supply, transfer or export to Russia of specific goods and technologies ; Export ban covering goods and technology suited for use in aviation and the space industry:</i>		
25 February 2022	<ul style="list-style-type: none"> • <u>Council Regulation (EU) 2022/328 of 25 February 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine</u> • <u>Council Decision (CFSP) 2022/327 of 25 February 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine</u> 	Regulation (EU) No 833/2014
<i>New sanctions against 22 Russian persons and 4 Russian entities ; Introduction of a derogation mechanism for certain operators falling under the assets freeze and the prohibition on making funds and economic resources available to them.</i>		
23 February 2022	<ul style="list-style-type: none"> • <u>Council Implementing Regulation (EU) 2022/260 of 23 February 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine</u> • <u>Council Regulation (EU) 2022/259 of 23 February 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</u> • <u>Council Decision (CFSP) 2022/265 of 23 February 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine</u> 	Regulation (EU) No 269/2014
<i>New sanctions against 336 members of the State Duma due to their vote in favour of the recognition of the separatist-claimed parts of eastern Ukraine as independent states:</i>		
23 February 2022	<ul style="list-style-type: none"> • <u>Council Implementing Regulation (EU) 2022/261 of 23 February 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine</u> • <u>Council Decision (CFSP) 2022/267 of 23 February 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine</u> 	Regulation (EU) No 269/2014
<i>Restrictions on access to the capital markets, prohibiting the financing of Russia, its Government and its Central Bank:</i>		
23 February	<ul style="list-style-type: none"> • <u>Council Regulation (EU) 2022/262 of 23 February 2022 amending Regulation (EU) No</u> 	Regulation (EU) No

EU SANCTIONS TARGETING THE RUSSIAN FEDERATION		
2022	<p><u>833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine</u></p> <ul style="list-style-type: none"> <u>Council Decision (CFSP) 2022/264 of 23 February 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine</u> 	833/2014
Prohibition and restrictions related to trade with the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine:		
23 February 2022	<ul style="list-style-type: none"> <u>Council Regulation (EU) 2022/263 of 23 February 2022 concerning restrictive measures in response to the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and the ordering of Russian armed forces into those areas</u> <u>Council Decision (CFSP) 2022/266 of 23 February 2022 concerning restrictive measures in response to the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and the ordering of Russian armed forces into those areas</u> 	

EU SANCTIONS TARGETING BELARUS		
Date of publication in the EU Official Journal	Reference to the Regulation(s) and/or Decision(s) adopted	Legal act amended, if any
<p>Prohibition of the sale to Belarus of transferable securities denominated in any official currency of a Member State, and prohibition of the sale, supply, transfer or export to Belarus of banknotes denominated in any official currency of a Member State ;</p> <p>Restrictive measures prohibiting road transport undertakings established in Belarus from transporting goods by road within the territory of the European Union.</p>		
New sanctions against 12 individuals and 8 entities		
3 June 2022	<ul style="list-style-type: none"> <u>Council Implementing Regulation (EU) 2022/876 of 3 June 2022 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine</u> 	Regulation (EC) No 765/2006
Extension of entities subject to restrictions with regard to authorisations for the sale, supply,		

<i>transfer or export of dual-use goods and technology, and goods and technology which might contribute to Belarus's military and technological enhancement</i> <i>Expansion of the list of Belarusian credit institutions and their Belarusian subsidiaries subject to restrictive measures (specialised financial messaging services)</i>		
3 June 2022	<ul style="list-style-type: none"> • Council Regulation (EU) 2022/877 of 3 June 2022 amending Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine 	Regulation (EC) No 765/2006
8 April 2022	<ul style="list-style-type: none"> • Council Regulation (EU) 2022/577 of 8 April 2022 amending Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine • Council Decision (CFSP) 2022/579 of 8 April 2022 amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine 	Regulation (EC) No 765/2006
<i>Renumbering of provisions</i>		
10 March 2022	<ul style="list-style-type: none"> • Corrigendum to Council Regulation (EU) 2022/398 of 9 March 2022 amending Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine 	Regulation (EC) No 765/2006
<i>Prohibition of the listing and provision of services in relation to shares of Belarusian state-owned entities on Union trading venues; Limitation of the financial inflows from Belarus to the EU; Prohibition of the transactions with the Central Bank of Belarus; Restrictions of the provision of specialised financial messaging services to certain Belarusian credit institutions and their Belarusian subsidiaries; New obligations on the Network Manager for air traffic management network functions of the single European sky regarding overflight prohibitions.</i>		
9 March 2022	<ul style="list-style-type: none"> • Council Regulation (EU) 2022/398 of 9 March 2022 amending Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine • Council Decision (CFSP) 2022/399 of 9 March 2022 amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine 	Regulation (EC) No 765/2006
<i>Additions of definitions to the amending Regulation (EC) No 765/2006</i>		
9 March 2022	<ul style="list-style-type: none"> • Corrigendum to 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) 	Regulation (EC) No 765/2006

<i>New sanctions against 22 persons in relation to the involvement of Belarus in the invasion of Ukraine:</i>		
2 March 2022	<ul style="list-style-type: none"> • <u>Council Implementing Regulation (EU) 2022/353 of 2 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine</u> • <u>Council Decision (CFSP) 2022/354 of 2 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine</u> 	Regulation (EU) No 269/2014
<i>New restrictions related to the trade of goods used for the production or manufacturing of certain products ; New restrictions on export control of certain goods and technology (which might contribute to Belarus's military, technological, defence and security development):</i>		
2 March 2022	<ul style="list-style-type: none"> • <u>Council Regulation (EU) 2022/355 of 2 March 2022 amending Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus</u> • <u>Council Decision (CFSP) 2022/356 of 2 March 2022 amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus</u> 	Regulation (EC) No 765/2006
<i>New sanctions against 27 persons and 7 entities considering the persistent gravity of the situation in Belarus:</i>		
25 February 2022	<ul style="list-style-type: none"> • <u>Council Implementing Regulation (EU) 2022/300 of 24 February 2022 implementing Article 8a of Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus</u> • <u>Council Decision (CFSP) 2022/307 of 24 February 2022 amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus</u> 	Regulation (EC) No 765/2006