COUNCIL DECISION (CFSP) 2022/153

of 3 February 2022

amending Decision 2011/486/CFSP concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2011/486/CFSP of 1 August 2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan ([1]),

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 1 August 2011, the Council adopted Decision 2011/486/CFSP.

(2) On 22 December 2021, the United Nations Security Council adopted Resolution 2615 (2021) expressing deep concern regarding the humanitarian situation in Afghanistan, including food insecurity, and recalling that women, children and minorities have been disproportionately affected.

(3) The United Nations Security Council, in its Resolution 2615 (2021), decided that humanitarian assistance and other activities that support basic human needs in Afghanistan are not a violation of paragraph 1(a) of United Nations Security Council Resolution (UNSCR) 2255 (2015) while strongly encouraging providers relying on UNSCR 2615 (2021) to use reasonable efforts to minimise the accrual of any benefits, whether as a result of direct provision or diversion, to individuals or entities designated on the Sanctions List under UNSCR 1988 (2011).

(4) Decision 2011/486/CFSP should therefore be amended accordingly.

(5) Further action by the Union is necessary to implement certain measures in this Decision,

HAS ADOPTED THIS DECISION:

Article 1

In Article 4 of Decision 2011/486/CFSP, the following paragraph is added:

‘6. Paragraphs 1 and 2 shall not apply to the processing and payment of funds, other financial assets or economic resources, and the provision of goods and services necessary to ensure the timely delivery of humanitarian assistance and other activities that support basic human needs in Afghanistan or to support such activities.’.

Article 2

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

Done at Brussels, 3 February 2022.

For the Council
The President
J.-Y. LE DRIAN

([1]) OJ L 199, 2.8.2011, p. 57.