



2024/1964

16.7.2024

COUNCIL DECISION (CFSP) 2024/1964

of 15 July 2024

amending Decision (CFSP) 2018/1544 concerning restrictive measures against the proliferation and use of chemical weapons

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 15 October 2018, the Council adopted Decision (CFSP) 2018/1544 ⁽¹⁾.
- (2) In its conclusions of 20 May 2021 on the communication from the Commission to the European Parliament and the Council 'on the EU's humanitarian action: new challenges, same principles', the Council reaffirmed its commitment to avoid and, where unavoidable, mitigate to the maximum extent any potential unintended negative impacts of Union restrictive measures on principled humanitarian action. The Council reiterated that Union restrictive measures comply with all obligations under international law, in particular international human rights law, international humanitarian law and international refugee law. It underlined the importance of fully adhering to humanitarian principles and international humanitarian law in Union sanctions policy, including through the consistent inclusion of humanitarian exceptions in Union restrictive measures regimes, where relevant, and by ensuring that an effective framework is in place for the use of such exceptions by humanitarian organisations.
- (3) On the basis of a review of Decision (CFSP) 2018/1544, and in order to facilitate principled humanitarian action by impartial humanitarian actors, certain organisations and agencies acting as humanitarian partners of the Union should be exempted from the prohibition to make funds or economic resources available to designated persons, entities and bodies, for exclusively humanitarian purposes. In addition, a derogation mechanism should be introduced for those organisations and actors involved in humanitarian activities that cannot benefit from that humanitarian exemption. Furthermore, a review clause related to those exceptions should be introduced.
- (4) Further action by the Union is needed in order to implement certain measures.
- (5) Decision (CFSP) 2018/1544 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2018/1544 is amended as follows:

- (1) in Article 3, the following paragraphs are added:

'7. Paragraph 2 shall not apply to organisations and agencies which are pillar-assessed by the Union and with which the Union has signed a financial framework partnership agreement on the basis of which the organisations and agencies act as humanitarian partners of the Union, provided that the provision of the funds or economic resources referred to in paragraph 2 is necessary for exclusively humanitarian purposes.

8. In cases not covered by paragraph 7, and by way of derogation from paragraphs 1 and 2, the competent authorities of a Member State may grant specific or general authorisations, under such general or specific conditions as they deem appropriate, to release certain frozen funds or economic resources or to make available certain funds or economic resources, provided that the provision of such funds or economic resources is necessary for exclusively humanitarian purposes.

9. In the absence of a negative decision, a request for information or a notification for additional time from the relevant competent authority within five working days of the date of receipt of a request for authorisation under paragraph 8, that authorisation shall be considered granted.

⁽¹⁾ Council Decision (CFSP) 2018/1544 of 15 October 2018 concerning restrictive measures against the proliferation and use of chemical weapons (OJ L 259, 16.10.2018, p. 25).

10. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under paragraphs 8 or 9 within two weeks of such authorisation.’;

(2) in Article 8, the following paragraph is added:

‘The exceptions referred to in Article 3(7), (8) and (9) as regards Article 3(1) and (2) shall be reviewed at regular intervals, and at least every 12 months, or at the urgent request of any Member State, of the High Representative of the Union for Foreign Affairs and Security Policy, or of the Commission, following a fundamental change in circumstances.’.

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, 15 July 2024.

For the Council

The President

NAGY I.
