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EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2022/355

of 2 March 2022

amending Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus

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 ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EC) No 765/2006 ⁽²⁾ provides, in particular, for the freezing of funds and economic resources of, and prohibits making funds or economic resources available to, persons, entities or bodies responsible for serious violations of human rights or the repression of civil society and democratic opposition, or whose activities otherwise seriously undermine democracy or the rule of law in Belarus or who benefit from or support the Lukashenka regime, or persons, entities or bodies that are organising or contributing to activities by the Lukashenka regime that facilitate the illegal crossing of the external borders of the Union or the transfer of prohibited goods and the illegal transfer of restricted goods, including hazardous goods, into the territory of a Member State.
- (2) Regulation (EC) No 765/2006 gives effect to the measures provided for in Decision 2012/642/CFSP.
- (3) On 2 March 2022, the Council adopted Decision (CFSP) 2022/356 ⁽³⁾, which expands the scope of the sanctions to implement the conclusions of the European Council of 24 February 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) Decision (CFSP) 2022/356 introduces further restrictions related to the trade of goods used for the production or manufacturing of tobacco products, mineral products, potassium chloride (“potash”) products, wood products, cement products, iron and steel products and rubber products. It also prohibits the export to Belarus or for use in Belarus of dual-use goods and technology, exports of goods and technology which might contribute to Belarus’s military, technological, defence and security development, and exports of machinery. Decision (CFSP) 2022/356 also amends certain provisions related to the execution of contracts concluded before 25 June 2021 and the provision of financing, as well as financial and technical assistance, in relation to prohibited goods.

⁽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 (OJ L 134, 20.5.2006, p. 1).

⁽³⁾ OJ L 67, 2.3.2022.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

- (1) the title is replaced by the following:

‘Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine’;

- (2) in Article 1, point 7 is replaced by the following:

‘7. “dual-use goods and technology” means the items listed in Annex I to Regulation (EU) 2021/821 of the European Parliament and of the Council (*).

(*) Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items (OJ L 206, 11.6.2021, p.1).’;

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

‘17. “financing or financial assistance” means any action, irrespective of the particular means chosen, whereby the person, entity or body concerned, conditionally or unconditionally, disburses or commits to disburse its own funds or economic resources, including but not limited to grants, loans, guarantees, suretyships, bonds, letters of credit, supplier credits, buyer credits, import or export advances and all types of insurance and reinsurance, including export credit insurance; payment, as well as terms and conditions of payment, of the agreed price for a good or a service, made in line with normal business practice, does not constitute financing or financial assistance.

18. “partner country” means a country applying a set of export control measures substantially equivalent to those set out in this Regulation, as listed in Annex Vb.

19. “consumer communication devices” means devices used by private individuals such as personal computers and peripherals (including hard drives and printers), mobile telephones, smart televisions, memory devices (USB drives), and consumer software for those devices.’;

- (4) Article 1e is replaced by the following:

‘Article 1e

1. Without prejudice to Articles 1a, 1c and 1s, it shall be prohibited to sell, supply, transfer or export, directly or indirectly, dual-use goods and technology, whether or not originating in the Union, to any natural or legal person, entity or body in Belarus or for use in Belarus.

2. It shall be prohibited:

(a) to provide technical assistance, brokering services or other services related to the goods and technology referred to in paragraph 1, or to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly to any natural or legal person, entity or body in Belarus or for use in Belarus;

(b) to provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any sale, supply, transfer or export of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly to any natural or legal person, entity or body in Belarus, or for use in Belarus.

3. Without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the prohibitions in paragraphs 1 and 2 of this Article shall not apply to the sale, supply, transfer or export of dual-use goods and technology or to the related provision of technical and financial assistance, for non-military use and for a non-military end-user, intended for:

- (a) humanitarian purposes, health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or on the environment or as a response to natural disasters;
- (b) medical or pharmaceutical purposes;
- (c) temporary use by news media;
- (d) software updates;
- (e) use as consumer communication devices;
- (f) ensuring cyber-security and information security for natural or legal persons, entities or bodies in Belarus except for its government and undertakings directly or indirectly controlled by that government; or
- (g) personal use of natural persons travelling to Belarus, and limited to personal effects, household effects, vehicles or tools of trade owned by those individuals and not intended for sale.

With the exception of points (f) and (g), the exporter shall declare in the customs declaration that the items are being exported under the relevant exception set out in this paragraph and shall notify the competent authority of the Member State in which it is resident or established of the first use of the relevant exception within 30 days from that first export.

4. By way of derogation from paragraphs 1 and 2 of this Article, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authority may authorise the sale, supply, transfer or export of dual-use goods and technology or the provision of related technical or financial assistance, for non-military use and for a non-military end user, after having determined that such goods or technology or the related technical or financial assistance are intended for:

- (a) cooperation between the Union, the governments of Member States and the government of Belarus in purely civilian matters;
- (b) intergovernmental cooperation in space programmes;
- (c) the operation, maintenance, fuel retreatment and safety of civil nuclear capabilities, as well as civil nuclear cooperation, in particular in the field of research and development;
- (d) maritime safety;
- (e) civilian telecommunications networks, including the provision of internet services;
- (f) the exclusive use of entities owned, or solely or jointly controlled, by a legal person, entity or body which is incorporated or constituted under the law of a Member State or of a partner country;
- (g) the diplomatic representations of the Union, Member States and partner countries, including delegations, embassies and missions.

5. By way of derogation from paragraphs 1 and 2 of this Article, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authority may authorise the sale, supply, transfer or export of dual-use goods and technology or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such goods or technology or such related technical or financial assistance are due under contracts concluded before 3 March 2022, or ancillary contracts necessary for the execution of such a contract, provided that such authorisation is requested before 1 May 2022.

6. Authorisations required under this Article shall be granted by the relevant competent authority in accordance with the rules and procedures laid down in Regulation (EU) 2021/821, which shall apply *mutatis mutandis*. Such authorisation shall be valid throughout the Union.

7. When deciding on a request for authorisation pursuant to paragraphs 4 and 5, the competent authority shall not grant an authorisation if it has reasonable grounds to believe that:

- (i) the end-user might be a military end-user or a natural or legal person, entity or body listed in Annex V, or that the goods might have a military end-use; or
- (ii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1, or the provision of related technical or financial assistance, is intended for aviation or the space industry.

8. The competent authority may annul, suspend, modify or revoke an authorisation which it has granted pursuant to paragraphs 4 and 5 if it deems that such annulment, suspension, modification or revocation is necessary for the effective implementation of this Regulation.;

(5) Article 1f is replaced by the following:

'Article 1f

1. Without prejudice to Articles 1a, 1c and 1s, it shall be prohibited to sell, supply, transfer or export, directly or indirectly, goods and technology which might contribute to Belarus's military and technological enhancement, or to the development of its defence and security sector, as listed in Annex Va, whether or not originating in the Union, to any natural or legal person, entity or body in Belarus or for use in Belarus.

2. It shall be prohibited:

- (a) to provide technical assistance, brokering services or other services related to the goods and technology referred to in paragraph 1, or to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly to any natural or legal person, entity or body in Belarus or for use in Belarus;
- (b) to provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any sale, supply, transfer or export of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly to any natural or legal person, entity or body in Belarus or for use in Belarus.

3. The prohibitions in paragraphs 1 and 2 shall not apply to the sale, supply, transfer or export of the goods and technology referred to in paragraph 1 or to the related provision of technical and financial assistance, for non-military use and for a non-military end-user, intended for:

- (a) humanitarian purposes, health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or on the environment, or as a response to natural disasters;
- (b) medical or pharmaceutical purposes;
- (c) temporary use by news media;
- (d) software updates;
- (e) use as consumer communication devices;
- (f) ensuring cyber-security and information security for natural or legal persons, entities or bodies in Belarus except for its government and undertakings directly or indirectly controlled by that government; or
- (g) personal use of natural persons travelling to Belarus, and limited to personal effects, household effects, vehicles or tools of trade owned by those individuals and not intended for sale.

With the exception of points (f) and (g), the exporter shall declare in its customs declaration that the items are being exported under the relevant exception set out in this paragraph and shall notify the competent authority of the Member State in which it is resident or established of the first use of the relevant exception within 30 days from that first export.

4. By way of derogation from paragraphs 1 and 2, the competent authority may authorise the sale, supply, transfer or export of the goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such goods or technology or the related technical or financial assistance are intended for:

- (a) cooperation between the Union, the governments of Member States and the government of Belarus in purely civilian matters;
- (b) intergovernmental cooperation in space programmes;
- (c) the operation, maintenance, fuel retreatment and safety of civil nuclear capabilities, as well as civil nuclear cooperation, in particular in the field of research and development;
- (d) maritime safety;
- (e) civilian telecommunications networks, including the provision of internet services;
- (f) the exclusive use of entities owned, or solely or jointly controlled by a legal person, entity or body which is incorporated or constituted under the law of a Member State or of a partner country; or
- (g) the diplomatic representations of the Union, Member States and partner countries, including delegations, embassies and missions.

5. By way of derogation from paragraphs 1 and 2, the competent authority of a Member State may authorise the sale, supply, transfer or export of the goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such goods or technology or the related technical or financial assistance are due under contracts concluded before 3 March 2022, or ancillary contracts necessary for the execution of such a contract, provided that such authorisation is requested before 1 May 2022.

6. Authorisations required under this Article shall be granted by the relevant competent authority in accordance with the rules and procedures laid down in Regulation (EU) 2021/821, which shall apply *mutatis mutandis*. Such authorisations shall be valid throughout the Union.

7. When deciding on a request for authorisation pursuant to paragraphs 4 and 5, the competent authority shall not grant an authorisation if it has reasonable grounds to believe that:

- (i) the end-user might be a military end-user or a natural or legal person, entity or body listed in Annex V, or that the goods might have a military end-use; or
- (ii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1, or the provision of related technical or financial assistance, is intended for aviation or the space industry.

8. The competent authority may annul, suspend, modify or revoke an authorisation which it has granted pursuant to paragraphs 4 and 5 if it deems that such annulment, suspension, modification or revocation is necessary for the effective implementation of this Regulation.;

- (6) the following Articles are inserted:

Article 1fa

1. With regard to the entities listed in Annex V, by way of derogation from Article 1e(1) and (2) and Article 1f(1) and (2), and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authority may only authorise the sale, supply, transfer or export of dual-use goods and technology and goods and technology listed in Annex Va, or the provision of related technical or financial assistance, after having determined that such goods or technology or the related technical or financial assistance are:

- (a) necessary for 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
- (b) due under contracts concluded before 3 March 2022, or ancillary contracts necessary for the execution of such a contract, provided that such authorisation is requested before 1 May 2022.

2. Authorisations required under this Article shall be granted by the competent authorities of the Member State in accordance with the rules and procedures laid down in Regulation (EU) 2021/821, which shall apply *mutatis mutandis*. Such authorisation shall be valid throughout the Union.

3. The competent authorities may annul, suspend, modify or revoke an authorisation which they have granted pursuant to paragraph 1 if they deem that such annulment, suspension, modification or revocation is necessary for the effective implementation of this Regulation.

Article 1fb

1. The notification to the competent authority referred to in Articles 1e(3) and 2f(3) shall be submitted by electronic means, whenever possible, on forms containing at least all the elements of, and in the order provided for in, the models set out in Annex Vc.

2. All authorisations referred to in Articles 1e and 1f shall be issued by electronic means, whenever possible, on forms containing at least all the elements of, and in the order provided for in, the models set out in Annex Vc.

Article 1fc

1. The competent authorities shall exchange information on authorisations granted and denials issued pursuant to Articles 1e, 1f and 1fa with the other Member States and the Commission. Such exchange of information shall be carried out using the electronic system provided pursuant to Article 23(6) of Regulation (EU) 2021/821.

2. Information received as a result of the application of this Article shall be used only for the purpose for which it was requested, including the exchanges mentioned in paragraph 4. Member States and the Commission shall ensure the protection of confidential information acquired in the application of this Article in accordance with Union law and the respective national law. Member States and the Commission shall ensure that classified information provided or exchanged under this Article is not downgraded or declassified without the prior written consent of the originator.

3. Before a Member State grants an authorisation in accordance with Article 1e, 1f or 1fa for a transaction which is essentially identical to a transaction which is the subject of a still valid denial issued by another Member State or by other Member States, it shall first consult the Member State or Member States which issued the denial. If, following such consultations, the Member State concerned decides to grant an authorisation, it shall inform the other Member States and the Commission thereof, providing all relevant information to explain the decision.

4. The Commission, in consultation with the Member States, shall, where appropriate and on the basis of reciprocity, exchange information with partner countries, with a view to supporting the effectiveness of export control measures under this Regulation and the consistent application of export control measures applied by partner countries.;

(7) Article 1g is amended as follows:

(a) the following paragraph is inserted:

‘1a. It shall be prohibited to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in paragraph 1’;

(b) paragraph 3 is deleted;

- (8) in Article 1h, the words ‘petroleum and gaseous hydrocarbon products’ are replaced by ‘mineral products’;
- (9) in Article 1h, paragraph 3 is deleted;
- (10) Article 1i is amended as follows:
 - (a) the following paragraph is inserted:

‘1a. It shall be prohibited to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in paragraph 1’;
 - (b) paragraph 2 is deleted;
- (11) in Article 1k, paragraph 4 is deleted;
- (12) in Article 1l, paragraph 3 is deleted;
- (13) the following Articles are inserted:

Article 1o

1. It shall be prohibited:

- (a) to import, directly or indirectly, wood products as listed in Annex X into the Union if they:
 - (i) originate in Belarus; or
 - (ii) have been exported from Belarus;
- (b) to purchase, directly or indirectly, wood products as listed in Annex X which are located in or which originated in Belarus;
- (c) to transport wood products as listed in Annex X if they originated in Belarus or are being exported from Belarus to any other country;
- (d) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in points (a), (b) and (c).

2. The prohibitions in paragraph 1 shall be without prejudice to the execution until 4 June 2022 of contracts concluded before 2 March 2022, or ancillary contracts necessary for the execution of such contracts.

Article 1p

1. It shall be prohibited:

- (a) to import, directly or indirectly, cement products as listed in Annex XI into the Union if they:
 - (i) originate in Belarus; or
 - (ii) have been exported from Belarus;
- (b) to purchase, directly or indirectly, cement products as listed in Annex XI which are located in or which originated in Belarus;
- (c) to transport cement products as listed in Annex XI if they originated in Belarus or are being exported from Belarus to any other country;
- (d) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in points (a), (b) and (c).

2. The prohibitions in paragraph 1 shall be without prejudice to the execution until 4 June 2022 of contracts concluded before 2 March 2022, or ancillary contracts necessary for the execution of such contracts.

Article 1q

1. It shall be prohibited:

- (a) to import, directly or indirectly, iron and steel products as listed in Annex XII into the Union if they:
 - (i) originate in Belarus; or
 - (ii) have been exported from Belarus;
- (b) to purchase, directly or indirectly, iron and steel products as listed in Annex XII which are located in or which originated in Belarus;
- (c) to transport iron and steel products as listed in Annex XII if they originated in Belarus or are being exported from Belarus to any other country;
- (d) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in points (a), (b) and (c).

