



2025/397

24.2.2025

COUNCIL DECISION (CFSP) 2025/397

of 24 February 2025

amending Decision 2014/386/CFSP concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Whereas:

- (1) On 23 June 2014, the Council adopted Decision 2014/386/CFSP ⁽¹⁾.
- (2) In its conclusions of 19 December 2024, the European Council reiterated its resolute condemnation of Russia's war of aggression against Ukraine, which constitutes a manifest violation of the Charter of the United Nations, and reaffirmed the Union's unwavering commitment to providing continued political, financial, economic, humanitarian, military and diplomatic support to Ukraine and its people.
- (3) The Union does not recognise, and continues to condemn as a violation of international law, the illegal annexation of Crimea and Sevastopol by the Russian Federation. The Union remains dedicated to fully implementing its non-recognition policy.
- (4) In view of the gravity of the situation and the continued illegal actions by the Russian Federation violating fundamental rules of international law, including, in particular, the prohibition on the use of force enshrined in Article 2(4) of the Charter of the United Nations, and violating fundamental rules of international humanitarian law, it is appropriate to adopt further restrictive measures.
- (5) The Union remains committed to using all diplomatic, economic, and legal instruments at its disposal to prevent the consolidation of Russia's illegal occupation of Crimea and Sevastopol and to support Ukraine's full restoration of sovereignty over its entire internationally-recognised territory. In order to inhibit the economic, financial, and legal integration of Crimea and Sevastopol into the Russian Federation, as well as to prevent the circumvention, by the Russian Federation through Crimea and Sevastopol, of Union restrictive measures set out in Council Decision 2014/512/CFSP ⁽²⁾, it is appropriate to expand the restrictive measures set out in Decision 2014/386/CFSP.
- (6) In particular, it is appropriate to impose restrictions on services that facilitate Russia's illegal occupation of Crimea and Sevastopol and enable economic actors to integrate into Russia's legal and financial system, primarily on the provision to Crimea and Sevastopol of accounting, auditing, bookkeeping, tax consulting, business and management consulting, public relations, construction, architectural, engineering, legal advisory, IT consultancy, market research and public opinion polling, technical testing and analysis and advertising services.
- (7) With the aim of inhibiting circumvention practices, it is appropriate to prohibit the provision to Crimea and Sevastopol of certain software for the management of enterprises and software for industrial design and manufacture, and of related intellectual property rights or trade secrets.
- (8) It is also appropriate to prohibit the supply to Crimea and Sevastopol of banknotes denominated in any official currency of a Member State.

⁽¹⁾ Council Decision 2014/386/CFSP of 23 June 2014 concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol (OJ L 183, 24.6.2014, p. 70, ELI: <http://data.europa.eu/eli/dec/2014/386/oj>).

⁽²⁾ Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 13, ELI: <http://data.europa.eu/eli/dec/2014/512/oj>).

- (9) In order to minimise the risk of circumvention, it is appropriate to restrict the export to Crimea and Sevastopol of certain goods and technology that are also restricted by Decision 2014/512/CFSP.
- (10) In order to ensure alignment with the interpretation of the Court of Justice of the European Union in Case C-72/11 ⁽³⁾, it is appropriate to amend the provision prohibiting circumvention to clarify that the requirements of knowledge and intent are met not only where a person deliberately seeks the object or effect of circumventing restrictive measures but also where a person participating in an activity having the object or effect of circumventing restrictive measures is aware that such participation may have that object or that effect, and accepts that possibility.
- (11) Decision 2014/386/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2014/386/CFSP is amended as follows:

- (1) Articles 3 and 4 are deleted;
- (2) in Article 4a, paragraph 3 is deleted;
- (3) Article 4b is amended as follows:
 - (a) paragraph 1 is replaced by the following:

‘1. It shall be prohibited to sell, supply, transfer, or export, directly or indirectly, goods and technology by nationals of Member States, or from the territories of Member States, or using vessels or aircraft under the jurisdiction of Member States, whether or not originating in the Union,

