

EU Reactions to Russian War against Ukraine: Overview October 2023 – January 2024

News

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This news item continues the reporting on key EU reactions following the Russian invasion of Ukraine on 24 February 2022 in relation to the following aspects: the impact of the invasion on the EU's internal security policy, on criminal law, and on the protection of the EU's financial interests. The following overview covers the period from the beginning of October 2023 to the end of January 2024. For overviews of the developments from February 2022 to mid-July 2022 → [eucriM 2/2022, 74-80](#); for the developments from the end of July 2022 to the end of October 2022 → [eucriM 3/2022, 170-171](#); for the developments from November 2022 to December 2022 → [eucriM 4/2022, 226-228](#); for the developments from January 2023 to June 2023 → [eucriM 1/2023, 6-9](#); for the developments from July 2023 to September 2023 → [eucriM 2/2023, 116-117](#).

- 6 October 2023: The EU leaders gather at the informal meeting of the heads of state or government in Granada (Spain) to discuss the process of defining the Union's general political directions and priorities in the years to come, setting a strategic course of action. In the "[Granada declaration](#)", they reaffirm their unconditional support for Ukraine and confirm that the future of Ukraine lies in its accession to the EU. Hungary and Poland criticise the extent of support for Ukraine.
- 17 October 2023: The European Parliament approves a [proposal](#) for a €50 billion facility to support Ukraine's recovery, reconstruction, and modernisation. The proposed Ukraine facility is part of the EU's revised long-term budget. MEPs demand to rebuild Ukraine with resources from the Russian Federation or other organizations or people directly involved in Russia's aggression. They also stress that funding should not be available to companies controlled by oligarchs. To enhance transparency of the facility, a web portal providing information on financial operations granted to Ukraine, its goals, and the milestones the country had to meet to receive aid will be established.
- 20 October 2023: The [Justice and Home Affairs Council](#) gives a state-of-play about measures taken to fight against impunity regarding crimes committed in connection with Russia's war of aggression against Ukraine.
- 27 October 2023: The [European Council reiterates](#) its resolute condemnation of Russia's war of aggression against Ukraine and the continued support from the European Union in financial, economic, humanitarian, diplomatic, and especially military areas. The EU and its Member States will intensify the provision of humanitarian aid and civil protection to Ukraine and also its diplomatic outreach with

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Ukraine. The Council welcomes the outcome of the International Donors' Conference on humanitarian demining in Ukraine held in Zagreb on 11 and 12 October 2023, including support for the efficient governance of mine action. The European Council urges efforts to continue, including within the Core Group, in order to establish a tribunal to prosecute the crime of aggression against Ukraine with broad cross-regional support. Additionally, it supports the development of a future compensation mechanism and expresses support for the International Criminal Court, condemning Russian attempts to undermine its international mandate and functioning. The heads of state or government are unable to agree on a new financial aid package for Ukraine totalling €50 billion.