2. The prohibitions in paragraph 1 shall be without prejudice to the execution until 4 June 2022 of contracts concluded before 2 March 2022, or ancillary contracts necessary for the execution of such contracts.

Article 1r

1. It shall be prohibited:

- (a) to import, directly or indirectly, rubber products as listed in Annex XIII into the Union if they:
 - (i) originate in Belarus; or
 - (ii) have been exported from Belarus;
- (b) to purchase, directly or indirectly, rubber products as listed in Annex XIII which are located in or which originated in Belarus;
- (c) to transport rubber products as listed in Annex XIII if they originated in Belarus or are being exported from Belarus to any other country;
- (d) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in points (a), (b) and (c).

2. The prohibitions in paragraph 1 shall be without prejudice to the execution until 4 June 2022 of contracts concluded before 2 March 2022, or ancillary contracts necessary for the execution of such contracts.

Article 1s

1. It shall be prohibited:

- (a) to sell, supply, transfer or export, directly or indirectly, machinery as listed in Annex XIV, whether or not originating in the Union, to any person, entity or body in Belarus or for use in Belarus;
- (b) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in point (a).

2. The prohibitions in paragraph 1 shall not apply to the sale, supply, transfer or export of the machinery referred to in paragraph 1 or to the related provision of technical and financial assistance, for non-military use and for a non-military end-user, intended for:

- (a) humanitarian purposes, health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or on the environment, or as a response to natural disasters;
- (b) medical or pharmaceutical purposes;
- (c) temporary use by news media;
- (d) software updates;
- (e) use as consumer communication devices;
- (f) ensuring cyber-security and information security for natural or legal persons, entities or bodies in Belarus except for its government and undertakings directly or indirectly controlled by that government; or
- (g) personal use of natural persons travelling to Belarus, and limited to personal effects, household effects, vehicles or tools of trade owned by those individuals and not intended for sale.

With the exception of points (f) and (g), the exporter shall declare in its customs declaration that the items are being exported under the relevant exception set out in this paragraph and shall notify the competent authority of the Member State where the exporter is resident or established of the first use of the relevant exception within 30 days from that first export.

3. The prohibitions in paragraph 1 shall be without prejudice to the execution until 4 June 2022 of contracts concluded before 2 March 2022, or ancillary contracts necessary for the execution of such contracts.’;

(14) Article 8 is replaced by the following:

‘Article 8

The Commission shall be empowered to amend Annexes II and Vc on the basis of information supplied by Member States.’;

- (15) Annex V to Regulation (EC) No 765/2006 is replaced by Annex I to this Regulation;
- (16) Annex II to this Regulation is inserted in Regulation (EC) No 765/2006 as Annex Va;
- (17) Annex III to this Regulation is inserted in Regulation (EC) No 765/2006 as Annex Vb;
- (18) Annex IV to this Regulation is inserted in Regulation (EC) No 765/2006 as Annex Vc;
- (19) Annex VI of Regulation (EC) No 765/2006 is amended as set out in Annex V to this Regulation;
- (20) Annex VII of Regulation (EC) No 765/2006 is amended as set out in Annex VI to this Regulation;
- (21) Annex VIII of Regulation (EC) No 765/2006 is amended as set out in Annex VII to this Regulation;
- (22) Annex VIII to this Regulation is added to Regulation (EC) No 765/2006 as Annex X;
- (23) Annex IX to this Regulation is added to Regulation (EC) No 765/2006 as Annex XI;
- (24) Annex X to this Regulation is added to Regulation (EC) No 765/2006 as Annex XII;
- (25) Annex XI to this Regulation is added to Regulation (EC) No 765/2006 as Annex XIII;
- (26) Annex XII to this Regulation is added to Regulation (EC) No 765/2006 as Annex XIV.

Article 2

This Regulation shall enter into force on the day following that of 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, 2 March 2022.

For the Council
The President
J.-Y. LE DRIAN

ANNEX I

Annex V to Regulation 765/2006 is replaced by the following:

‘ANNEX V

LIST OF NATURAL OR LEGAL PERSONS
REFERRED TO IN ARTICLES 1e(7), 1f(7) AND 1fa(1)

Belarus Ministry of Defence’.

ANNEX II

‘ANNEX Va

**LIST OF GOODS AND TECHNOLOGY
REFERRED TO IN ARTICLES 1f(1) AND 1fa(1)**

General Notes, Acronyms and Abbreviations, and Definitions in Annex I to Regulation (EU) 2021/821 apply to this Annex, with the exception of “Part I - General Notes, Acronyms and Abbreviations, and Definitions, General Notes to Annex I, point 2”.

Definitions of terms used in the Common Military List (CML) of the European Union¹ apply to this Annex.

Without prejudice to Article 1m of this Regulation, non-controlled items containing one or more components listed in this Annex are not subject to the controls under Article 1fa of this Regulation.

¹ Common Military List of the European Union (OJ C 85, 13.3.2020, p.1).

Category I - Electronics

X.A.I.001 Electronic devices and components.

- a. “Microprocessor microcircuits”, “microcomputer microcircuits”, and microcontroller microcircuits having any of the following:
 1. A performance speed of 5 GigaFLOPS or more and an arithmetic logic unit with an access width of 32 bit or more;
 2. A clock frequency rate exceeding 25 MHz; or
 3. More than one data or instruction bus or serial communication port that provides a direct external interconnection between parallel “microprocessor microcircuits” with a transfer rate of 2,5 Mbyte/s;
- b. Storage integrated circuits, as follows:
 1. Electrically erasable programmable read-only memories (EEPROMs) with a storage capacity:
 - a. Exceeding 16 Mbits per package for flash memory types; or
 - b. Exceeding either of the following limits for all other EEPROM types:
 1. Exceeding 1 Mbit per package; or

2. Exceeding 256 kbit per package and a maximum access time of less than 80 ns;
2. Static random access memories (SRAMs) with a storage capacity:
 - a. Exceeding 1 Mbit per package; or
 - b. Exceeding 256 kbit per package and a maximum access time of less than 25 ns;
 - c. Analog-to-digital converters having any of the following:
 1. A resolution of 8 bit or more, but less than 12 bit, with an output rate greater than 200 Mega Samples Per Second (MSPS);
 2. A resolution of 12 bit with an output rate greater than 105 Mega Samples per Second (MSPS);
 3. A resolution of more than 12 bit but equal to or less than 14 bit with an output rate greater than 10 Mega Samples per Second (MSPS); or
 4. A resolution of more than 14 bit with an output rate greater than 2,5 Mega Samples Per Second (MSPS);
 - d. Field programmable logic devices having a maximum number of single-ended digital input/outputs between 200 and 700;

- e. Fast Fourier Transform (FFT) processors having a rated execution time for a 1 024 point complex FFT of less than 1 ms;
- f. Custom integrated circuits for which the function is unknown, or the control status of the equipment in which the integrated circuits will be used is unknown to the manufacturer, having any of the following:
 - 1. More than 144 terminals; or
 - 2. A typical “basic propagation delay time” of less than 0,4 ns;
- g. Traveling-wave “vacuum electronic devices”, pulsed or continuous wave, as follows:
 - 1. Coupled cavity devices, or derivatives thereof;
 - 2. Devices based on helix, folded waveguide, or serpentine waveguide circuits, or derivatives thereof, having any of the following:
 - a. An “instantaneous bandwidth” of half an octave or more and average power (expressed in kW) times frequency (expressed in GHz) of more than 0,2; or
 - b. An “instantaneous bandwidth” of less than half an octave; and average power (expressed in kW) times frequency (expressed in GHz) of more than 0,4;

- h. Flexible waveguides designed for use at frequencies exceeding 40 GHz;
- i. Surface acoustic wave and surface skimming (shallow bulk) acoustic wave devices, having either of the following:
 - 1. A carrier frequency exceeding 1 GHz; or
 - 2. A carrier frequency of 1 GHz or less; and
 - a. A “frequency side-lobe rejection” exceeding 55 dB;
 - b. A product of the maximum delay time and bandwidth (time in microseconds and bandwidth in MHz) of more than 100; or
 - c. A dispersive delay of more than 10 microseconds;

Technical Note: For the purpose of X.A.I.001.i “Frequency side-lobe rejection” is the maximum rejection value specified in data sheet.

- j. “Cells” as follows:
 - 1. “Primary cells” having an “energy density” of 550 Wh/kg or less at 293 K (20°C);
 - 2. “Secondary cells” having an “energy density” of 350 Wh/kg or less at 293 K (20°C);

Note: X.A.I.001.j does not control batteries, including single cell batteries.

Technical Notes:

1. For the purpose of X.A.I.001.j, energy density (Wh/kg) is calculated from the nominal voltage multiplied by the nominal capacity in ampere-hours (Ah) divided by the mass in kilograms. If the nominal capacity is not stated, energy density is calculated from the nominal voltage squared then multiplied by the discharge duration in hours divided by the discharge load in Ohms and the mass in kilograms.
 2. For the purpose of X.A.I.001.j, a “cell” is defined as an electrochemical device, which has positive and negative electrodes, and electrolyte, and is a source of electrical energy. It is the basic building block of a battery.
 3. For the purpose of X.A.I.001.j.1, a “primary cell” is a “cell” that is not designed to be charged by any other source.
 4. For the purpose of X.A.I.001.j.2, a “secondary cell” is a “cell” that is designed to be charged by an external electrical source.
- k. “Superconductive” electromagnets or solenoids specially designed to be fully charged or discharged in less than one minute, having all of the following:

Note: X.A.I.001.k does not control “superconductive” electromagnets or solenoids designed for Magnetic Resonance Imaging (MRI) medical equipment.

1. Maximum energy delivered during the discharge divided by the duration of the discharge of more than 500 kJ per minute;
2. Inner diameter of the current carrying windings of more than 250 mm; and
3. Rated for a magnetic induction of more than 8T or “overall current density” in the winding of more than 300 A/mm²;

1. Circuits or systems for electromagnetic energy storage, containing components manufactured from “superconductive” materials specially designed for operation at temperatures below the “critical temperature” of at least one of their “superconductive” constituents, having all of the following:
 1. Resonant operating frequencies exceeding 1 MHz;
 2. A stored energy density of 1 MJ/m³ or more; and
 3. A discharge time of less than 1 ms;
 - m. Hydrogen/hydrogen-isotope thyratrons of ceramic-metal construction and rate for a peak current of 500 A or more;
 - n. Not used;
 - o. Solar cells, cell-interconnect-coverglass (CIC) assemblies, solar panels, and solar arrays, which are “space qualified” and not controlled by 3A001.e.4¹.
- X.A.I.002 General purpose "electronic assemblies", modules and equipment.
- a. Electronic test equipment, other than those specified in the CML or in Regulation (EU) 2021/821;

¹ Ref. Annex I to Regulation (EU) 2021/821.

- b. Digital instrumentation magnetic tape data recorders having any of the following characteristics;
 - 1. A maximum digital interface transfer rate exceeding 60 Mbit/s and employing helical scan techniques;
 - 2. A maximum digital interface transfer rate exceeding 120 Mbit/s and employing fixed head techniques; or
 - 3. “Space qualified”;
- c. Equipment, with a maximum digital interface transfer rate exceeding 60 Mbit/s, designed to convert digital video magnetic tape recorders for use as digital instrumentation data recorders;
- d. Non-modular analog oscilloscopes having a bandwidth of 1 GHz or greater;
- e. Modular analog oscilloscope systems having either of the following characteristics:
 - 1. A mainframe with a bandwidth of 1 GHz or greater; or
 - 2. Plug-in modules with an individual bandwidth of 4 GHz or greater;
- f. Analog sampling oscilloscopes for the analysis of recurring phenomena with an effective bandwidth greater than 4 GHz;

- g. Digital oscilloscopes and transient recorders, using analog-to-digital conversion techniques, capable of storing transients by sequentially sampling single-shot inputs at successive intervals of less than 1 ns (greater than 1 Giga Samples per Second (GSPS)), digitizing to 8 bits or greater resolution and storing 256 or more samples.

Note: X.A.I.002 controls the following specially designed components for analog oscilloscopes:

1. Plug-in units;
2. External amplifiers;
3. Pre-amplifiers;
4. Sampling devices;
5. Cathode ray tubes.

X.A.I.003 Specific processing equipment, other than those specified in the CML or in Regulation (EU) 2021/821, as follows:

- a. Frequency changers capable of operating in the frequency range from 300 up to 600 Hz, other than those specified in the CML or in Regulation (EU) 2021/821;
- b. Mass spectrometers, other than those specified in the CML or in Regulation (EU) 2021/821;
- c. All flash x-ray machines, or components of pulsed power systems designed thereof, including Marx generators, high power pulse shaping networks, high voltage capacitors, and triggers;
- d. Pulse amplifiers, other than those specified in the CML or in Regulation (EU) 2021/821;

- e. Electronic equipment for time delay generation or time interval measurement, as follows:
 - 1. Digital time delay generators with a resolution of 50 nanoseconds or less over time intervals of 1 microsecond or greater; or
 - 2. Multi-channel (three or more) or modular time interval meter and chronometry equipment with resolution of 50 nanoseconds or less over time intervals of 1 microsecond or greater;
- f. Chromatography and spectrometry analytical instruments.

X.B.I.001 Equipment for the manufacture of electronic components or materials, as follows, and specially designed components and accessories therefor.

- a. Equipment specially designed for the manufacture of electron tubes, optical elements and specially designed components therefor controlled by 3A001¹ or X.A.I.001;
- b. Equipment specially designed for the manufacture of semiconductor devices, integrated circuits and “electronic assemblies”, as follows, and systems incorporating or having the characteristics of such equipment:

Note: X.B.I.001.b. also controls equipment used or modified for use in the manufacture of other devices, such as imaging devices, electro-optical devices, acoustic-wave devices.

¹ Ref. Annex I to Regulation (EU) 2021/821.

1. Equipment for the processing of materials for the manufacture of devices and components as specified in the heading of X.B.I.001.b, as follows:

Note: X.B.I.001 does not control quartz furnace tubes, furnace liners, paddles, boats (except specially designed caged boats), bubblers, cassettes or crucibles specially designed for the processing equipment controlled by X.B.I.001.b.1.

- a. Equipment for producing polycrystalline silicon and materials controlled by 3C001¹;
- b. Equipment specially designed for purifying or processing III/V and II/VI semiconductor materials controlled by 3C001, 3C002, 3C003, 3C004, or 3C005² except crystal pullers, for which see X.B.I.001.b.1.c below;
- c. Crystal pullers and furnaces, as follows:

Note: X.B.I.001.b.1.c does not control diffusion and oxidation furnaces.

1. Annealing or recrystallizing equipment other than constant temperature furnaces employing high rates of energy transfer capable of processing wafers at a rate exceeding 0,005 m² per minute;
2. “Stored program controlled” crystal pullers having any of the following characteristics:
 - a. Rechargeable without replacing the crucible container;

¹ Ref. Annex I to Regulation (EU) 2021/821.

² Ref. Annex I to Regulation (EU) 2021/821.

