EUROPEAN
COMMISSION

HIGH REPRESENTATIVE
OF THE UNION FOR
FOREIGN AFFAIRS AND
SECURITY POLICY

Brussels, 3.5.2022
JOIN(2022) 12 final/2 downgraded on 6.7.2022

2022/0148 (NLE)

Joint Proposal for a

COUNCIL REGULATION

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

EXPLANATORY MEMORANDUM

(1) On 18 May 2006, the Council adopted Regulation (EC) No 765/2006.

(2) Regulation (EC) No 765/2006 gives effect to the measures provided for in Decision 2012/642/CFSP.

(3) Council Decision (CFSP) 2022/XXX expands the list of entities subject to restrictions with regard to authorizations 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, or to the development of its defence and security sector. Council Decision (CFSP) 2022/XXX also expands the list of Belarusian credit institutions and their Belarusian subsidiaries subject to restrictive measures with regard to the provision of specialised financial messaging services.

(4) In order to ensure the correct implementation of the measures set out in Regulation (EC) No 765/2006, it is necessary to make certain amendments to the text.

2022/0148 (NLE)

Joint Proposal for a

COUNCIL REGULATION

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

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine [1],

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

Whereas:

(1) On 18 May 2006, the Council adopted Regulation (EC) No 765/2006[2].

(2) Regulation (EC) No 765/2006 gives effect to the measures provided for in Decision 2012/642/CFSP.

(3) Council Decision (CFSP) 2022/XXX[3] expands the scope of the sanctions to further implement the conclusions of the European Council of 24 March 2022 following the involvement of Belarus in the unacceptable and illegal Russian military aggression against Ukraine, which under international law qualifies as an act of aggression.

(4) In view of the gravity of the situation, it appears necessary to take additional measures. Consequently, Decision (CFSP) 2022/xxxx expands the list of entities subject to restrictions with regard to authorizations 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, or to the development of its defence and security sector. Council Decision (CFSP) 2022/XXX also expands the list of Belarusian credit institutions and their Belarusian subsidiaries subject to restrictive measures with regard to the provision of specialised financial messaging services.

(5) Regulation (EC) No 765/2006 should therefore be amended accordingly,

---

1 OJ L 285, 17.10.2012, p. 1.

2 Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in respect of Belarus and the involvement of Belarus in the Russian aggression against Ukraine (OJ L 134, 20.5.2006, p. 1).

3 Council Decision (CFSP) 2022/xxxx of xxxx 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 (OJ xxxx).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 765/2006 is amended as follows:

(1) Annex V of Regulation (EC) No 765/2006 is replaced by Annex I to this Regulation;

(2) Annex XV of Regulation (EC) No 765/2006 is replaced by Annex II to this Regulation.

Article 2

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President