



Brussels, 18 July 2022
(OR. en)

11123/22

LIMITE

**CORLX 633
CFSP/PESC 926
RELEX 975
COEST 542
FIN 769**

'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Council Decision and Implementing Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

1. On 17 March 2014, the Council adopted Decision 2014/145/CFSP and Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine. The measures were extended since then, last time by Decision (CFSP) 2022/411 until 15 September 2022.
2. On 4 July 2022, the Working Party on Eastern Europe and Central Asia (COEST) agreed that six persons and one entity should be added to the list of persons, entities and bodies subject to restrictive measures as set out in the Annex to Decision 2014/145/CFSP.
3. On 6 July 2022, the High Representative submitted to the Council a proposal for a Council Decision amending Decision 2014/145/CFSP (doc. 11118/22) and a proposal for a Council Implementing Regulation implementing Regulation (EU) No 269/2014 (doc. 11121/22).

4. On 11 July 2022, the Foreign Relations Counsellors Working Party (RELEX) agreed on the texts of the draft Council Decision and Implementing Regulation.
5. In these circumstances, COREPER is invited to:
- confirm the agreement on the draft Council Decision and Implementing Regulation;
 - decide, in accordance with Article 12, paragraph 1 of the Council's Rules of Procedure, and Article 1 of Council Decision 2020/430, that the Council use the written procedure to:
 - adopt the Council Decision amending Decision 2014/145/CFSP as set out, after finalisation of the text by the legal/linguistic experts, in document 11119/22;
 - adopt the Council Implementing Regulation implementing Regulation (EU) No 269/2014 as set out, after finalisation of the text by the legal/linguistic experts, in document 11122/22;
 - approve the notices as set out in Annexes I and II to this note.
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Notice for the attention of the persons subject to the restrictive measures provided for in Council Decision 2014/145/CFSP¹, as amended by Council Decision (CFSP) 2022/[number]⁺, and in Council Regulation (EU) No °269/2014² as implemented by Council Implementing Regulation (EU) 2022/[number]⁺⁺ concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

The following information is brought to the attention of the persons that appear in the Annex to Council Decision 2014/145/CFSP, as amended by Council Decision (CFSP) 2022/[number]⁺, and in Annex I to Council Regulation (EU) No °269/2014, as implemented by Council Implementing Regulation (EU) 2022/[number]⁺⁺ concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.

The Council of the European Union has decided that those persons should be included in the list of persons, entities and bodies subject to restrictive measures provided for in Council Decision 2014/145/CFSP and in Council Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine. The grounds for designations of those persons appear in the relevant entries in those Annexes.

¹ OJ L 78, 17.03.2014, p. 16.

⁺ OJ: please insert number and publication details for Decision in document 11119/22.

² OJ L 78, 17.03.2014, p. 6.

⁺⁺ OJ: please insert number and publication details for Regulation in document 11122/22.

The attention of the persons concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the web sites in Annex II to Council Regulation (EU) No °269/2014, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4 of the Regulation).

The persons concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the above-mentioned list should be reconsidered, to the following address **before 2 November 2022**:

Council of the European Union

General Secretariat

RELEX.1

Rue de la Loi/Wetstraat 175

1048 Bruxelles/Brussel

BELGIQUE/BELGIË

e-mail: sanctions@consilium.europa.eu

The attention of the persons concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, 2nd paragraph, and Article 263, 4th and 6th paragraphs, of the Treaty on the Functioning of the European Union.

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision 2014/145/CFSP and Council Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine apply

The attention of data subjects is drawn to the following information in accordance with Article 16 of Regulation (EU) 2018/1725.

The legal bases for this processing operation are Decision 2014/145/CFSP, as amended by Council Decision (CFSP) 2022/[number]¹, and Regulation (EU) No 269/2014, as implemented by Council Implementing Regulation (EU) 2022/[number]².

The controller of this processing operation is the Council of the European Union represented by the Directorate-General for External Relations of the General Secretariat of the Council (GSC), that can be contacted at:

Council of the European Union

General Secretariat

RELEX.1

Rue de la Loi/Wetstraat 175

1048 Bruxelles/Brussel

BELGIQUE/BELGIË

e-mail: sanctions@consilium.europa.eu

¹ OJ: please insert number and publication details for Decision in document 11119/22.

² OJ: please insert number and publication details for Regulation in document 11122/22.

The GSC's Data Protection Officer can be contacted at:

Data Protection Officer

data.protection@consilium.europa.eu

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Decision 2014/145/CFSP, as amended by Decision (CFSP) 2022/[number]¹, and Regulation (EU) No 269/2014, as implemented by Council Implementing Regulation (EU) 2022/[number]².

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision 2014/145/CFSP and Regulation (EU) No 269/2014.

The personal data collected includes data necessary for the correct identification of the person concerned, the statement of reasons and any other data related thereto.

The personal data collected may be shared as necessary with the European External Action Service and the Commission.

Without prejudice to restrictions pursuant to Article 25 of Regulation (EU) 2018/1725, the exercise of the rights of the data subjects such as the right of access, as well as the rights to rectification or to object will be answered in accordance with Regulation (EU) 2018/1725.

Personal data will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the restrictive measures or the validity of the measure has expired, or for the duration of court proceedings in the event they had been started.

Without prejudice to any judicial, administrative or non-judicial remedy, data subjects may lodge a complaint with the European Data Protection Supervisor in accordance with Regulation (EU) No 2018/1725 (edps@edps.europa.eu).

¹ OJ: please insert number and publication details for Decision in document 11119/22.

² OJ: please insert number and publication details for Regulation in document 11122/22.