- b. Capable of operation at pressures above $2,5 \times 10^5$ Pa; or
- c. Capable of pulling crystals of a diameter exceeding 100 mm;
- d. “Stored program controlled” equipment for epitaxial growth having any of the following characteristics:
 - 1. Capable of producing silicon layer with a thickness uniform to less than $\pm 2,5$ % across a distance of 200 mm or more;
 - 2. Capable of producing a layer of any material other than silicon with a thickness uniformity across the wafer of equal to or better than $\pm 3,5$ %; or
 - 3. Rotation of individual wafers during processing;
- e. Molecular beam epitaxial growth equipment;
- f. Magnetically enhanced “sputtering” equipment with specially designed integral load locks capable of transferring wafers in an isolated vacuum environment;
- g. Equipment specially designed for ion implantation, ion-enhanced or photo-enhanced diffusion, having any of the following characteristics:
 - 1. Patterning capability;

2. Beam energy (accelerating voltage) exceeding 200 keV;
 3. Optimised to operate at a beam energy (accelerating voltage) of less than 10 keV; or
 4. Capable of high energy oxygen implant into a heated “substrate”;
- h. “Stored program controlled” equipment for the selective removal (etching) by means of anisotropic dry methods (e.g., plasma), as follows:
1. “Batch types” having either of the following:
 - a. End-point detection, other than optical emission spectroscopy types; or
 - b. Reactor operational (etching) pressure of 26,66 Pa or less;
 2. “Single wafer types” having any of the following:
 - a. End-point detection, other than optical emission spectroscopy types;
 - b. Reactor operational (etching) pressure of 26,66 Pa or less; or

c. Cassette-to-cassette and load locks wafer handling;

Notes: 1. “Batch types” refers to machines not specially designed for production processing of single wafers. Such machines can process two or more wafers simultaneously with common process parameters, e.g., RF power, temperature, etch gas species, flow rates.

2. “Single wafer types” refers to machines specially designed for production processing of single wafers. These machines may use automatic wafer handling techniques to load a single wafer into the equipment for processing. The definition includes equipment that can load and process several wafers but where the etching parameters, e.g., RF power or end point, can be independently determined for each individual wafer.

i. “Chemical vapor deposition” (CVD) equipment, e.g., plasma-enhanced CVD (PECVD) or photo-enhanced CVD, for semiconductor device manufacturing, having either of the following capabilities, for deposition of oxides, nitrides, metals or polysilicon:

1. “Chemical vapor deposition” equipment operating below 105 Pa;
or
2. PECVD equipment operating either below 60 Pa or having automatic cassette-to-cassette and load lock wafer handling;

Note: X.B.I.001.b.1.i does not control low pressure “chemical vapor deposition” (LPCVD) systems or reactive “sputtering” equipment.

j. Electron beam systems specially designed or modified for mask making or semiconductor device processing having any of the following characteristics:

1. Electrostatic beam deflection;
2. Shaped, non-Gaussian beam profile;
3. Digital-to-analog conversion rate exceeding 3 MHz;
4. Digital-to-analog conversion accuracy exceeding 12 bit; or
5. Target-to-beam position feedback control precision of 1 micrometer or finer;

Note: X.B.I.001.b.1.j does not control electron beam deposition systems or general purpose scanning electron microscopes.

k. Surface finishing equipment for the processing of semiconductor wafers as follows:

1. Specially designed equipment for backside processing of wafers thinner than 100 micrometer and the subsequent separation thereof;
or

2. Specially designed equipment for achieving a surface roughness of the active surface of a processed wafer with a two-sigma value of 2 micrometer or less, total indicator reading (TIR);

Note: X.B.I.001.b.1.k does not control single-side lapping and polishing equipment for wafer surface finishing.

- l. Interconnection equipment which includes common single or multiple vacuum chambers specially designed to permit the integration of any equipment controlled by X.B.I.001 into a complete system;
- m. “Stored program controlled” equipment using “lasers” for the repair or trimming of “monolithic integrated circuits” with either of the following characteristics:
 1. Positioning accuracy less than ± 1 micrometer; or
 2. Spot size (kerf width) less than 3 micrometer.

Technical Note: For the purpose of X.B.I.001.b.1, 'sputtering' is an overlay coating process wherein positively charged ions are accelerated by an electric field towards the surface of a target (coating material). The kinetic energy of the impacting ions is sufficient to cause target surface atoms to be released and deposited on the substrate. (Note: Triode, magnetron or radio frequency sputtering to increase adhesion of coating and rate of deposition are ordinary modifications of the process.).

2. Masks, mask substrates, mask-making equipment and image transfer equipment for the manufacture of devices and components as specified in the heading of X.B.I.001, as follows:

Note: The term masks refers to those used in electron beam lithography, X-ray lithography, and ultraviolet lithography, as well as the usual ultraviolet and visible photo-lithography.

- a. Finished masks, reticles and designs therefor, except:
 1. Finished masks or reticles for the production of integrated circuits not controlled by 3A001¹; or
 2. Masks or reticles, having both of the following characteristics:
 - a. Their design is based on geometries of 2,5 micrometer or more; and
 - b. The design does not include special features to alter the intended use by means of production equipment or “software”;
- b. Mask substrates as follows:
 1. Hard surface (e.g., chromium, silicon, molybdenum) coated “substrates” (e.g., glass, quartz, sapphire) for the preparation of masks having dimensions exceeding 125 mm x 125 mm; or
 2. Substrates specially designed for X-ray masks;

¹ Ref. Annex I to Regulation (EU) 2021/821

- c. Equipment, other than general purpose computers, specially designed for computer aided design (CAD) of semiconductor devices or integrated circuits;
- d. Equipment or machines, as follows, for mask or reticle fabrication:
 - 1. Photo-optical step and repeat cameras capable of producing arrays larger than 100 mm x 100 mm, or capable of producing a single exposure larger than 6 mm x 6 mm in the image (i.e., focal) plane, or capable of producing line widths of less than 2,5 micrometer in the photoresist on the “substrate”;
 - 2. Mask or reticle fabrication equipment using ion or “laser” beam lithography capable of producing line widths of less than 2,5 micrometer; or
 - 3. Equipment or holders for altering masks or reticles or adding pellicles to remove defects;

Note: X.B.I.001.b.2.d.1 and b.2.d.2 do not control mask fabrication equipment using photo-optical methods which was either commercially available before the 1st January 1980, or has a performance no better than such equipment.

e. “Stored program controlled” equipment for the inspection of masks, reticles or pellicles with:

1. A resolution of 0,25 micrometer or finer; and
2. A precision of 0,75 micrometer or finer over a distance in one or two coordinates of 63,5 mm or more;

Note: X.B.I.001.b.2.e does not control general purpose scanning electron microscopes except when specially designed and instrumented for automatic pattern inspection.

f. Align and expose equipment for wafer production using photo-optical or X-ray methods, e.g., lithography equipment, including both projection image transfer equipment and step and repeat (direct step on wafer) or step and scan (scanner) equipment, capable of performing any of the following functions:

Note: X.B.I.001.b.2.f does not control photo-optical contact and proximity mask align and expose equipment or contact image transfer equipment.

1. Production of a pattern size of less than 2,5 micrometer;
2. Alignment with a precision finer than $\pm 0,25$ micrometer (3 sigma);
3. Machine-to-machine overlay no better than $\pm 0,3$ micrometer; or
4. A light source wavelength shorter than 400 nm;

- g. Electron beam, ion beam or X-ray equipment for projection image transfer capable of producing patterns less than 2,5 micrometer;

Note: For focused, deflected-beam systems (direct write systems), see X.B.I.001.b.1.j.
 - h. Equipment using “lasers” for direct write on wafers capable of producing patterns less than 2,5 micrometer.
3. Equipment for the assembly of integrated circuits, as follows:
- a. “Stored program controlled” die bonders having all of the following characteristics:
 - 1. Specially designed for “hybrid integrated circuits”;
 - 2. X-Y stage positioning travel exceeding 37,5 x 37,5 mm; and
 - 3. Placement accuracy in the X-Y plane of finer than ± 10 micrometer;
 - b. “Stored program controlled” equipment for producing multiple bonds in a single operation (e.g., beam lead bonders, chip carrier bonders, tape bonders);

- c. Semi-automatic or automatic hot cap sealers, in which the cap is heated locally to a higher temperature than the body of the package, specially designed for ceramic microcircuit packages controlled by 3A001¹ and that have a throughput equal to or more than one package per minute.

Note: X.B.I.001.b.3 does not control general purpose resistance type spot welders.

4. Filters for clean rooms capable of providing an air environment of 10 or less particles of 0,3 micrometer or smaller per 0,02832 m³ and filter materials therefor.

Technical Note: For the purpose of X.B.I.001, “stored program controlled” is a control using instructions stored in an electronic storage that a processor can execute in order to direct the performance of predetermined functions. Equipment may be “stored program controlled” whether the electronic storage is internal or external to the equipment.

X.B.I.002 Equipment for the inspection or testing of electronic components and materials, and specially designed components and accessories therefor.

- a. Equipment specially designed for the inspection or testing of electron tubes, optical elements and specially designed components therefor controlled by 3A001² or X.A.I.001;

¹ Ref. Annex I to Regulation (EU) 2021/821.

² Ref. Annex I to Regulation (EU) 2021/821.

- b. Equipment specially designed for the inspection or testing of semiconductor devices, integrated circuits and “electronic assemblies”, as follows, and systems incorporating or having the characteristics of such equipment:

Note: X.B.I.002.b also controls equipment used or modified for use in the inspection or testing of other devices, such as imaging devices, electro-optical devices, acoustic-wave devices.

1. “Stored program controlled” inspection equipment for the automatic detection of defects, errors or contaminants of 0,6 micrometer or less in or on processed wafers, substrates, other than printed circuit boards or chips, using optical image acquisition techniques for pattern comparison;

Note: X.B.I.002.b.1 does not control general purpose scanning electron microscopes, except when specially designed and instrumented for automatic pattern inspection.

2. Specially designed “stored program controlled” measuring and analysis equipment, as follows:
- a. Specially designed for the measurement of oxygen or carbon content in semiconductor materials;
 - b. Equipment for line width measurement with a resolution of 1 micrometer or finer;

- c. Specially designed flatness measurement instruments capable of measuring deviations from flatness of 10 micrometer or less with a resolution of 1 micrometer or finer.
3. “Stored program controlled” wafer probing equipment having any of the following characteristics:
 - a. Positioning accuracy finer than 3,5 micrometer;
 - b. Capable of testing devices having more than 68 terminals; or
 - c. Capable of testing at a frequency exceeding 1 GHz;
4. Test equipment as follows:
 - a. “Stored program controlled” equipment specially designed for testing discrete semiconductor devices and unencapsulated dice, capable of testing at frequencies exceeding 18 GHz;

Technical Note: Discrete semiconductor devices include photocells and solar cells.
 - b. “Stored program controlled” equipment specially designed for testing integrated circuits and “electronic assemblies” thereof, capable of functional testing:
 1. At a “pattern rate” exceeding 20 MHz; or

2. At a “pattern rate” exceeding 10 MHz but not exceeding 20 MHz and capable of testing packages of more than 68 terminals.

Notes: X.B.I.002.b.4.b does not control test equipment specially designed for testing:

1. Memories;
2. “Assemblies” or a class of “electronic assemblies” for home and entertainment applications; and
3. Electronic components, “electronic assemblies” and integrated circuits not controlled by 3A001¹ or X.A.I.001 provided such test equipment does not incorporate computing facilities with “user accessible programmability”.

Technical Note: For purposes of X.B.I.002.b.4.b, “pattern rate” is defined as the maximum frequency of digital operation of a tester. It is therefore equivalent to the highest data rate that a tester can provide in non-multiplexed mode. It is also referred to as test speed, maximum digital frequency or maximum digital speed.

- c. Equipment specially designed for determining the performance of focal-plane arrays at wavelengths of more than 1 200 nm, using “stored program controlled” measurements or computer aided evaluation and having any of the following characteristics:
 1. Using scanning light spot diameters of less than 0,12 mm;
 2. Designed for measuring photosensitive performance parameters and for evaluating frequency response, modulation transfer function, uniformity of responsivity or noise; or

¹ Ref. Annex I to Regulation (EU) 2021/821.

3. Designed for evaluating arrays capable of creating images with more than 32 x 32 line elements;
5. Electron beam test systems designed for operation at 3 keV or below, or “laser” beam systems, for non-contactive probing of powered-up semiconductor devices having any of the following:
 - a. Stroboscopic capability with either beam blanking or detector strobing;
 - b. An electron spectrometer for voltage measurements with a resolution of less than 0,5 V; or
 - c. Electrical tests fixtures for performance analysis of integrated circuits;

Note: X.B.I.002.b.5 does not control scanning electron microscopes, except when specially designed and instrumented for non-contactive probing of a powered-up semiconductor device.

6. “Stored program controlled” multifunctional focused ion beam systems specially designed for manufacturing, repairing, physical layout analysis and testing of masks or semiconductor devices and having either of the following characteristics:
 - a. Target-to-beam position feedback control precision of 1 micrometer or finer; or
 - b. Digital-to-analog conversion accuracy exceeding 12 bit;

7. Particle measuring systems employing “lasers” designed for measuring particle size and concentration in air having both of the following characteristics:
 - a. Capable of measuring particle sizes of 0,2 micrometer or less at a flow rate of 0,02832 m³ per minute or more; and
 - b. Capable of characterizing Class 10 clean air or better.

Technical Note: For the purpose of X.B.I.002, “stored program controlled” is a control using instructions stored in an electronic storage that a processor can execute in order to direct the performance of predetermined functions. Equipment may be “stored program controlled” whether the electronic storage is internal or external to the equipment.

X.C.I.001 Positive resists designed for semiconductor lithography specially adjusted (optimised) for use at wavelengths between 370 and 193 nm.

X.D.I.001 “Software” specially designed for the “development”, “production”, or “use” of electronic devices or components controlled by X.A.I.001, general purpose electronic equipment controlled by X.A.I.002, or manufacturing and test equipment controlled by X.B.I.001 and X.B.I.002; or “software” specially designed for the “use” of equipment controlled by 3B001.g and 3B001.h¹.

X.E.I.001 “Technology” for the “development”, “production” or “use” of electronic devices or components controlled by X.A.I.001, general purpose electronic equipment controlled by X.A.I.002, or manufacturing and test equipment controlled by X.B.I.001 or X.B.I.002, or materials controlled by X.C.I.001.

¹ Ref. Annex I to Regulation (EU)2021/821.

Category II – Computers

Note: Category II does not control goods for the personal use of the natural persons.

X.A.II.001 Computers, “electronic assemblies” and related equipment, not controlled by 4A001 or 4A003¹, and specially designed components therefor.

