

Humanitarian aid

FREQUENTLY ASKED QUESTIONS – AS OF 2 MAY 202

1. Are humanitarian activities exempted from the sanctions? Can for instance food, medicines and medical devices be provided on this basis?

EU sanctions are targeted. They are aimed at those responsible for the policies or actions the EU wants to influence. This targeting intends to reduce as much as possible any adverse humanitarian effects or unintended consequences for persons that are not targeted by these measures, in particular the civilian population, or neighbouring countries. Any action not explicitly prohibited under EU sanctions is permitted. Humanitarian operators can seek guidance from their [national competent authority](#) (NCA).

[Council Regulation \(EU\) No 833/2014](#) concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine provides for the following specific exceptions for humanitarian purposes:

- Export restrictions¹ applicable to items covered by Annex I to the [EU Dual-Use Regulation](#) and to 'Advanced technology' items do not apply if intended for humanitarian needs, 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; nor for medical or pharmaceutical purposes. For further details, including notification obligations please refer to the [Frequently Asked Questions on export-related restrictions pursuant to Articles 2, 2a and 2b of Council Regulation No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#).
- Export restrictions applicable to items covered by Annex XXIII may be lifted following a derogation granted by the relevant national competent authority, after having determined that such items are necessary for humanitarian purposes. Please refer here to Article 3k of Council Regulation (EU) No 833/2014.
- The prohibition to provide public financing or financial assistance for trade with, or investment in, Russia do not apply for trade in food, and for agricultural, medical or humanitarian purposes. Please refer here to Article 2e of [Council Regulation \(EU\) No 833/2014](#).
- The ban on the overflight of EU airspace and on access to EU airports by Russian carriers of all kinds may be lifted on humanitarian grounds, following a derogation granted by the relevant [national competent authority](#). Please refer here to Article 3d of [Council Regulation \(EU\) No 833/2014](#).
- The export restrictions applicable to maritime navigation goods and radio communication technology do not apply if intended for humanitarian purposes,

¹ Note that export restrictions also include prohibitions to provide financial and technical assistance, which can also benefit from humanitarian exemptions.

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. Please refer here to Article 3f of [Council Regulation \(EU\) No 833/2014](#).

- The restrictions on the acceptance of deposits can be subject to exemptions following an authorisation by the NCA if necessary for 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. Please refer here to Article 5d of [Council Regulation \(EU\) No 833/2014](#).
- The ban on access to EU ports by Russian vessels can be subject to a derogation following an authorisation by the NCA if the access is necessary for the purchase, import or transport of pharmaceutical, medical, agricultural and food products or required for humanitarian purposes. Please refer here to Article 3ea of [Council Regulation \(EU\) No 833/2014](#).
- The prohibition for Russian transport undertaking to transport goods by road within the territory of the Union can be subject to a derogation following an authorisation by the NCA if the transport is necessary for the purchase, import or transport of pharmaceutical, medical, agricultural and food products, or humanitarian purposes. Please refer here to Article 3l of [Council Regulation \(EU\) No 833/2014](#).
- The prohibition on the registration or the provision of a registered office, business or administrative address as well as management services to trusts or similar legal arrangements may also be lifted following a derogation granted by the relevant national competent authority, after having determined that the services are necessary for humanitarian purposes. Please refer here to Article 5m of [Council Regulation \(EU\) No 833/2014](#).

[Council Regulation \(EU\) 2022/625 of 13 April 2022](#) amending [Council Regulation \(EU\) No 269/2014](#) concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine provides for exemptions, for certain clearly defined categories of organisations and agencies, and derogations, concerning the freezing of assets of, and the restrictions on making funds and economic resources available to, designated persons, entities and bodies, when those actions are necessary for exclusively humanitarian purposes in Ukraine. Please refer here to Article 2a of [Council Regulation \(EU\) No 269/2014](#).

[Council Regulation \(EU\) 2022/626 of 13 April 2022 amending Regulation \(EU\) 2022/263 concerning restrictive measures in response to the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and the ordering of Russian armed forces into those areas](#) provides for exemptions, for certain clearly defined categories of bodies, persons, entities, organisations and agencies, and derogations to allow the provision of goods and technology indicted in Annex II, as well as certain restricted services and assistance related to such goods and technology, to persons, entities and bodies in the non-government-controlled areas of the Donetsk and Luhansk oblasts of Ukraine or for use in those areas, where

necessary for humanitarian purposes. Similarly, the exemption and derogation allow for the provision of specific restricted services and assistance directly relating to certain infrastructure in the non-government-controlled areas of the Donetsk and Luhansk oblasts of Ukraine, where necessary for humanitarian purposes. Please refer here to Article 4a and Article 5a of [Council Regulation \(EU\) 2022/263](#).

For further guidance on how to provide humanitarian aid in compliance with EU sanctions, please refer to the [Commission Guidance note on the provision of humanitarian aid to fight the COVID-19 pandemic in certain environments subject to EU restrictive measures](#). Some of the principles captured in this Guidance Note, which covers EU sanctions vis-à-vis counter terrorism, Iran, Nicaragua, Syria and Venezuela, may apply by analogy to the above sanctions regimes, insofar as they concern horizontal aspects (e.g. application of Internal humanitarian law and non-vetting of final beneficiaries). Moreover, in 2021 the Commission has set up a [sanctions-humanitarian contact point](#), that NGO and economic operators can address to request tailor-made support. The contact point can be reached at: EC-SANCTIONS-HUMANITARIAN-CONTACT-POINT@ec.europa.eu.