 - (a) to any natural or legal person, entity or body in Crimea or Sevastopol, or
 - (b) for use in Crimea or Sevastopol,

in the following sectors:

 - (i) transport;
 - (ii) telecommunications;
 - (iii) energy;
 - (iv) the prospection, exploration and production of oil, gas and mineral resources.’;
 - (b) paragraphs 3, 4 and 5 are deleted;
- (4) Article 4c is amended as follows:
 - (a) paragraph 1 is replaced by the following:

‘1. It shall be prohibited to provide, directly or indirectly, accounting, auditing, including statutory audit, bookkeeping or tax consulting services, or business and management consulting or public relations services to legal persons, entities or bodies in Crimea or Sevastopol.’;

⁽³⁾ Judgment of the Court of Justice (Third Chamber) of 21 December 2011, *Criminal proceedings against Mohsen Afrasiabi and Others*, C-72/11, ECLI:EU:C:2011:874, paragraph 67.

(b) the following paragraphs are inserted:

1a. It shall be prohibited to provide, directly or indirectly, technical assistance or brokering services directly relating to infrastructure in Crimea or Sevastopol in the sectors referred to in Article 4b(1), independently of the origin of the goods and technology.

1b. It shall be prohibited to provide, directly or indirectly, construction, architectural and engineering services, legal advisory services and IT consultancy services to legal persons, entities or bodies in Crimea or Sevastopol.

1c. It shall be prohibited to provide, directly or indirectly, market research and public opinion polling services, technical testing and analysis services and advertising services to legal persons, entities or bodies in Crimea or Sevastopol.

1d. It shall be prohibited to sell, supply, transfer, export, or provide, directly or indirectly, software for the management of enterprises and software for industrial design and manufacture to legal persons, entities or bodies in Crimea or Sevastopol.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this paragraph.

1e. It shall be prohibited to:

(a) provide technical assistance, brokering services or other services related to the goods and services referred to in paragraphs 1, 1b, 1c and 1d for their provision, directly or indirectly, to legal persons, entities or bodies in Crimea or Sevastopol;

(b) provide financing or financial assistance related to the goods and services referred to in paragraphs 1, 1b, 1c and 1d for their provision, or for the provision of related technical assistance, brokering services or other services, directly or indirectly, to legal persons, entities or bodies in Crimea or Sevastopol;

(c) sell, license or transfer in any other way intellectual property rights or trade secrets as well as grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets related to the software referred to in paragraph 1d and to the provision, manufacture, maintenance and use of that software, directly or indirectly to any natural or legal person, entity or body in Crimea or Sevastopol or for use in Crimea or Sevastopol.

1f. Paragraphs 1 and 1b shall not apply to the provision of services that are strictly necessary for the exercise of the right of defence in judicial proceedings and the right to an effective legal remedy.

1g. Paragraphs 1 and 1b shall not apply to the provision of services which are strictly necessary to ensure access to judicial, administrative or arbitral proceedings in a Member State, as well as for the recognition or enforcement of a judgment or an arbitration award rendered in a Member State, provided that such provision of services is consistent with the objectives of this Decision and Council Decision 2014/145/CFSP (*).

1h. Paragraphs 1b to 1d shall not apply to the sale, supply, transfer, export, or provision of services necessary for public health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment, or as a response to natural disasters.

1i. By way of derogation from paragraph 1d, the competent authorities may authorise the provision of services referred to therein, under such conditions as they deem appropriate, after having determined that those services are necessary for the contribution of Ukrainian nationals to international open-source projects.