- Note: The control status of the “digital computers” and related equipment described in X.A.II.001 is determined by the control status of other equipment or systems provided:
- a. The “digital computers” or related equipment are essential for the operation of the other equipment or systems;
 - b. The “digital computers” or related equipment are not a “principal element” of the other equipment or systems; and
N.B.1: The control status of “signal processing” or “image enhancement” equipment specially designed for other equipment with functions limited to those required for the other equipment is determined by the control status of the other equipment even if it exceeds the “principal element” criterion.
N.B.2: For the control status of “digital computers” or related equipment for telecommunications equipment, see Category 5, Part 1 (Telecommunications)².
 - c. The “technology” for the “digital computers” and related equipment is determined by 4E³.
 - a. Electronic computers and related equipment, and “electronic assemblies” and specially designed components therefor, rated for operation at an ambient temperature above 343 K (70°C);
 - b. “Digital computers”, including equipment of “signal processing” or image enhancement”, having an “Adjusted Peak Performance” (“APP”) equal to or greater than 0,0128 Weighted TeraFLOPS (WT);

¹ Ref. Annex I to Regulation (EU) 2021/821.

² Ref. Annex I to Regulation (EU) 2021/821.

³ Ref. Annex I to Regulation (EU) 2021/821.

- c. “Electronic assemblies” that are specially designed or modified to enhance performance by aggregation of processors, as follows:
1. Designed to be capable of aggregation in configurations of 16 or more processors;
 2. Not used;

Note 1: X.A.II.001.c applies only to “electronic assemblies” and programmable interconnections with a “APP” not exceeding the limits in X.A.II.001.b, when shipped as unintegrated “electronic assemblies”. It does not apply to “electronic assemblies” inherently limited by nature of their design for use as related equipment controlled by X.A.II.001.k.

Note 2: X.A.II.001.c does not control any “electronic assembly” specially designed for a product or family of products whose maximum configuration does not exceed the limits of X.A.II.001.b.

- d. Not used;
- e. Not used;
- f. Equipment for “signal processing” or “image enhancement” having an “Adjusted Peak Performance” (“APP”) equal to or greater than 0,0128 Weighted TeraFLOPS WT;
- g. Not used;
- h. Not used;

- i. Equipment containing “terminal interface equipment” exceeding the limits in X.A.III.101;

Technical Note: For the purpose of X.A.II.001.i, “terminal interface equipment” means equipment at which information enters or leaves the telecommunication system, e.g. telephone, data device, computer, etc.

- j. Equipment specially designed to provide external interconnection of “digital computers” or associated equipment that allows communications at data rates exceeding 80 Mbyte/s.

Note: X.A.II.001.j does not control internal interconnection equipment (e.g., backplanes, buses) passive interconnection equipment, “network access controllers” or “communication channel controllers”.

Technical Note: For the purpose of X.A.II.001.j, “communication channel controllers” is the physical interface which controls the flow of synchronous or asynchronous digital information. It is an assembly that can be integrated into computer or telecommunications equipment to provide communications access.

- k. “Hybrid computers” and “electronic assemblies” and specially designed components therefor containing analog-to-digital converters having all of the following characteristics:

1. 32 channels or more; and
2. A resolution of 14 bit (plus sign bit) or more with a conversion rate of 200 000 Hz or more.

X.D.II.001 “Program” proof and validation “software”, “software” allowing the automatic generation of “source codes”, and operating system “software” that are specially designed for “real-time processing” equipment.

- a. “Program” proof and validation “software” using mathematical and analytical techniques and designed or modified for “programs” having more than 500 000 “source code” instructions;
- b. “Software” allowing the automatic generation of “source codes” from data acquired on line from external sensors described in the Regulation (EU) 2021/821; or
- c. Operating system “software” specially designed for “real-time processing” equipment that guarantees a “global interrupt latency time” of less than 20 microseconds.

Technical Note: For the purpose of X.D.II.001, 'global interrupt latency time' is the time taken by the computer system to recognise an interrupt due to the event, service the interrupt and perform a context switch to an alternate memory-resident task waiting on the interrupt.

X.D.II.002 “Software” other than that controlled in 4D001¹ specially designed or modified for the “development”, “production” or “use” of equipment controlled by 4A101², X.A.II.001.

X.E.II.001 “Technology” for the “development”, “production” or “use” of equipment controlled by X.A.II.001, or “software” controlled by X.D.II.001 or X.D.II.002.

¹ Ref. Annex I to Regulation (EU) 2021/821

² Ref. Annex I to Regulation (EU) 2021/821

X.E.II.001 “Technology” for the “development” or “production” of equipment designed for “multi-data-stream processing”.

Technical Note: For the purpose of X.E.II.001, “multi-data-stream processing” is a microprogram or equipment architecture technique that permits simultaneous processing of two or more data sequences under the control of one or more instruction sequences by means such as:

1. Single Instruction Multiple Data (SIMD) architectures such as vector or array processors;
2. Multiple Single Instruction Multiple Data (MSIMD) architectures;
3. Multiple Instruction Multiple Data (MIMD) architectures, including those that are tightly coupled, closely coupled or loosely coupled; or
4. Structured arrays of processing elements, including systolic arrays.

Category III. Part 1 – Telecommunications

Note: Category III.Part 1 does not control goods for the personal use of the natural persons.

X.A.III.101 Telecommunication equipment.

- a. Any type of telecommunications equipment, not controlled by 5A001.a¹, specially designed to operate outside the temperature range from 219 K (-54°C) to 397 K (124°C).
- b. Telecommunication transmission equipment and systems, and specially designed components and accessories therefor, having any of the following characteristics, functions or features:

Note: Telecommunication transmission equipment:

- a. Categorised as follows, or combinations thereof:
 1. Radio equipment (e.g., transmitters, receivers and transceivers);
 2. Line terminating equipment;
 3. Intermediate amplifier equipment;
 4. Repeater equipment;
 5. Regenerator equipment;
 6. Translation encoders (transcoders);
 7. Multiplex equipment (statistical multiplex included);
 8. Modulators/demodulators (modems);
 9. Transmultiplex equipment (see CCITT Rec. G701);
 10. “Stored program controlled” digital cross-connection equipment;
 11. “Gateways” and bridges;
 12. “Media access units”; and

¹ Ref. Annex I to Regulation (EU) 2021/821

- b. Designed for use in single or multi-channel communication via any of the following:
 1. Wire (line);
 2. Coaxial cable;
 3. Optical fibre cable;
 4. Electromagnetic radiation; or
 5. Underwater acoustic wave propagation.
1. Employing digital techniques, including digital processing of analog signals, and designed to operate at a “digital transfer rate” at the highest multiplex level exceeding 45 Mbit/s or a “total digital transfer rate” exceeding 90 Mbit/s;

Note: X.A.III.101.b.1 does not control equipment specially designed to be integrated and operated in any satellite system for civil use.
2. Modems using the “bandwidth of one voice channel” with a “data signalling rate” exceeding 9 600 bits per second;
3. Being “stored program controlled” digital cross connect equipment with “digital transfer rate” exceeding 8,5 Mbit/s per port.
4. Being equipment containing any of the following:
 - a. "Network access controllers" and their related common medium having a “digital transfer rate” exceeding 33 Mbit/s; or
 - b. “Communication channel controllers” with a digital output having a “data signalling rate” exceeding 64 000 bit/s per channel;

Note: If any uncontrolled equipment contains a “network access controller”, it cannot have any type of telecommunications interface, except those described in, but not controlled by X.A.III.101.b.4.

5. Employing a “laser” and having any of the following characteristics:
 - a. A transmission wavelength exceeding 1 000 nm; or
 - b. Employing analog techniques and having a bandwidth exceeding 45 MHz;
 - c. Employing coherent optical transmission or coherent optical detection techniques (also called optical heterodyne or homodyne techniques);
 - d. Employing wavelength division multiplexing techniques; or
 - e. Performing “optical amplification”;
6. Radio equipment operating at input or output frequencies exceeding:
 - a. 31 GHz for satellite-earth station applications; or
 - b. 26,5 GHz for other applications;

Note: X.A.III.101.b.6 does not control equipment for civil use when conforming with an International Telecommunications Union (ITU) allocated band between 26,5 GHz and 31 GHz.

7. Being radio equipment employing any of the following:
 - a. Quadrature-amplitude-modulation (QAM) techniques above level 4 if the “total digital transfer rate” exceeds 8,5 Mbit/s;
 - b. QAM techniques above level 16 if the “total digital transfer rate” is equal to or less than 8,5 Mbit/s;
 - c. Other digital modulation techniques and having a “spectral efficiency” exceeding 3 bit/s/Hz; or
 - d. Operating in the 1,5 MHz to 87,5 MHz band and incorporating adaptive techniques providing more than 15 dB suppression of an interfering signal.

Notes:

1. X.A.III.101.b.7 does not control equipment specially designed to be integrated and operated in any satellite system for civil use.
2. X.A.III.101.b.7 does not control radio relay equipment for operation in an International Telecommunications Union (ITU) allocated band:
 - a. Having any of the following:
 1. Not exceeding 960 MHz; or
 2. With a “total digital transfer rate” not exceeding 8,5 Mbit/s;
and
 - b. Having a “spectral efficiency” not exceeding 4 bit/s/Hz.

- c. “Stored program controlled” switching equipment and related signalling systems, having any of the following characteristics, functions or features, and specially designed components and accessories therefor:

Note: Statistical multiplexers with digital input and digital output which provide switching are treated as 'stored program controlled' switches.

1. “Data (message) switching” equipment or systems designed for “packet-mode operation”, electronic assemblies and components therefor, other than those specified in the CML or in Regulation (EU) 2021/821.

2. Not used;

3. Routing or switching of “datagram” packets;

Note: X.A.III.101.c.3 does not control networks restricted to using only “network access controllers” or to “network access controllers” themselves.

4. Not used;

5. Multi-level priority and pre-emption for circuit switching;

Note: X.A.III.101.c.5 does not control single-level call preemption.

6. Designed for automatic hand-off of cellular radio calls to other cellular switches or automatic connection to a centralised subscriber data base common to more than one switch;

7. Containing “stored program controlled” digital cross connect equipment with “digital transfer rate” exceeding 8,5 Mbit/s per port.
8. “Common channel signalling” operating in either non-associated or quasi-associated mode of operation;
9. “Dynamic adaptive routing”;
10. Being packet switches, circuit switches and routers with ports or lines exceeding any of the following:
 - a. A “data signalling rate” of 64 000 bit/s per channel for a ‘communications channel controller’; or

Note: X.A.III.101.c.10.a does not control multiplex composite links composed only of communication channels not individually controlled by X.A.III.101.b.1.
 - b. A “digital transfer rate” of 33 Mbit/s for a “network access controller” and related common media;

Note: X.A.III.101.c.10 does not control packet switches or routers with ports or lines not exceeding the limits in X.A.III.101.c.10.
11. “Optical switching”;
12. Employing “Asynchronous Transfer Mode” (“ATM”) techniques.

- d. Optical fibres and optical fibre cables of more than 50 m in length designed for single mode operation;
 - e. Centralised network control having all of the following characteristics:
 - 1. Receives data from the nodes; and
 - 2. Process these data in order to provide control of traffic not requiring operator decisions, and thereby performing “dynamic adaptive routing”;
- Note 1: X.A.III.101.e does not include cases of routing decisions taken on predefined information.
- Note 2: X.A.III.101.e does not preclude control of traffic as a function of predictable statistical traffic conditions.
- f. Phased array antennas, operating above 10,5 GHz, containing active elements and distributed components, and designed to permit electronic control of beam shaping and pointing, except for landing systems with instruments meeting International Civil Aviation Organization (ICAO) standards (microwave landing systems (MLS)).
 - g. Mobile communications equipment other than those specified in the CML or in Regulation (EU) 2021/821, electronic assemblies and components therefor; or
 - h. Radio relay communications equipment designed for use at frequencies equal to or exceeding 19,7 GHz and components therefor, other than those specified in the CML or in Regulation (EU) 2021/821.

Technical Note: For the purpose of X.A.III.101:

- 1) "Asynchronous transfer mode" ("ATM") is a transfer mode in which the information is organised into cells; it is asynchronous in the sense that the recurrence of cells depends on the required or instantaneous bit rate.
- 2) "Bandwidth of one voice channel" is data communication equipment designed to operate in one voice channel of 3 100 Hz, as defined in CCITT Recommendation G.151.
- 3) "Communications channel controller" is the physical interface that controls the flow of synchronous or asynchronous digital information. It is an assembly that can be integrated into computer or telecommunications equipment to provide communications access.
- 4) "Datagram" is a self-contained, independent entity of data carrying sufficient information to be routed from the source to the destination data terminal equipment without reliance on earlier exchanges between this source and destination data terminal equipment and the transporting network.
- 5) "Fast select" is a facility applicable to virtual calls that allows data terminal equipment to expand the possibility to transmit data in call set-up and clearing "packets" beyond the basic capabilities of a virtual call.
- 6) "Gateway" is the function, realised by any combination of equipment and "software", to carry out the conversion of conventions for representing, processing or communicating information used on one system into the corresponding, but different conventions used in another system.
- 7) "Integrated Services Digital Network" (ISDN) is a unified end-to-end digital network, in which data originating from all types of communication (e.g., voice, text, data, still and moving pictures) are transmitted from one port (terminal) in the exchange (switch) over one access line to and from the subscriber.
- 8) "Packet" is a group of binary digits including data and call control signals that is switched as a composite whole. The data, call control signals, and possible error control information are arranged in a specified format.
- 9) "Common channel signalling" means the transmission of control information (signalling) via a separate channel than that used for the messages. The signalling channel usually controls multiple message channels.

- 10) “Data signalling rate” means the rate, as defined in ITU Recommendation 53-36, taking into account that, for non-binary modulation, baud and bit per second are not equal. Bits for coding, checking and synchronization functions are to be included.
- 11) “Dynamic adaptive routing” means Automatic rerouting of traffic based on sensing and analysis of current actual network conditions
- 12) “Media access unit” means equipment that contains one or more communication interfaces (“network access controller”, “communications channel controller”, modem or computer bus) to connect terminal equipment to a network.
- 13) “Spectral efficiency” is the “digital transfer rate” [bits/s] / 6 dB spectrum bandwidth in Hz.
- 14) “Stored program controlled” is a control using instructions stored in an electronic storage that a processor can execute in order to direct the performance of predetermined functions. Note: Equipment may be “stored program controlled” whether the electronic storage is internal or external to the equipment.

X.B.III.101 Telecommunications test equipment, other than those specified in the CML or in Regulation (EU) 2021/821.

X.C.III.101 Preforms of glass or of any other material optimised for the manufacture of optical fibres controlled by X.A.III.101.

X.D.III.101 “Software” specially designed or modified for the “development”, “production” or “use” of equipment controlled by X.A.III.101 and X.B.III.101, and dynamic adaptive routing software as described as follows:

- a. “Software”, other than in machine-executable form, specially designed for “dynamic adaptive routing”.
- b. Not used;

X.E.III.101 “Technology” for the “development”, “production” or “use” of equipment controlled by X.A.III.101 or X.B.III.101, or “software” controlled by X.D.III.101, and other “technologies” as follows:

- a. Specific “technologies” as follows:
 1. “Technology” for the processing and application of coatings to optical fibre specially designed to make it suitable for underwater use;
 2. “Technology” for the “development” of equipment employing “Synchronous Digital Hierarchy” (“SDH”) or “Synchronous Optical Network” (“SONET”) techniques.