- 8 November 2023: The Commission adopts the [2023 "Enlargement Package"](#) and recommends, *inter alia*, that the Council opens accession negotiations with Ukraine and Moldova. Before the first round of talks with Ukraine, however, the country must finalise the reforms it has begun. In particular, there are still deficits in the fight against corruption, judicial reform and minority rights. The recommendation gives Ukraine time to make progress in these areas.
- 9 November 2023: In a new [resolution](#), the European Parliament (EP) raises concerns over existing loopholes in the EU's sanctions regime against Russia. The text highlights that the lack of proper enforcement of the sanctions undermine the goal of the sanctions. Backdoors are being created with, among other things, the EU import of Russian petroleum products through countries such as India. MEPs are alarmed that Western components reach Russia through countries like China and express deep concern about the ongoing trade in sanctioned goods between EU states and Moscow. The EP also notes the EU's significant ongoing purchases of Russian fossil fuels despite restrictions. It urges the EU and its Member States to enhance centralized oversight of sanctions, establish a mechanism to prevent and monitor circumvention, strengthen coordination to enforce sanctions on Russian oil exports, close the EU market to Russian-origin fossil fuels, and impose sanctions on major Russian oil companies, Gazprombank, and their subsidiaries and leadership.
- 14 December 2023: In its [conclusions](#) on Ukraine, the European Council strongly condemns Russia's war of aggression against Ukraine and reaffirmed its unwavering support for Ukraine's independence, sovereignty, and territorial integrity. EU leaders emphasize that enlargement is a strategic investment in peace and prosperity. They underline the need for both aspiring members and the EU to be prepared for accession. Aspiring members must intensify reform efforts with EU assistance, especially in the rule of law. The EU commits to necessary internal reforms, strengthening its long-term ambitions and addressing key policy areas. The European Council endorses the enlargement conclusions of 12 December 2023 and decides to open accession negotiations with Ukraine and the Republic of Moldova, pending relevant steps outlined in Commission recommendations. Hungary's Prime Minister Viktor Orbán blocks the disbursement of further EU aid for Ukraine totalling €50 billion and proposes that the Ukraine aid should not be included in the EU budget. However, the other EU leaders reject this and postpone the decision on the Ukraine aid.
- 18 December 2023: The Council adopts the [12th package of sanctions](#) against Russia (for the previous package → [eucrim 1/2023, 9](#)). It includes additional trade bans, in particular with regard to Russian high-value goods, and measures against the circumvention of EU sanctions. The most important trade measure is a prohibition on the direct and indirect import, transfer or purchase of diamonds originating in Russia or processed/traded there. Tighter export restrictions are also introduced, among others, concerning dual use goods and technologies. There will also be stricter asset freeze obligations. The Council agreed, for instance, a new listing criterion to include persons who benefit from the forced transfer of ownership or control over Russian subsidiaries of EU companies. In future, deceased persons can be kept on the asset freeze list and Member States will have tighter obligations to proactively trace assets of listed persons. Anti-circumvention measures include the following: (1) Extending the transit prohibition to all battlefield goods; (2) banning of Russian nationals from governing bodies of legal persons, entities or bodies providing crypto-asset wallet,

account or custody services to Russian persons and residents; (3) extending the existing prohibition on the provision of services to the provision of software for the management of enterprises and software for industrial design and manufacture; (4) obliging exporters to contractually insert a "No Russia Clause" that blocks the re-exportation of particularly sensitive goods and technology; (5) Introducing a new measure that will require the notification of certain transfers of funds out of the EU from EU entities directly or indirectly owned by more than 40% by Russians or entities established in Russia. In addition to economic measures, the [Council decided to add over 140 additional individuals and entities](#) on the asset freeze list. This covers primarily actors in the Russian military and defence and important economic actors as well as those who orchestrated the "elections" in the Russia-occupied Ukrainian territories, those responsible for the forced "re-education" of Ukrainian children, and those spreading disinformation/propaganda in support of Russia's war of aggression against Ukraine.

- 20 December 2023: The Commission launches [three new initiatives](#) boosting the EU research and innovation cooperation with Ukraine. They include a €20 million-programme for supporting the Ukrainian deep tech community (EIC4Ukraine)
- 3 January 2024: The Council adds the [Russian diamond firm PJSC Alrosa and its CEO](#) to the EU sanctions list, in line with the diamond ban introduced by the 12th package of sanctions on 18 December 2023. The EU sanctions list now apply to almost 1950 individuals and entities altogether.
- 16 January 2024: The [ECOFIN Council](#) takes note of the state of play of the economic and financial impact of Russia's aggression against Ukraine. Ministers discuss the EU's financial support to Ukraine and the ongoing work on the use of frozen and immobilised assets. Belgium stresses its commitment to continue financial support to Ukraine "for as long as necessary".
- 1 February 2024: At the [special European Council](#), the heads of state or government agree to set up the Ukraine Facility for the years 2024-2027. [Viktor Orbán](#) gives up his blockade stance (see above), but pushes through several pre-conditions for Ukraine in order to receive the funding. The EU will make available €50 billion to Ukraine as the Ukraine Reserve; €33 billion are in loans, and €17 billion are in grants. The Ukrainian government needs to prepare a recovery and reconstruction plan that sets out a reform and investment agenda. To obtain the funding, Ukraine must also uphold and respect several rule-of-law conditions and human rights guarantees. Moreover, the Commission and Ukraine must protect the EU's financial interests, particularly by countering fraud, corruption, conflicts of interest and irregularities. The Council will play a key role in the governance of the Ukraine Facility. Hence, a Council Implementing Decision will be adopted by qualified majority for the adoption and amendments of the Ukraine Plan and for the approval and the suspension of payments. On the basis of a Commission report, the European Council will hold a debate every year on the implementation of the facility with a view to provide guidance.

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