1j. By way of derogation from paragraphs 1 to 1e, the competent authorities may authorise the sale, supply, transfer, export, or provision of the services referred to therein, under such conditions as they deem appropriate, after having determined that this is necessary for:

- (a) humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies, food, or the transfer of humanitarian workers and related assistance, or for evacuations;
- (b) civil society activities that directly promote democracy, human rights or the rule of law in Crimea or Sevastopol;
- (c) the functioning of international organisations enjoying immunities in accordance with international law located in Crimea or Sevastopol;
- (d) ensuring critical energy supply within the Union and the purchase, import or transport into the Union of titanium, aluminium, copper, nickel, palladium and iron ore;
- (e) ensuring the continuous operation of infrastructure, hardware or software which are critical for human health and safety, or the safety of the environment;
- (f) the establishment, operation, maintenance, fuel supply and retreatment and safety of civil nuclear capabilities, and the continuation of design, construction and commissioning required for the completion of civil nuclear facilities, the supply of precursor material for the production of medical radioisotopes and similar medical applications, or critical technology for environmental radiation monitoring, as well as for civil nuclear cooperation, in particular in the field of research and development;
- (g) the provision of electronic communication services by Union telecommunication operators necessary for the operation, maintenance and security, including cybersecurity, of electronic communication services in Ukraine, in the Union, between Ukraine and the Union, and for data centre services in the Union.

1k. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 1i or 1j within two weeks of the authorisation.

(*) Council Decision 2014/145/CFSP of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 78, 17.3.2014, p. 16, ELI: [http://data.europa.eu/eli/dec/2014/145\(1\)/oj](http://data.europa.eu/eli/dec/2014/145(1)/oj));

(c) paragraphs 2 and 3 are deleted;

(5) in Article 4d(1), point (a) is replaced by the following:

‘(a) necessary for official purposes of international organisations enjoying immunities in accordance with international law located in Crimea or Sevastopol; or’;

(6) in Article 4e, paragraphs 4 and 5 are deleted;

(7) the following Articles are inserted:

‘Article 4f

1. It shall be prohibited to sell, supply, transfer or export banknotes denominated in any official currency of a Member State to Crimea or Sevastopol or to any natural or legal person, entity or body in Crimea or Sevastopol, or for use in Crimea or Sevastopol.

2. The prohibition in paragraph 1 shall not apply to the sale, supply, transfer or export of banknotes denominated in any official currency of a Member State provided that such sale, supply, transfer or export is necessary for:

- (a) the personal use of natural persons travelling to Crimea or Sevastopol or members of their immediate families travelling with them;
- (b) the official purposes of international organisations enjoying immunities in accordance with international law located in Crimea or Sevastopol; or

- (c) civil society and media activities that directly promote democracy, human rights or the rule of law in Crimea or Sevastopol which receive public funding from the Union, Member States or countries listed in the Annex.

Article 4g

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent prohibitions in this Decision, including by participating in such activities without deliberately seeking that object or effect but being aware that the participation may have that object or effect and accepting that possibility.

Article 4h

1. No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Decision, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, particularly a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:

- (a) designated natural or legal persons, entities or bodies listed in Annex I to Decision 2014/145/CFSP;
- (b) any natural person who, or legal person, entity or body which, has been found by an arbitral, judicial or administrative decision to have infringed the prohibitions set out in this Decision;
- (c) any natural or legal person, entity or body, if the claim relates to goods the import of which is prohibited under Article 2;
- (d) any person, entity or body in Crimea or Sevastopol;
- (e) any Russian person, entity or body;
- (f) any person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in points (a) to (e) of this paragraph.

2. In any proceedings for the enforcement of a claim, the onus of proving that satisfying the claim is not prohibited by paragraph 1 shall be on the natural or legal person, entity or body seeking the enforcement of that claim.

3. This Article is without prejudice to the right of natural or legal persons, entities or bodies referred to in paragraph 1 to judicial review of the legality of the non-performance of contractual obligations in accordance with this Decision.’;

- (8) an annex is added in accordance with the Annex to this Decision.

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, 24 February 2025.

For the Council

The President

K. KALLAS

ANNEX

The following annex is added to Decision 2014/386/CFSP:

‘ANNEX

List of countries referred to in Article 4f(2), point (c).

THE UNITED STATES OF AMERICA

JAPAN

UNITED KINGDOM

SOUTH KOREA

AUSTRALIA

CANADA

NEW ZEALAND

NORWAY

SWITZERLAND

LIECHTENSTEIN

ICELAND’.