Technical Note: For the purpose of X.E.III.101:

- 1) “Synchronous digital hierarchy” (SDH) is a digital hierarchy providing a means to manage, multiplex, and access various forms of digital traffic using a synchronous transmission format on different types of media. The format is based on the Synchronous Transport Module (STM) that is defined by CCITT Recommendation G.703, G.707, G.708, G.709 and others yet to be published. The first level rate of “SDH” is 155,52 Mbits/s.
- 2) “Synchronous optical network” (SONET) is a network providing a means to manage, multiplex and access various forms of digital traffic using a synchronous transmission format on fibre optics. The format is the North America version of “SDH” and also uses the Synchronous Transport Module (STM). However, it uses the Synchronous Transport Signal (STS) as the basic transport module with a first level rate of 51,81 Mbits/s. The SONET standards are being integrated into those of “SDH”.

Category III. Part 2 – Information Security

Note: Category III. Part 2 does not control goods for the personal use of the natural persons.

X.A.III.201 Equipment as follows:

- a. Not used;
- b. Not used;
- c. Goods classified as mass market encryption in accordance with Cryptography Note – Note 3 to Category 5, Part 2¹.

X.D.III.201 “Information Security” “software” as follows:

Note: This entry does not control “software” designed or modified to protect against malicious computer damage, e.g., viruses, where the use of “cryptography” is limited to authentication, digital signature and/or the decryption of data or files.

- a. Not used;
- b. Not used;
- c. “Software” classified as mass market encryption software in accordance with Cryptography Note – Note 3 to Category 5, Part 2².

¹ Ref. Annex I to Regulation (EU) 2021/821.

² Ref. Annex I to Regulation (EU) 2021/821.

X.E.III.201 “Information Security” “technology” according to the General Technology Note, as follows:

- a. Not used;
- b. “Technology”, other than specified in the CML or in Regulation (EU) 2021/821, for the “use” of mass market goods controlled by X.A.III.201.c or mass market “software” controlled by X.D.III.201.c.

Category IV – Sensors and Lasers

X.A.IV.001 Marine or terrestrial acoustic equipment, capable of detecting or locating underwater objects or features or positioning surface vessels or underwater vehicles; and specially designed components, other than those specified in the CML or in Regulation (EU) 2021/821.

X.A.IV.002 Optical Sensors as follows:

- a. Image intensifier tubes and specially designed components therefor, as follows:
 1. Image intensifier tubes having all the following:
 - a. A peak response in wavelength range exceeding 400 nm, but not exceeding 1 050 nm;
 - b. A microchannel plate for electron image amplification with a hole pitch (center-to-center spacing) of less than 25 micrometers; and
 - c. Having any of the following:
 1. An S-20, S-25 or multialkali photocathode; or
 2. A GaAs or GaInAs photocathode;

2. Specially designed microchannel plates having both of the following characteristics:
 - a. 15 000 or more hollow tubes per plate; and
 - b. Hole pitch (center-to-center spacing) of less than 25 micrometers.
 - b. Direct view imaging equipment operating in the visible or infrared spectrum, incorporating image intensifier tubes having the characteristics listed in X.A.IV.002.a.1.
- X.A.IV.003 Cameras as follows:
- a. Cameras that meet the criteria of Note 3 to 6A003.b.4.¹
 - b. Not used;
- X.A.IV.004 Optics as follows:
- a. Optical filters:
 1. For wavelengths longer than 250 nm, comprised of multi-layer optical coatings and having either of the following:
 - a. Bandwidths equal to or less than 1 nm Full Width Half Intensity (FWHI) and peak transmission of 90 % or more; or

¹ Ref. Annex I to Regulation (EU) 2021/821.

- b. Bandwidths equal to or less than 0,1 nm FWHI and peak transmission of 50 % or more;

Note: X.A.IV.004 does not control optical filters with fixed air gaps or Lyot-type filters.

2. For wavelengths longer than 250 nm, and having all of the following:
 - a. Tunable over a spectral range of 500 nm or more;
 - b. Instantaneous optical bandpass of 1,25 nm or less;
 - c. Wavelength resettable within 0,1 ms to an accuracy of 1 nm or better within the tunable spectral range; and
 - d. A single peak transmission of 91 % or more;
3. Optical opacity switches (filters) with a field of view of 30° or wider and a response time equal to or less than 1 ns;
- b. “Fluoride fibre” cable, or optical fibres therefor, having an attenuation of less than 4 dB/km in the wavelength range exceeding 1 000 nm but not exceeding 3 000 nm.

Technical Note: For the purpose of X.A.IV.004.b “Fluoride fibres” are fibres manufactured from bulk fluoride compounds.

X.A.IV.005 “Lasers” as follows:

- a. Carbon dioxide (CO₂) “lasers” having any of the following:
 1. A CW output power exceeding 10 kW;

2. A pulsed output with a “pulse duration” exceeding 10 μ s; and
 - a. An average output power exceeding 10 kW; or
 - b. A pulsed “peak power” exceeding 100 kW; or
3. A pulsed output with a “pulse duration” equal to or less than 10 μ s; and
 - a. A pulse energy exceeding 5 J per pulse and “peak power” exceeding 2,5 kW; or
 - b. An average output power exceeding 2,5 kW;
- b. Semiconductor lasers, as follows:
 1. Individual, single-transverse mode semiconductor “lasers” having:
 - a. An average output power exceeding 100 mW; or
 - b. A wavelength exceeding 1 050 nm;
 2. Individual, multiple-transverse mode semiconductor “lasers”, or arrays of individual semiconductor “lasers”, having a wavelength exceeding 1 050 nm;
- c. Ruby “lasers” having an output energy exceeding 20 J per pulse;

- d. Non-“tunable” “pulsed lasers” having an output wavelength exceeding 975 nm but not exceeding 1 150 nm and having any of the following:
 - 1. A “pulse duration” equal to or exceeding 1 ns but not exceeding 1 μ s, and having any of the following:
 - a. A single transverse mode output and having any of the following:
 - 1. A “wall-plug efficiency” exceeding 12 % and an “average output power” exceeding 10 W and capable of operating at a pulse repetition frequency greater than 1 kHz; or
 - 2. An “average output power” exceeding 20 W; or
 - b. A multiple transverse mode output and having any of the following:
 - 1. A “wall-plug efficiency” exceeding 18 % and an “average output power” exceeding 30W;
 - 2. A “peak power” exceeding 200 MW; or
 - 3. An “average output power” exceeding 50 W; or

2. A “pulse duration” exceeding 1 μ s and having any of the following:
 - a. A single transverse mode output and having any of the following:
 1. A “wall-plug efficiency” exceeding 12 % and an “average output power” exceeding 10 W and capable of operating at a pulse repetition frequency greater than 1 kHz; or
 2. An “average output power” exceeding 20 W; or
 - b. A multiple transverse mode output and having any of the following:
 1. A “wall-plug efficiency” exceeding 18 % and an “average output power” exceeding 30 W; or
 2. An “average output power” exceeding 500 W;
- e. Non-“tunable” continuous wave “(CW) lasers”, having an output wavelength exceeding 975 nm but not exceeding 1 150 nm and having any of the following:
 1. A single transverse mode output and having any of the following:
 - a. A “wall-plug efficiency” exceeding 12 % and an “average output power” exceeding 10 W and capable of operating at a pulse repetition frequency greater than 1 kHz; or
 - b. An “average output power” exceeding 50 W; or

2. A multiple transverse mode output and having any of the following:
 - a. A “wall-plug efficiency” exceeding 18 % and an “average output power” exceeding 30 W; or
 - b. An “average output power” exceeding 500 W;

Note: X.A.IV.005.e.2.b does not control multiple transverse mode, industrial “lasers” with output power less than or equal to 2 kW with a total mass greater than 1 200kg. For the purpose of this note, total mass includes all components required to operate the “laser”, e.g., “laser”, power supply, heat exchanger, but excludes external optics for beam conditioning and/or delivery.

- f. Non-“tunable” “lasers”, having a wavelength exceeding 1 400 nm, but not exceeding 1 555 nm and having any of the following:
 1. An output energy exceeding 100 mJ per pulse and a pulsed “peak power” exceeding 1 W; or
 2. An average or CW output power exceeding 1 W;
- g. Free electron “lasers”.

Technical Note: For the purpose of X.A.IV.005 “Wall-plug efficiency” is defined as the ratio of “laser” output power (or “average output power”) to total electrical input power required to operate the “laser”, including the power supply/conditioning and thermal conditioning/heat exchanger.

X.A.IV.006 “Magnetometers”, “Superconductive” electromagnetic sensors, and specially designed components therefor, as follows:

- a. “Magnetometers”, other than those specified in the CML or in Regulation (EU) 2021/821, having a “sensitivity” lower (better) than 1,0 nT (rms) per square root Hz.

Technical Note: For the purposes of X.A.IV.006.a, “sensitivity” (noise level) is the root mean square of the device-limited noise floor which is the lowest signal that can be measured.

- b. “Superconductive” electromagnetic sensors, components manufactured from “superconductive” materials:
 1. Designed for operation at temperatures below the “critical temperature” of at least one of their “superconductive” constituents (including Josephson effect devices or “superconductive” quantum interference devices (SQUIDS));
 2. Designed for sensing electromagnetic field variations at frequencies of 1 KHz or less; and
 3. Having any of the following characteristics:
 - a. Incorporating thin-film SQUIDS with a minimum feature size of less than 2 μm and with associated input and output coupling circuits;

- b. Designed to operate with a magnetic field slew rate exceeding 1×10^6 magnetic flux quanta per second;
- c. Designed to function without magnetic shielding in the earth's ambient magnetic field; or
- d. Having a temperature coefficient less (smaller) than 0,1 magnetic flux quantum/K.

X.A.IV.007 Gravity meters (gravimeters) for ground use, other than those specified in the CML or in Regulation (EU) 2021/821, as follows:

- a. Having a static accuracy of less (better) than 100 μ Gal; or
- b. Being of the quartz element (Worden) type.

X.A.IV.008 Radar systems, equipment and major components, other than those specified in the CML or in Regulation (EU) 2021/821, and specially designed components therefor, as follows:

- a. Airborne radar equipment, other than those specified in the CML or in Regulation (EU) 2021/821, and specially designed components therefor.
- b. "Space-qualified" "laser" radar or Light Detection and Ranging (LIDAR) equipment specially designed for surveying or for meteorological observation.

- c. Millimeter wave enhanced vision radar imaging systems specially designed for rotary wing aircraft and having all of the following:
 - 1. Operates at a frequency of 94 GHz;
 - 2. An average output power of less than 20 mW;
 - 3. Radar beam width of 1 degree; and
 - 4. Operating range equal to or greater than 1 500 m.

X.A.IV.009 Specific processing equipment, as follows:

- a. Seismic detection equipment not controlled by X.A.IV.009.c.
- b. Radiation hardened TV cameras, other than those specified in the CML or in Regulation (EU) 2021/821.
- c. Seismic intrusion detection systems that detect, classify and determine the bearing on the source of a detected signal.

X.B.IV.001 Equipment, including tools, dies, fixtures or gauges, and other specially designed components and accessories therefor, specially designed or modified for any of the following:

- a. For the manufacture or inspection of:
 1. Free electron “laser” magnet wigglers;
 2. Free electron “laser” photo injectors;
- b. For the adjustment, to required tolerances, of the longitudinal magnetic field of free electron “lasers”.

X.C.IV.001 Optical sensing fibres that are modified structurally to have a “beat length” of less than 500 mm (high birefringence) or optical sensor materials not described in 6C002.b¹ and having a zinc content of equal to or more than 6 % by “mole fraction.”

Technical Note: For the purpose of X.C.IV.001:

- 1) “Mole fraction” is defined as the ratio of moles of ZnTe to the sum of the moles of CdTe and ZnTe present in the crystal.
- 2) “Beat length” is the distance over which two orthogonally polarised signals, initially in phase, must pass in order to achieve a 2 Pi radian(s) phase difference.

¹ Ref. Annex I to Regulation (EU) 2021/821

X.C.IV.002 Optical materials, as follows:

a. Low optical absorption materials, as follows:

1. Bulk fluoride compounds containing ingredients with a purity of 99,999 % or better; or

Note: X.C.IV.002.a.1 controls fluorides of zirconium or aluminum and variants.

2. Bulk fluoride glass made from compounds controlled by 6C004.e.1¹;

b. “Optical fibre preforms” made from bulk fluoride compounds containing ingredients with a purity of 99,999 % or better, “specially designed” for the manufacture of “fluoride fibres” controlled by X.A.IV.004.b.

Technical Note: For the purpose of X.C.IV.002:

- 1) “Fluoride fibres” are fibres manufactured from bulk fluoride compounds.
- 2) “Optical fibre preforms” are bars, ingots, or rods of glass, plastic or other materials that have been specially processed for use in fabricating optical fibres. The characteristics of the preform determine the basic parameters of the resultant drawn optical fibres.

X.D.IV.001 “Software”, other than those specified in the CML or in Regulation (EU) 2021/821, specially designed for the “development”, “production”, or “use” of goods controlled by 6A002, 6A003², X.A.IV.001, X.A.IV.006, X.A.IV.007, or X.A.IV.008.

X.D.IV.002 “Software” specially designed for the “development” or “production” of equipment controlled by X.A.IV.002, X.A.IV.004, or X.A.IV.005.

¹ Ref. Annex I to Regulation (EU) 2021/821.

² Ref. Annex I to Regulation (EU) 2021/821.

X.D.IV.003 Other “software”, as follows:

- a. Air Traffic Control (ATC) “software” application “programs” hosted on general purpose computers located at ATC centers, and capable of automatically handing over primary radar target data (if not correlated with secondary surveillance radar (SSR) data) from the host ATC center to another ATC center.
- b. “Software” specially designed for seismic intrusion detection systems in X.A.IV.009.c.
- c. “Source Code” specially designed for seismic intrusion detection systems in X.A.IV.009.c.

X.E.IV.001 “Technology” for the “development”, “production” or “use” of equipment controlled by X.A.IV.001, X.A.IV.006, X.A.IV.007, X.A.IV.008 or X.A.IV.009.c.

X.E.IV.002 “Technology” for the “development” or “production” of equipment, materials or “software” controlled by X.A.IV.002, X.A.IV.004, or X.A.IV.005, X.B.IV.001, X.C.IV.001, X.C.IV.002, or X.D.IV.003.

X.E.IV.003 Other “technology” as follows:

- a. Optical fabrication technologies for serially producing optical components at a rate exceeding 10 m² of surface area per year on any single spindle and having all of the following:
 1. Area exceeding 1 m²; and
 2. Surface figure exceeding $\lambda/10$ (rms) at the designed wavelength;
- b. “Technology” for optical filters with a bandwidth equal to or less than 10 nm, a field of view (FOV) exceeding 40° and a resolution exceeding 0,75 line pairs per milliradian;
- c. “Technology” for the “development” or “production” of cameras controlled by X.A.IV.003;
- d. “Technology” required for the “development” or “production” of non-triaxial fluxgate “magnetometers” or non-triaxial fluxgate “magnetometer” systems, having any of the following:
 1. “Sensitivity” lower (better) than 0,05 nT (rms) per square root Hz at frequencies of less than 1 Hz; or

2. “Sensitivity” lower (better) than 1×10^{-3} nT (rms) per square root Hz at frequencies of 1 Hz or more.
- e. “Technology” required for the “development” or “production” of infrared up-conversion devices having all of the following:
1. A response in the wavelength range exceeding 700 nm but not exceeding 1 500 nm; and
 2. A combination of an infrared photodetector, light emitting diode (OLED), and nanocrystal to convert infrared light into visible light.

