



Brussels, 19 July 2022
(OR. en)

11453/22

LIMITE

CORLX 697
CFSP/PESC 1013
RELEX 1043
COEST 587
FIN 834

'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

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (12.08.2022)

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 Council Decision (CFSP) 2021/1470 until 15 March 2022.
2. On 9 February 2022, the High Representative submitted to the Council a proposal for a Council Decision amending Decision 2014/145/CFSP (doc. 6034/22) and a proposal for a Council Implementing Regulation implementing Regulation (EU) No 269/2014 (doc. 6036/22).
3. On 18 July 2022, the Foreign Relations Counsellors Working Party (RELEX) agreed on the revised texts of the draft Council Decision and Implementing Regulation as well as on the text of the letters for the persons concerned.

4. 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 8265/22;
 - 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 8266/22;
 - approve the letters as set out in Annex I to this note;
 - approve the notice for data subjects as set out in Annex II to this note.

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PUBLIC

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 Department RELEX.1 in the Directorate-General External Relations - RELEX 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 8255/22.

² OJ: please insert number and publication details for Regulation in document 8266/22.

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 8255/22.

² OJ: please insert number and publication details for Regulation in document 8266/22.