



Council of the European Union
General Secretariat

049880/EU XXV. GP
Eingelangt am 09/12/14

Brussels, 9 December 2014

CM 3791/14
EXT 1

PESC
PROCED

COMMUNICATION

WRITTEN PROCEDURE

Contact: [\[...\]](#)

Tel./Fax: [\[...\]](#)

Subject: WRITTEN PROCEDURE FOR THE ADOPTION OF:

- Council Decision concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine
- Council Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

Extract of CM 3791/14

Following agreement in COREPER on 29 July 2014 to use the written procedure for the adoption of the Council Decision and Council Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, the Presidency now proposes the adoption of those texts.

I. Council Decision

Please state whether you agree to:

adopt the Council Decision concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine as set out, after finalisation of the text by the legal/linguistic experts, in document 12245/14 + ADD 1 REV 1.

Please answer "YES" or "NO" to this question. You may also reply "ABSTAIN" to it.

Any unilateral statements should be made separately.

Replies must reach the General Secretariat of the Council by **12h00 on 31 July 2014**. They should be sent by email (scanned reply with signature) to secretariat.relex@consilium.europa.eu, or faxed to +32 2 281 53 75 for the attention of **NOT DISCLOSED**.

II. Council Regulation

Please state whether you agree to:

- 1. adopt the Council Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine as set out, after finalisation of the text by the legal/linguistic experts, in document 12246/14 + ADD 1 REV 1;**

2. **adopt the Joint Council and Commission Declaration on a mechanism to optimize consistency in the application and monitoring of EU restrictive measures, as set out in doc. 12305/14.**

Please answer "YES" or "NO" to these questions. You may also reply "ABSTAIN" to both.

Any unilateral statements should be made separately. The Commission has indicated that it will make a Declaration as set out in the Annex.

Replies must reach the General Secretariat of the Council by **12h00 on 31 July 2014**. They should be sent by email (scanned reply with signature) to secretariat.relex@consilium.europa.eu, or faxed to +32 2 281 53 75 for the attention of **NOT DISCLOSED**.

Commission Statement to the Minutes on Art 5c of the Council Regulation and Art 1c of the Council Decision

It is agreed that bonds, equity or similar financial instruments with a maturity exceeding 90 days, issued by subsidiaries established in the European Union of the entities targeted in Article 1 (a) of the Decision/ 5 (a) of the Regulation, are not covered by the prohibition set out in Art 1 of the Decision/ Article 5 of the Decision. This is what is specified in Article 1(b) of the Decision and Article 5 (b) of the Regulation.

Article 1 (c) of the Decision/Article 5 (c) of the Regulation cover other persons, entities or bodies that may act on behalf of the targeted entities to raise capital for them. This includes such persons, entities or bodies in the EU to avoid creating possibilities for circumvention of the prohibition set out in Article 1 of the Decision / Article 5 of the Regulation.