Technical Note: For the purposes of X.E.IV.003, “sensitivity” (or noise level) is the root mean square of the device-limited noise floor which is the lowest signal that can be measured.

Category V – Navigation and Avionics

X.A.V.001 Airborne communication equipment, all "aircraft" inertial navigation systems, and other avionic equipment, including components, other than those specified in the CML or in Regulation (EU) 2021/821.

Note 1: X.A.V.001. does not control headsets or microphones.

Note 2: X.A.V.001. does not control goods for the personal use of the natural persons.

X.B.V.001 Other equipment specially designed for the test, inspection, or “production” of navigation and avionics equipment.

X.D.V.001 “Software”, other than specified in the CML or in Regulation (EU) 2021/821, for the “development”, “production”, or “use” of navigation, airborne communication and other avionics.

X.E.V.001 “Technology”, other than specified in the CML or in Regulation (EU) 2021/821, for the “development”, “production” or “use” of navigation, airborne communication, and other avionics equipment.

Category VI – Marine

X.A.VI.001 Vessels, marine systems or equipment, and specially designed components therefor, components and accessories as follows:

a. Underwater vision systems, as follows:

1. Television systems (comprising camera, lights, monitoring and signal transmission equipment) having a limiting resolution when measured in air of more than 500 lines and specially designed or modified for remote operation with a submersible vehicle; or
2. Underwater television cameras having a limiting resolution when measured in air of more than 700 lines;

Technical Note: Limiting resolution in television is a measure of horizontal resolution usually expressed in terms of the maximum number of lines per picture height discriminated on a test chart, using IEEE Standard 208/1960 or any equivalent standard.

- b. Photographic still cameras specially designed or modified for underwater use, having a film format of 35 mm or larger, and having autofocusing or remote focusing “specially designed” for underwater use;
- c. Stroboscopic light systems, specially designed or modified for underwater use, capable of a light output energy of more than 300 J per flash;

- d. Other underwater camera equipment, other than those specified in the CML or in Regulation (EU) 2021/821;
- e. Not used;
- f. Vessels (surface or underwater), including inflatable boats, and specially designed components therefor, other than those specified in the CML or in Regulation (EU) 2021/821;

Note: X.A.VI.001.f does not control vessels on temporary sojourn, used for private transport or for the transport of passengers or goods from or through the customs territory of the Union.

- g. Marine engines (both inboard and outboard) and submarine engines and specially designed components therefor, other than those specified in the CML or in Regulation (EU) 2021/821;
- h. Self-contained underwater breathing apparatus (scuba gear) and accessories therefor, other than those specified in the CML or in Regulation (EU) 2021/821;
- i. Life jackets, inflation cartridges, dive compasses and dive computers;
Note: X.A.VI.001.i does not control goods for the personal use of the natural persons.
- j. Underwater lights and propulsion equipment;
Note: X.A.VI.001.j does not control goods for the personal use of the natural persons.
- k. Air compressors and filtration system specially designed for filling air cylinders;

X.D.VI.001 “Software” specially designed or modified for the “development”, “production” or “use” of equipment controlled by X.A.VI.001.

X.D.VI.002 “Software” specially designed for the operation of unmanned submersible vehicles used in the oil and gas industry.

X.E.VI.001 “Technology” for the “development”, “production” or “use” of equipment controlled by X.A.VI.001.

Category VII – Aerospace and Propulsion

X.A.VII.001 Diesel engines, and tractors and specially designed components therefor, other than those specified in the CML or in Regulation (EU) 2021/821.

- a. Diesel engines, other than those specified in the CML or in Regulation (EU) 2021/821, for trucks, tractors, and automotive applications, having an overall power output of 298kW or more.
- b. Off highway wheel tractors of carriage capacity 9 t or more; and major components and accessories, other than those specified in the CML or in Regulation (EU) 2021/821.
- c. Road tractors for semi-trailers, with single or tandem rear axles rated for 9 t per axel or more and specially designed major components.

Note: X.A.VII.001.b and X.A.VII.001.c do not control vehicles on temporary sojourn, used for private transport or for the transport of passengers or goods from or through the customs territory of the Union.

X.A.VII.002 Gas turbine engines and components, other than those specified in the CML or in Regulation (EU) 2021/821.

- a. Not used.
- b. Not used.

- c. Aero gas turbine engines and components specially designed therefor.

Note: X.A.VII.002.c does not control aero gas turbine engines that are destined for use in civil “aircraft” and that have been in use in bona fide civil “aircraft” for more than eight years. If they have been in use in bona fide civil “aircraft” for more than eight years, see ANNEX XI.

- d. Not used.
- e. Pressurised aircraft breathing equipment components specially designed therefor, other than those specified in the CML or in Regulation (EU) 2021/821.

X.B.VII.001 Vibration test equipment and specially designed components, other than those specified in the CML or in Regulation (EU) 2021/821.

Note: X.B.VII.001. controls only equipment for the “development” or “production”. It does not control condition monitoring systems.

X.B.VII.002 Specially designed “equipment”, tooling or fixtures for manufacturing or measuring gas turbine blades, vanes or tip shroud castings, as follows:

- a. Automated equipment using non-mechanical methods for measuring airfoil wall thickness;
- b. Tooling, fixtures or measuring equipment for the “laser”, water jet or ECM/EDM hole drilling processes controlled by 9E003.c¹;
- c. Ceramic core leaching equipment;
- d. Ceramic core manufacturing equipment or tools;

¹ Ref. Annex I to Regulation (EU) 2021/821.

- e. Ceramic shell wax pattern preparation equipment;
- f. Ceramic shell burn out or firing equipment.

X.D.VII.001 “Software”, other than those specified in the CML or in Regulation (EU) 2021/821, for the “development” or “production” of equipment controlled by X.A.VII.001 or X.B.VII.001.

X.D.VII.002 “Software”, for the “development” or “production” of equipment controlled by X.A.VII.002 or X.B.VII.002.

X.E.VII.001 “Technology”, other than those specified in the CML or in Regulation (EU) 2021/821, for the “development” or “production” or “use” of equipment controlled by X.A.VII.001 or X.B.VII.001.

X.E.VII.002 “Technology”, for the “development”, “production” or “use” of equipment controlled by X.A.VII.002 or X.B.VII.002.

X.E.VII.003 Other “technology”, not described by 9E003¹, as follows:

- a. Rotor blade tip clearance control systems employing active compensating casing “technology” limited to a design and development data base; or
- b. Gas bearing for turbine engine rotor assemblies.’

¹ Ref. Annex I to Regulation (EU) 2021/821.

ANNEX III

‘ANNEX Vb

LIST OF PARTNER COUNTRIES
REFERRED TO IN ARTICLES 1e(4), 1f(4) AND 1fc(4)

[...]

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ANNEX IV

‘ANNEX Vc

A. Model for supply, transfer or export notification, application and authorisation forms
(referred to in Article 1fb of this Regulation)

The export authorisation is valid in all Member States of the European Union until its expiry date.

EUROPEAN UNION	EXPORT AUTHORISATION / NOTIFICATION (Council Regulation (EC) No 765/2006)
<p>If notifying pursuant to Article 1e(3) or 1f(3) of Regulation (EC) No 765/2006, indicate what point(s) applies/apply:</p> <ul style="list-style-type: none"> <input type="checkbox"/> (a) humanitarian purposes, 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; <input type="checkbox"/> (b) medical or pharmaceutical purposes; <input type="checkbox"/> (c) temporary use by news media; <input type="checkbox"/> (d) software updates; <input type="checkbox"/> (e) use as consumer communication devices; <input type="checkbox"/> (f) ensuring cyber-security and information security for natural and legal persons, and bodies in Belarus except for its government and undertakings directly or indirectly controlled by that government; <input type="checkbox"/> (g) personal use of the natural persons travelling to Belarus, and limited to personal effects, household effects, vehicles or tools of trade owned by the individuals and not intended for sale 	<p>For authorisations, indicate if this has been requested pursuant to Article 1e(4), 1e(5), 1f(4), 1f(5) or 1fa(1) of Regulation (EC) No 765/2006:</p>
	<p>For authorisations pursuant to Article 1e(4) or 1f(4) of Regulation (EC) No 765/2006, indicate what point(s) applies/apply:</p> <ul style="list-style-type: none"> <input type="checkbox"/> (a) intended for cooperation between the Union, the governments of Member States and the government of Belarus in purely civilian matters; <input type="checkbox"/> (b) intended for the space industry, including cooperation in the academic field and intergovernmental cooperation in space programmes; <input type="checkbox"/> (c) intended for the operation, maintenance, fuel retreatment and safety of civil nuclear capabilities, as well as civil nuclear cooperation, notably in the field of research and development; <input type="checkbox"/> (d) intended for maritime safety; <input type="checkbox"/> (e) intended for civilian telecommunications networks, including the provision of internet services; <input type="checkbox"/> (f) intended for the exclusive use of entities owned, or solely or jointly controlled by a legal person, entity or body which is incorporated or constituted under the law of a Member State or of a partner country; <input type="checkbox"/> (g) for the diplomatic representations of the Union, Member States and partner countries, including delegations, embassies and missions.
	<p>For authorisations pursuant to Article 1fa(1) of Regulation (EC) No 765/2006, indicate what point applies:</p> <ul style="list-style-type: none"> <input type="checkbox"/> (a) urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment; <input type="checkbox"/> (b) contracts concluded before 3 March 2022, or ancillary contracts necessary for the execution of such a contract, provided that the authorisation is requested before 1 May 2022.

1	1. Exporter	2. Identification number	3. Expiry date (if applicable)	
	5. Consignee	4. Contact point details		
		6. Issuing authority		
		7. Agent/Representative (if different from exporter)	8. Country of consignment	Code ¹
		9. End user (if different from consignee)	10. Member State of current or future location of the items	Code ¹
11. Member State of intended entry into the customs export procedure	Code ¹			
12. Country of final destination	Code ¹			
1		Confirm that the end user is non military	Yes/No	

¹ See Regulation (EU) 2019/2152 of the European Parliament and of the Council of 27 November 2019 on European business statistics, repealing 10 legal acts in the field of business statistics (OJ L 327, 17.12.2019, p. 1).

	13. Description of the items ¹		14. Country of origin		Code ¹	
			15. Harmonised System or Combined Nomenclature Code (if applicable with 8 digit; CAS number if available)		16. Control list no (for listed items)	
			17. Currency and Value		18. Quantity of the items	
	19. End use	Confirm that the end use is non military	Yes/No	20. Contract date (if applicable)	21. Customs export procedure	
	22. Additional information:					
Available for pre-printed information At discretion of Member States						
			For completion by issuing authority			
			Stamp			
			Signature			
			Issuing Authority			
			Date			

¹ If needed, this description may be given in one or more attachments to this form (1 bis). In that case, indicate the exact number of attachments in this box. The description should be as precise as possible and integrate, where relevant, the CAS or other references for chemical items in particular.

EUROPEAN UNION

(Council Regulation (EC) No 765/2006)

1 Bis	1. Exporter	2. Identification number	
	13. Description of the items	14. Country of origin	Code¹
		15. Commodity code (if applicable with 8 digit; CAS number if available)	16. Control list no (for listed items)
		17. Currency and Value	18. Quantity of the items
	13. Description of the items	14. Country of origin	Code¹
		15. Commodity code (if applicable with 8 digit; CAS number if available)	16. Control list no (for listed items)
		17. Currency and Value	18. Quantity of the items
	13. Description of the items	14. Country of origin	Code¹
		15. Commodity code	16. Control list no
		17. Currency and value	18. Quantity of the items
	13. Description of the items	14. Country of origin	Code¹
		15. Commodity code	16. Control list no
		17. Currency and value	18. Quantity of the items
	13. Description of the items	14. Country of origin	Code¹
		15. Commodity code	16. Control list no
		17. Currency and value	18. Quantity of the items
	13. Description of the items	14. Country of origin	Code¹
		15. Commodity code	16. Control list no
		17. Currency and value	18. Quantity of the items

**B. Model for brokering services/technical assistance notification,
application and authorisation forms
(referred to in Article 1fb of this Regulation)**

EUROPEAN UNION

PROVISION OF TECHNICAL ASSISTANCE (Council Regulation (EC) No 765/2006)

<p>If notifying pursuant to Article 1e(3) or 1f(3) of Regulation (EC) No 765/2006, indicate what point(s) applies/apply:</p> <ul style="list-style-type: none"> <input type="checkbox"/> (a) humanitarian purposes, 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; <input type="checkbox"/> (b) medical or pharmaceutical purposes; <input type="checkbox"/> (c) temporary use by news media; <input type="checkbox"/> (d) software updates; <input type="checkbox"/> (e) use as consumer communication devices; <input type="checkbox"/> (f) ensuring cyber-security and information security for natural and legal persons, and bodies in Belarus except for its government and undertakings directly or indirectly controlled by that government; <input type="checkbox"/> (g) personal use of the natural persons travelling to Belarus, and limited to personal effects, household effects, vehicles or tools of trade owned by the individuals and not intended for sale. 	<p>For authorisations, indicate if this has been requested pursuant to Article 1e(4), 1e(5), 1f(4), 1f(5) or 1fa(1) of Regulation (EC) No 765/2006:</p>
	<p>For authorisations pursuant to Article 1e(4) or 1f(4) of Regulation (EC) No 765/2006, indicate what point(s) applies/apply:</p> <ul style="list-style-type: none"> <input type="checkbox"/> (a) intended for cooperation between the Union, the governments of Member States and the government of Belarus in purely civilian matters; <input type="checkbox"/> (b) intended for the space industry, including cooperation in the academic field and intergovernmental cooperation in space programmes; <input type="checkbox"/> (c) intended for the operation, maintenance, fuel retreatment and safety of civil nuclear capabilities, as well as civil nuclear cooperation, notably in the field of research and development; <input type="checkbox"/> (d) intended for maritime safety; <input type="checkbox"/> (e) intended for civilian telecommunications networks, including the provision of internet services; <input type="checkbox"/> (f) intended for the exclusive use of entities owned, or solely or jointly controlled by a legal person, entity or body which is incorporated or constituted under the law of a Member State or of a partner country; <input type="checkbox"/> (g) for the diplomatic representations of the Union, Member States and partner countries, including delegations, embassies and missions.
	<p>For authorisations pursuant to Article 1fa(1) of Regulation (EC) No 765/2006, indicate what point applies:</p> <ul style="list-style-type: none"> <input type="checkbox"/> (a) urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment; <input type="checkbox"/> (b) contracts concluded before 3 March 2022, or ancillary contracts necessary for the execution of such a contract, provided that the authorisation is requested before 1 May 2022.

