

Brussels, 28 September 2022
(OR. en)

12592/22

LIMITE

**CORLX 822
CFSP/PESC 1199
RELEX 1254
MAMA 157
MOG 79
CONOP 97
FIN 972**

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Council Decision and Implementing Regulation concerning restrictive measures against the proliferation and use of chemical weapons

1. On 15 October 2018, the Council adopted Decision (CFSP) 2018/1544 concerning restrictive measures against the proliferation and use of chemical weapons. On the same day, the Council adopted Regulation (EU) 2018/1542 concerning restrictive measures against the proliferation and use of chemical weapons, giving effect to certain measures provided for in Decision (CFSP) 2018/1544. Decision (CFSP) 2018/1544 applies until 16 October 2022.
2. The Non-Proliferation Working Party (CONOP) agreed on 13 September 2022 to extend the restrictive measures for one year.
3. On 19 September 2022, the High Representative submitted to the Council a proposal for a Council Decision amending Decision (CFSP) 2018/1544 (doc. 12588/22) and a Council Implementing Regulation implementing Regulation (EU) 2018/1542 concerning restrictive measures against the proliferation and use of chemical weapons (doc. 12590/22).

4. On 22 September 2022, the Foreign Relations Counsellors Working Party (RELEX) agreed the text of the draft Council Decision and Council Implementing Regulation.
5. In these circumstances, COREPER is invited to:
- confirm the agreement on the draft Council Decision and Council Implementing Regulation;
 - recommend that the Council adopt the Council Decision amending Decision (CFSP) 2018/1544 concerning restrictive measures against the proliferation and use of chemical weapons as set out, after finalisation of the text by the legal/linguistic experts, in document 12589/22;
 - recommend that the Council adopt the Council Implementing Regulation implementing Regulation (EU) 2018/1542 concerning restrictive measures against the proliferation and use of chemical weapons as set out, after finalisation of the text by the legal/linguistic experts, in document 12591/22;
 - recommend that the Council approve the standard letter of notification to be sent to those whose addresses are available as set out in Annex I to this note;
 - recommend that the Council approve the notices as set out in Annexes II and III to this note.
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Letter to designated entities whose addresses are available - General template

This is to inform you that the Council of the European Union, after having reviewed the list of designated natural or legal persons, entities and bodies, has decided that you/your client/your company/your entity should continue to be included in the list of persons, entities and bodies subject to restrictive measures in the Annex to Council Decision (CFSP) 2018/1544, as amended by Council Decision (CFSP) 2022/[number]⁺, and in Annex I to Regulation (EU) 2018/1542, as implemented by Council Implementing Regulation (EU) 2022/[number]⁺⁺, concerning restrictive measures against the proliferation and use of chemical weapons.

Your attention is also drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated on the websites in Annex II to Council Regulation (EU) 2018/1542, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 3 of the Regulation).

Furthermore, your attention is drawn to the possibility of submitting a request to the Council before 1 July 2023, together with supporting documentation, that the decision to include you/your client/your company/your entity on the above-mentioned list should be reconsidered to the following address:

Council of the European Union

General Secretariat

RELEX.1

Rue de la Loi/Wetstraat 175

1048 Bruxelles/Brussel

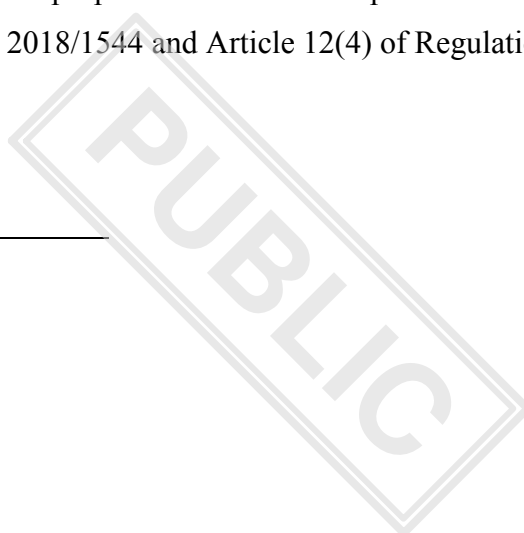
BELGIQUE/BELGIË

e-mail: sanctions@consilium.europa.eu

⁺ Official Journal L xx, xx.xx.2022, p. xx

⁺⁺ Official Journal L xx, xx.xx.2022, p. xx

Any observations received will be taken into account for the purpose of the Council's periodic review, in accordance with Article 8 of Decision (CFSP) 2018/1544 and Article 12(4) of Regulation (EU) 2018/1542.



Notice for the attention of the persons and entities subject to the restrictive measures provided for in Council Decision (CFSP) 2018/1544 ¹, as amended by Council Decision (CFSP) 2022/[number]⁺, and in Council Regulation (EU) 2018/1542 ², as implemented by Council Implementing Regulation (EU) 2022/[number]⁺⁺, concerning restrictive measures against the proliferation and use of chemical weapons

The following information is brought to the attention of the persons and entities that appear in the Annex to Council Decision (CFSP) 2018/1544, as amended by Council Decision (CFSP) 2022/[number]⁺, and in Annex I to Regulation (EU) 2018/1542, as implemented by Council Implementing Regulation (EU) 2022/[number]⁺⁺, concerning restrictive measures against the proliferation and use of chemical weapons.

The Council of the European Union, after having reviewed the list of natural or legal persons, entities and bodies in the above-mentioned Annexes, has determined that the restrictive measures provided for in Council Decision (CFSP) 2018/1544 and Council Regulation (EU) 2018/1542 should continue to apply to those persons and entities.

The attention of the persons and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated on the websites in Annex II to Council Regulation (EU) 2018/1542, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 3 of the Regulation).

The persons and entities concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the above-mentioned lists should be reconsidered, **before 1 July 2023**, to the following address:

¹ OJ L 259, 16.10.2018, p. 25.

⁺ OJ: please insert number and publication details for Decision in document 12589/22.

² OJ L 259, 16.10.2018, p. 12.

⁺⁺ OJ: please insert number and publication details for Regulation in document 12591/22.

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

Any observations received will be taken into account for the purpose of the Council's periodic review, in accordance with Article 8 of Decision (CFSP) 2018/1544 and Article 12(4) of Regulation (EU) 2018/1542.

The attention of the persons and entities 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, second paragraph, and Article 263, fourth and sixth 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 (CFSP) 2018/1544 and Council Regulation (EU) 2018/1542 concerning restrictive measures against the proliferation and use of chemical weapons apply

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

The legal basis for this processing operation are Council Decision (CFSP) 2018/1544, as amended by Council Decision (CFSP) 2022/[number]⁺, and Council Regulation (EU) 2018/1542, as implemented by Council Implementing Regulation (EU) 2022/[number]⁺⁺.

The controller of this processing operation is the Council of the European Union represented by the Director General of RELEX (External Relations) of the General Secretariat of the Council and the department entrusted with the processing operation is RELEX.1 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

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Council Decision (CFSP) 2018/1544, as amended by Council Decision (CFSP) 2022/[number]⁺, and Council Regulation (EU) 2018/1542, as implemented by Council Implementing Regulation (EU) 2022/[number]⁺⁺.

⁺ OJ: please insert number and publication details for Decision in document 12589/22.

⁺⁺ OJ: please insert number and publication details for Regulation in document 12591/22.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision (CFSP) 2018/1544 and Regulation (EU) 2018/1542.

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) 2018/1725.