1	1. Broker/ Supplier of technical assistance/ Applicant	2. Identification number	3. Expiry date (if applicable)
		4. Contact point details	
	5. Exporter in originating third country (if applicable)	6. Issuing authority	
	7. Consignee		
		8. Member State in which the broker / supplier of technical assistance is resident or established	Code ¹
		9. Originating country/ Country of location of the items subject of brokering services	Code ¹
	10. End user in third country of destination (if different from consignee)	11. Country of destination	Code ¹
1		12. Third parties involved, e.g. agents (if applicable)	
		Confirm that the end user is non military	Yes/No

¹ See Regulation (EU) 2019/2152 of the European Parliament and of the Council of 27 November 2019 on European business statistics, repealing 10 legal acts in the field of business statistics (OJ L 327, 17.12.2019, p. 1).

	13. Description of the items / technical assistance.		14. Harmonised System or Combined Nomenclature Code (if applicable)	15. Control list no (if applicable)
			16. Currency and Value	17. Quantity of the items (if applicable)
18. End use	Confirm that the end use is non military		Yes/No	
19. Additional information:				
Available for pre-printed information At discretion of Member States				
		For completion by issuing authority		Stamp
		Signature		
		Issuing Authority		
		Date		

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ANNEX V

Annex VI to Regulation 765/2006 is replaced by the following:

‘ANNEX VI

LIST OF GOODS USED FOR THE PRODUCTION OR MANUFACTURING OF TOBACCO
PRODUCTS REFERRED TO IN ARTICLE 1g

Name of the good	Combined Nomenclature (CN) code ¹
Filters	ex 482390
Papers for cigarettes	4813
Flavours for tobacco	ex 330290
Machinery for preparing or making up of tobacco	8478
Other knives and cutting blades, for machines or for mechanical appliances	ex 8208 90 00

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:385:FULL&from=EN>

ANNEX VI

Annex VII to Regulation 765/2006 is replaced by the following:

‘ANNEX VII

LIST OF MINERAL PRODUCTS REFERRED TO IN ARTICLE 1h

Name of the good	Combined Nomenclature (CN) code ¹
Oils and other products of the distillation of high temperature coal tar; similar products in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents	2707
Petroleum oils and oils obtained from bituminous minerals (excl. crude); preparations containing $\geq 70\%$ by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations, n.e.s.; waste oils containing mainly petroleum or bituminous minerals	2710
Petroleum gas and other gaseous hydrocarbons	2711
Petroleum jelly, paraffin wax, micro- crystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured	2712
Petroleum coke, petroleum bitumen and other residues of petroleum oil or of oil obtained from bituminous minerals, n.e.s.	2713
Bituminous mastics, cut-backs and other bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch	2715

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:385:FULL&from=EN>

ANNEX VII

Annex VIII to Regulation 765/2006 is replaced by the following:

‘ANNEX VIII**LIST OF POTASSIUM CHLORIDE (‘POTASH’) PRODUCTS REFERRED TO IN ARTICLE 1i**

Name of the good	Combined Nomenclature (CN) code ¹
Potassium chloride	3104 20
Mineral or chemical fertilisers containing the three fertilising elements nitrogen, phosphorus and potassium	3105 20 10 3105 20 90
Mineral or chemical fertilisers containing the two fertilising elements phosphorus and potassium	3105 60 00
Other fertilisers containing potassium chloride	ex 3105 90 20 ex 3105 90 80

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:385:FULL&from=EN>

ANNEX VIII

‘ANNEX X

LIST OF WOOD PRODUCTS REFERRED TO IN ARTICLE 1o

Name of the good	Combined Nomenclature (CN) code ¹
Wood and articles of wood; wood charcoal	44

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¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:385:FULL&from=EN>

ANNEX IX

‘ANNEX XI

LIST OF CEMENT PRODUCTS REFERRED TO IN ARTICLE 1p

Name of the good	Combined Nomenclature (CN) code ¹
Cement, incl. cement clinkers, whether or not coloured	2523
Articles of cement, concrete or artificial stone, whether or not reinforced	6810

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:385:FULL&from=EN>

ANNEX X

‘ANNEX XII

LIST OF IRON AND STEEL PRODUCTS REFERRED TO IN

ARTICLE 1q

Name of the good	Combined Nomenclature (CN) code ¹
Iron and steel	72
Articles of iron and steel	73

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:385:FULL&from=EN>

ANNEX XI

‘ANNEX XIII

LIST OF RUBBER PRODUCTS REFERRED TO IN ARTICLE 1r

Name of the good	Combined Nomenclature (CN) code ¹
New pneumatic tyres, of rubber	4011

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:385:FULL&from=EN>

ANNEX XII

‘ANNEX XIV

LIST OF MACHINERY REFERRED TO IN ARTICLE 1s

Name of the good	Combined Nomenclature (CN) code ¹
Nuclear reactors; fuel elements (cartridges), non-irradiated, for nuclear reactors; machinery and apparatus for isotopic separation:	8401
Steam or other vapour generating boilers (other than central heating hot water boilers capable also of producing low pressure steam); superheated water boilers:	8402
Auxiliary plant for use with boilers of heading 8402 or 8403 (for example, economisers, superheaters, soot removers, gas recoverers); condensers for steam or other vapour power units	8404
Producer gas or water gas generators, with or without their purifiers; acetylene gas generators and similar water process gas generators, with or without their purifiers	8405
Steam turbines and other vapour turbines:	8406
Spark-ignition reciprocating or rotary internal combustion piston engines	8407
Compression-ignition internal combustion piston engines (diesel or semidiesel engines):	8408
Parts suitable for use solely or principally with the engines of heading 8407 or 8408	8409

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:385:FULL&from=EN>

Name of the good	Combined Nomenclature (CN) code ¹
Hydraulic turbines, water wheels, and regulators therefor	8410
Other engines and motors	8412
Pumps for liquids, whether or not fitted with a measuring device; liquid elevators:	8413
Air-conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	8415
Furnace burners for liquid fuel, for pulverised solid fuel or for gas; mechanical stokers, including their mechanical grates, mechanical ash dischargers and similar appliances	8416
Heat pumps other than air-conditioning machines of heading 8415	Ex 8418
Calendering or other rolling machines, other than for metals or glass, and cylinders therefor	8420
Centrifuges, including centrifugal dryers; filtering or purifying machinery and apparatus, for liquids or gases	8421
Machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing or labelling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; other packing or wrapping machinery (including heat-shrink wrapping machinery); machinery for aerating beverages	Ex 8422
Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting or checking machines; weighing machine weights of all kinds	8423

Name of the good	Combined Nomenclature (CN) code ¹
Mechanical appliances (whether or not hand-operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sandblasting machines and similar jet projecting machines	8424
Pulley tackle and hoists other than skip hoists; winches and capstans; jacks	8425
Ships' derricks; cranes, including cable cranes; mobile lifting frames, straddle carriers and works trucks fitted with a crane	8426
Fork-lift trucks; other works trucks fitted with lifting or handling equipment	8427
Other lifting, handling, loading or unloading machinery (for example, lifts, escalators, conveyors, teleferics)	8428
Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and roadrollers	8429
Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; piledrivers and pile extractors; snowploughs and snowblowers	8430
Parts suitable for use solely or principally with the machinery of headings 8425 to 8430	8431
Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard	8439
Bookbinding machinery, including book-sewing machines	8440

Name of the good	Combined Nomenclature (CN) code ¹
Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds	8441
Machinery, apparatus and equipment (other than the machine tools of headings 8456 to 8465) for preparing or making plates, cylinders or other printing components; plates, cylinders and other printing components; plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished)	8442
Printing machinery used for printing by means of plates, cylinders and other printing components of heading 8442; other printers, copying machines and facsimile machines, whether or not combined; parts and accessories thereof	8443
Machines for extruding, drawing, texturing or cutting man-made textile materials:	8444 00
Machines for preparing textile fibres; spinning, doubling or twisting machines and other machinery for producing textile yarns; textile reeling or winding (including weft-winding) machines and machines for preparing textile yarns for use on the machines of heading 8446 or 8447	8445
Knitting machines, stitch-bonding machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net and machines for tufting	8447
Auxiliary machinery for use with machines of heading 8444 , 8445 , 8446 or 8447 (for example, dobbies, jacquards, automatic stop motions, shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of this heading or of heading 8444 , 8445 , 8446 or 8447 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-frames, hosiery needles)	8448

Name of the good	Combined Nomenclature (CN) code ¹
Machinery for the manufacture or finishing of felt or nonwovens in the piece or in shapes, including machinery for making felt hats; blocks for making hats	8449 00 00
Machinery for preparing, tanning or working hides, skins or leather or for making or repairing footwear or other articles of hides, skins or leather, other than sewing machines	8453
Converters, ladles, ingot moulds and casting machines, of a kind used in metallurgy or in metal foundries	8454
Metal-rolling mills and rolls therefor	8455
Machining centres, unit construction machines (single station) and multi-station transfer machines, for working metal	8457
Lathes (including turning centres) for removing metal	8458
Parts and accessories suitable for use solely or principally with the machines of headings 8456 to 8465 , including work or tool holders, self-opening dieheads, dividing heads and other special attachments for machine tools; tool holders for any type of tool for working in the hand	8466
Tools for working in the hand, pneumatic, hydraulic or with self-contained electric or non-electric motor	8467
Machinery and apparatus for soldering, brazing or welding, whether or not capable of cutting, other than those of heading 8515 ; gas-operated surface tempering machines and appliances	8468

Name of the good	Combined Nomenclature (CN) code ¹
Automatic data-processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included	8471
Machinery for sorting, screening, separating, washing, crushing, grinding, mixing or kneading earth, stone, ores or other mineral substances, in solid (including powder or paste) form; machinery for agglomerating, shaping or moulding solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand	8474
Machines for assembling electric or electronic lamps, tubes or valves or flashbulbs, in glass envelopes; machines for manufacturing or hot working glass or glassware	8475
Machinery for working rubber or plastics or for the manufacture of products from these materials, not specified or included elsewhere in this chapter	8477
Machines and mechanical appliances having individual functions, not specified or included elsewhere in this chapter	8479
Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics	8480
Taps, cocks, valves and similar appliances for pipes, boiler shells, tanks, vats or the like, including pressure-reducing valves and thermostatically controlled valves	8481

Name of the good	Combined Nomenclature (CN) code ¹
Ball or roller bearings	8482
Transmission shafts (including cam shafts and crank shafts) and cranks; bearing housings and plain shaft bearings; gears and gearing; ball or roller screws; gear boxes and other speed changers, including torque converters; flywheels and pulleys, including pulley blocks; clutches and shaft couplings (including universal joints)	8483
Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings; mechanical seals	8484
Electric motors and generators (excluding generating sets)	8501
Electric generating sets and rotary converters	8502
Parts suitable for use solely or principally with electric motors and generators, electric generating sets or rotary converters not specified elsewhere	8503
Electrical transformers, static converters (for example, rectifiers) and inductors; parts thereof	8504
Electromagnets (other than for medical use); permanent magnets and articles intended to become permanent magnets after magnetisation; electromagnetic or permanent magnet chucks, clamps and similar holding devices; electromagnetic couplings, clutches and brakes; electromagnetic lifting heads; parts thereof	8505
Electric accumulators, incl. separators therefor, whether or not square or rectangular; parts thereof (excl. spent and those of unhardened rubber or textiles)	8507

Name of the good	Combined Nomenclature (CN) code ¹
Electrical ignition or starting equipment of a kind used for spark-ignition or compression-ignition internal combustion engines (for example, ignition magnetos, magneto-dynamos, ignition coils, sparking plugs and glow plugs, starter motors); generators (for example, dynamos, alternators) and cut-outs of a kind used in conjunction with such engines; parts thereof	8511
Industrial or laboratory electric furnaces and ovens (including those functioning by induction or dielectric loss); other industrial or laboratory equipment for the heat treatment of materials by induction or dielectric loss; parts thereof	8514
Parts suitable for use solely or principally with the apparatus of headings 8525 to 8528	8529
Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of headings 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, and numerical control cabinets (excl. switching apparatus for line telephony or line telegraphy or videophones)	8537
Parts suitable for use solely or principally with the apparatus of headings 8535 , 8536 or 8537 not specified elsewhere	8538
Electric filament or discharge lamps, including sealed beam lamp units and ultraviolet or infra-red lamps; arc lamps; parts thereof	8539
Insulated (incl. enamelled or anodised) wire, cable (incl. coaxial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors	8544

Name of the good	Combined Nomenclature (CN) code ¹
Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes	8545
Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly, other than insulators of heading 8546 ; electrical conduit tubing and joints therefor, of base metal lined with insulating material	8547
Waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary batteries and spent electric accumulators; electrical parts of machinery or apparatus, not specified elsewhere in Chapter 85	8548
Confidential products under Chapter 85; goods under Chapter 85 transported by post or by parcel post (extra)/reconstituted code for statistical distribution	

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DECISIONS

COUNCIL DECISION (CFSP) 2022/356

of 2 March 2022

amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus

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 2012, the Council adopted Decision 2012/642/CFSP ⁽¹⁾ concerning restrictive measures against Belarus.
- (2) On 24 February 2022, the President of the Russian Federation announced a military operation in Ukraine and Russian armed forces began an attack on Ukraine, including from the territory of Belarus. That attack is a blatant violation of the territorial integrity, sovereignty and independence of Ukraine.
- (3) In its conclusions of 24 February 2022, the European Council condemned in the strongest possible terms the Russian Federation's unprovoked and unjustified military aggression against Ukraine. By its illegal military actions, Russia is grossly violating international law and the principles of the United Nations Charter and undermining European and global security and stability. The European Council also strongly condemned the involvement of Belarus in that aggression against Ukraine and called on it to refrain from such action and to abide by its international obligations. It called for the urgent preparation and adoption of a package of further individual and economic sanctions, also covering Belarus.
- (4) In view of the gravity of the situation, and in response to Belarus's involvement in Russia's aggression against Ukraine, it is appropriate to amend the title of Decision 2012/642/CFSP and to introduce further restrictive measures.
- (5) In particular, it is appropriate to introduce further restrictions related to the trade of goods used for the production or manufacturing of tobacco products, mineral fuels, bituminous substances and gaseous hydrocarbon products, potassium chloride ('potash') products, wood products, cement products, iron and steel products and rubber products. It is also appropriate to impose further restrictions on exports of dual-use goods and technology and on the provision of related services, as well as restrictions on exports of certain goods and technology which might contribute to Belarus's military, technological, defence and security development, together with restrictions on the provision of related services.
- (6) Further action by the Union is needed in order to implement certain measures.
- (7) Decision 2012/642/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2012/642/CFSP is amended as follows:

⁽¹⁾ Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures in view of the situation in Belarus (OJ L 285, 17.10.2012, p. 1).

- (1) the title is replaced by the following:

'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';

- (2) Article 2c is replaced by the following:

'Article 2c

1. Without prejudice to Article 2b of this Decision, the direct or indirect sale, supply, transfer or export of all dual-use goods and technology listed in Annex I to Regulation (EU) 2021/821 of the European Parliament and of the Council (*) to any natural or legal person, entity or body in Belarus or for use in Belarus by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft shall be prohibited, whether such goods and technology originate or not in their territories.

2. It shall be prohibited:

- (a) to provide technical assistance, brokering services or other services related to the goods and technology referred to in paragraph 1, or to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly to any natural or legal person, entity or body in Belarus or for use in Belarus;
- (b) to provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any sale, supply, transfer or export of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly to any natural or legal person, entity or body in Belarus or for use in Belarus.

3. Without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the prohibitions in paragraphs 1 and 2 of this Article shall not apply to the sale, supply, transfer or export of dual-use goods and technology, or to the related provision of technical and financial assistance, for non-military use and to a non-military end-user, intended for:

- (a) humanitarian purposes, health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or on the environment, or as a response to natural disasters;
- (b) medical or pharmaceutical purposes;
- (c) temporary use by news media;
- (d) software updates;
- (e) use as consumer communication devices;
- (f) ensuring cyber-security and information security for natural or legal persons, entities or bodies in Belarus except for its government and undertakings directly or indirectly controlled by that government; or
- (g) personal use of natural persons travelling to Belarus, and limited to personal effects, household effects, vehicles or tools of trade owned by those individuals and not intended for sale.

With the exception of points (f) and (g), the exporter shall declare in its customs declaration that the items are being exported under the relevant exception set out in this paragraph, and shall notify the competent authority of the Member State in which it is resident or established of the first use of the relevant exception within 30 days from that first export.

4. By way of derogation from paragraphs 1 and 2 of this Article, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authority may authorise the sale, supply, transfer or export of dual-use goods and technology or the provision of related technical or financial assistance, for non-military use and for a non-military end user, after having determined that such goods or technology or the related technical or financial assistance are intended for:

- (a) cooperation between the Union, the governments of Member States and the government of Belarus in purely civilian matters;
- (b) intergovernmental cooperation in space programmes;
- (c) the operation, maintenance, fuel retreatment and safety of civil nuclear capabilities, as well as civil nuclear cooperation, in particular in the field of research and development;
- (d) maritime safety;
- (e) civilian telecommunications networks, including the provision of internet services;
- (f) the exclusive use of entities owned, or solely or jointly controlled, by a legal person, entity or body which is incorporated or constituted under the law of a Member State or of a partner country;
- (g) the diplomatic representations of the Union, Member States and partner countries, including delegations, embassies and missions.

5. By way of derogation from paragraphs 1 and 2 of this Article, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authority may authorise the sale, supply, transfer or export of dual-use goods and technology or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such goods or technology or such related technical or financial assistance are due under contracts concluded before 3 March 2022, or ancillary contracts necessary for the execution of such a contract, provided that such authorisation is requested before 1 May 2022.

6. Authorisations required under this Article shall be granted by the relevant competent authority in accordance with the rules and procedures laid down in Regulation (EU) 2021/821, which shall apply *mutatis mutandis*. Such authorisations shall be valid throughout the Union.

7. When deciding on a request for authorisation pursuant to paragraphs 4 and 5, the competent authority shall not grant an authorisation if it has reasonable grounds to believe that:

- (i) the end-user might be a military end-user or a natural or legal person, entity or body listed in Annex II, or that the goods might have a military end-use; or
- (ii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1, or the provision of related technical or financial assistance, is intended for aviation or the space industry.

8. The competent authority may annul, suspend, modify or revoke an authorisation which it has granted pursuant to paragraphs 4 and 5 if it deems that such annulment, suspension, modification or revocation is necessary for the effective implementation of this Decision.

9. The partner countries as referred to in points 4(f) and (g) of this Article and in points (f) and (g) of Article 2d(4), and which apply substantially equivalent export control measures, are listed in Annex IV.

(*) Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items (OJ L 206, 11.6.2021, p. 1).;

- (3) Article 2d is replaced by the following:

Article 2d

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, goods and technology which might contribute to the military and technological enhancement of Belarus, or to the development of its defence and security sector, whether or not originating in the Union, to any natural or legal person, entity or body in Belarus or for use in Belarus.

2. It shall be prohibited:

- (a) to provide technical assistance, brokering services or other services related to the goods and technology referred to in paragraph 1, or to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly to any natural or legal person, entity or body in Belarus or for use in Belarus;
- (b) to provide financing or financial assistance related to the goods and technology referred to in paragraph 1 for any sale, supply, transfer or export of those goods and technology, or for the provision of related technical assistance, brokering services or other services, directly or indirectly to any natural or legal person, entity or body in Belarus or for use in Belarus.

3. The prohibitions in paragraphs 1 and 2 shall not apply to the sale, supply, transfer or export of the goods and technology referred to in paragraph 1, or to the related provision of technical and financial assistance, for non-military use and for a non-military end-user, intended for:

- (a) humanitarian purposes, health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or on the environment, or as a response to natural disasters;
- (b) medical or pharmaceutical purposes;
- (c) temporary use by news media;
- (d) software updates;
- (e) use as consumer communication devices;
- (f) ensuring cyber-security and information security for natural or legal persons, entities or bodies in Belarus except for its government and undertakings directly or indirectly controlled by that government; or
- (g) personal use of natural persons travelling to Belarus, and limited to personal effects, household effects, vehicles or tools of trade owned by those individuals and not intended for sale.

With the exception of points (f) and (g), the exporter shall declare in its customs declaration that the items are being exported under the relevant exception set out in this paragraph and shall notify the competent authority of the Member State in which it is resident or established of the first use of the relevant exception within 30 days from that first export.

4. By way of derogation from paragraphs 1 and 2 of this Article, the competent authority may authorise the sale, supply, transfer or export of goods and technology referred to in paragraph 1 or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such goods or technology or the related technical or financial assistance are intended for:

- (a) cooperation between the Union, the governments of Member States and the government of Belarus in purely civilian matters;
- (b) intergovernmental cooperation in space programmes;
- (c) the operation, maintenance, fuel retreatment and safety of civil nuclear capabilities, as well as civil nuclear cooperation, in particular in the field of research and development;
- (d) maritime safety;
- (e) civilian telecommunications networks, including the provision of internet services;
- (f) the exclusive use of entities owned, or solely or jointly controlled by a legal person, entity or body which is incorporated or constituted under the law of a Member State or of a partner country;
- (g) the diplomatic representations of the Union, Member States and partner countries, including delegations, embassies and missions.

5. By way of derogation from paragraphs 1 and 2 of this Article, and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authority may authorise the sale, supply, transfer or export of dual-use goods and technology or the provision of related technical or financial assistance, for non-military use and for a non-military end-user, after having determined that such goods or technology or the related technical or financial assistance are due under contracts concluded before 3 March 2022, or ancillary contracts necessary for the execution of such a contract, provided that such authorisation is requested before 1 May 2022.

6. Authorisations required under this Article shall be granted by the relevant competent authority in accordance with the rules and procedures laid down in Regulation (EU) 2021/821, which shall apply *mutatis mutandis*. Such authorisations shall be valid throughout the Union.

7. When deciding on a request for authorisation pursuant to paragraphs 4 and 5, the competent authority shall not grant an authorisation if it has reasonable grounds to believe that:

- (i) the end-user might be a military end-user or a natural or legal person, entity or body listed in Annex II, or that the goods might have a military end-use; or
- (ii) the sale, supply, transfer or export of goods and technology referred to in paragraph 1, or the provision of related technical or financial assistance, is intended for aviation or the space industry.

8. The competent authority may annul, suspend, modify or revoke an authorisation which it has granted pursuant to paragraphs 4 and 5 if it deems that such annulment, suspension, modification or revocation is necessary for the effective implementation of this Decision.

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

- (4) the following Article is inserted after Article 2d:

'Article 2da

1. With regard to the entities listed in Annex II, by way of derogation from Article 2c(1) and (2) and Article 2d(1) and (2), and without prejudice to the authorisation requirements pursuant to Regulation (EU) 2021/821, the competent authority may only authorise the sale, supply, transfer or export of dual-use goods and technology and goods and technology referred to in Article 2d, or the provision of related technical or financial assistance, after having determined that such goods or technology or the related technical or financial assistance are:

- (a) necessary for 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
- (b) due under contracts concluded before 3 March 2022, or ancillary contracts necessary for the execution of such a contract, provided that such authorisation is requested before 1 May 2022.

2. Authorisations required under this Article shall be granted by the competent authorities of the Member State in accordance with the rules and procedures laid down in Regulation (EU) 2021/821, which shall apply *mutatis mutandis*. Such authorisations shall be valid throughout the Union.

3. The competent authority may annul, suspend, modify or revoke an authorisation which it has granted pursuant to paragraph 1 if it deems that such annulment, suspension, modification or revocation is necessary for the effective implementation of this Decision.;

- (5) Article 2e is amended as follows:

- (a) the following paragraph is inserted after paragraph 1:

'1a. It shall be prohibited to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in paragraph 1.;

- (b) paragraph 3 is deleted;

- (6) Article 2f is amended as follows:
- (a) paragraph 5 is deleted;
 - (b) paragraph 6 is renumbered as paragraph 5;
 - (c) in paragraphs 1, 4, and 5, the words ‘petroleum and gaseous hydrocarbon products’ are replaced by ‘mineral fuels, bituminous substances and gaseous hydrocarbon’;
- (7) Article 2g is amended as follows:
- (a) the following paragraph is inserted after paragraph 1:
‘1a. It shall be prohibited to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in paragraph 1.’;
 - (b) paragraph 3 is deleted;
- (8) in Article 2i, paragraph 4 is deleted;
- (9) in Article 2j, paragraph 3 is deleted;
- (10) the following Articles are inserted:

Article 2o

1. It shall be prohibited:

- (a) to import, directly or indirectly, wood products into the Union if they:
 - (i) originate in Belarus; or
 - (ii) have been exported from Belarus;
- (b) to purchase, directly or indirectly, wood products referred to in point (a) which are located in or which originated in Belarus;
- (c) to transport wood products referred to in point (a) if they originated in Belarus or are being exported from Belarus to any other country;
- (d) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in points (a), (b) and (c).

2. The prohibitions in paragraph 1 shall be without prejudice to the execution until 4 June 2022 of contracts concluded before 2 March 2022, or ancillary contracts necessary for the execution of such contracts.

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

Article 2p

1. It shall be prohibited:

- (a) to import, directly or indirectly, cement products into the Union if they:
 - (i) originate in Belarus; or
 - (ii) have been exported from Belarus;
- (b) to purchase, directly or indirectly, cement products referred to in point (a) which are located in or which originated in Belarus;
- (c) to transport cement products referred to in point (a) if they originated in Belarus or are being exported from Belarus to any other country;
- (d) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in points (a), (b) and (c).

2. The prohibitions in paragraph 1 shall be without prejudice to the execution until 4 June 2022 of contracts concluded before 2 March 2022, or ancillary contracts necessary for the execution of such contracts.

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

Article 2q

1. It shall be prohibited:

(a) to import, directly or indirectly, iron and steel products into the Union if they:

- (i) originate in Belarus; or
- (ii) have been exported from Belarus;

(b) to purchase, directly or indirectly, iron and steel products referred to in point (a) which are located in or which originated in Belarus;

(c) to transport iron and steel products referred to in point (a) if they originated in Belarus or are being exported from Belarus to any other country;

(d) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in points (a), (b) and (c).

2. The prohibitions in paragraph 1 shall be without prejudice to the execution until 4 June 2022 of contracts concluded before 2 March 2022, or ancillary contracts necessary for the execution of such contracts.

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

Article 2r

1. It shall be prohibited:

(a) to import, directly or indirectly, rubber products into the Union if they:

- (i) originate in Belarus; or
- (ii) have been exported from Belarus;

(b) to purchase, directly or indirectly, rubber products referred to in point (a) which are located in or which originated in Belarus;

(c) to transport rubber products referred to in point (a) if they originated in Belarus or are being exported from Belarus to any other country;

(d) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in points (a), (b) and (c).

2. The prohibitions in paragraph 1 shall be without prejudice to the execution until 4 June 2022 of contracts concluded before 2 March 2022, or ancillary contracts necessary for the execution of such contracts.

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

Article 2s

1. It shall be prohibited:

(a) to sell, supply, transfer or export, directly or indirectly, certain machinery, whether or not originating in the Union, to any person, entity or body in Belarus or for use in Belarus;

(b) to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, related to the prohibitions in point (a).

2. The prohibitions in paragraph 1 shall not apply to the sale, supply, transfer or export of the machinery referred to in paragraph 1 or to the related provision of technical and financial assistance, for non-military use and for a non-military end-user, intended for:

- (a) humanitarian purposes, health emergencies, the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or on the environment, or as a response to natural disasters;
- (b) medical or pharmaceutical purposes;
- (c) temporary use by news media;
- (d) software updates;
- (e) use as consumer communication devices;
- (f) ensuring cyber-security and information security for natural or legal persons, entities or bodies in Belarus except for its government and undertakings directly or indirectly controlled by that government; or
- (g) personal use of natural persons travelling to Belarus, and limited to personal effects, household effects, vehicles or tools of trade owned by those individuals and not intended for sale.

With the exception of points (f) and (g), the exporter shall declare in its customs declaration that the items are being exported under the relevant exception set out in this paragraph and shall notify the competent authority of the Member State where the exporter is resident or established of the first use of the relevant exception within 30 days from that first export.

3. The prohibitions in paragraph 1 shall be without prejudice to the execution until 4 June 2022 of contracts concluded before 2 March 2022, or ancillary contracts necessary for the execution of such contracts.

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

(11) the Annexes to Decision 2012/642/CFSP are amended as set out in 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, 2 March 2022.

For the Council
The President
J.-Y. LE DRIAN

ANNEX

(1) Annex II to Decision 2012/642/CFSP is replaced by the following:

'ANNEX II

LIST OF LEGAL PERSONS, ENTITIES OR BODIES REFERRED TO IN ARTICLE 2d

Belarus Ministry of Defence';

(2) the following Annex is added:

'ANNEX IV

LIST OF PARTNER COUNTRIES REFERRED TO IN ARTICLE 2c(9)'.

CORRIGENDA

Corrigendum to Council Decision (CFSP) 2022/337 of 28 February 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(Official Journal of the European Union L 59 of 28 February 2022)

On page 6, entry 675, under the heading 'Identifying information':

for: 'DOB: 21.4.1964

POB: Lviv, Russian Federation

Gender: Male',

read: 'DOB: 21.4.1964

POB: Lviv, Ukrainian SSR, (now Ukraine)

Gender: Male'.

Corrigendum to Council Implementing Regulation (EU) 2022/336 of 28 February 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(Official Journal of the European Union L 58 of 28 February 2022)

On page 7, entry 675, under the heading 'Identifying information':

for: 'DOB: 21.4.1964

POB: Lviv, Russian Federation

Gender: Male',

read: 'DOB: 21.4.1964

POB: Lviv, Ukrainian SSR, (now Ukraine)

Gender: Male'.

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