



Brussels, 21 February 2022
(OR. en)

6186/22

LIMITE

CORLX 102
CFSP/PESC 160
RELEX 172
COEST 47
FIN 151

'I/A' ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

Subject: Council Decision and Implementing Regulation concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine

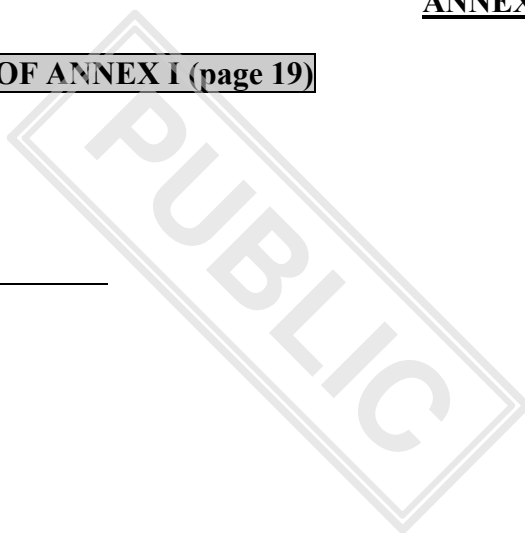
DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (24.02.2023)

1. On 5 March 2014, the Council adopted Decision 2014/119/CFSP and Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine. The measures were last renewed by Decision (CFSP) 2021/394 until 6 March 2022.
2. On the basis of a review of Decision 2014/119/CFSP as amended, the application of those restrictive measures should be extended until 6 March 2023 in respect of three persons, and until 6 September 2022 in respect of four persons.
3. On 11 February 2022, the High Representative submitted proposals for a Council Decision amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (doc. 6182/22) and a Council Implementing Regulation implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (doc. 6184/22).

4. On 14 February 2022, the Foreign Relations Counsellors Working Party (RELEX) agreed on the text of the draft Council Decision amending Decision 2014/119/CFSP, draft Council Implementing Regulation implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine. On 21 February 2022, RELEX agreed (through written consultation) on the text of draft letters of reply to observations.
5. In these circumstances, COREPER is invited to:
- confirm the agreement on the draft Council Decision, Implementing Regulation and letters of reply;
 - recommend that the Council
 - adopt the Council Decision amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine as set out, after finalisation of the text by the legal/linguistic experts, in document 6183/22;
 - adopt the Council Implementing Regulation implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine as set out, after finalisation of the text by the legal/linguistic experts, in document 6185/22;
 - approve the letters of reply as set out in Annex I to this note;
 - approve the notices to be published in the Official Journal ("C" Series), as set out in Annexes II and III to this note;
 - approve the general template for notification letters as set out in Annex IV to this note;

- decide, given the urgency, if no formal Council meetings take place before 4 March 2022, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision 2020/430, that the Council use the written procedure for the adoption of the above-mentioned legal acts and the approval of the notices and the general template letter.

DELETED FROM THIS POINT UNTIL THE END OF ANNEX I (page 19)



Notice for the attention of the persons subject to the restrictive measures provided for in Council Decision 2014/119/CFSP, as amended by Council Decision (CFSP) 2022/xxx¹, and in Council Regulation (EU) No 208/2014 as implemented by Council Implementing Regulation (EU) 2022/xxx² concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine

The following information is brought to the attention of the persons who appear in the Annex to Council Decision 2014/119/CFSP³, as amended by Council Decision (CFSP) 2022/xxx¹, and in Annex I to Council Regulation (EU) No 208/2014⁴ as implemented by Council Implementing Regulation (EU) 2022/xxx² concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine.

The Council of the European Union has decided that the persons that appear in the abovementioned Annexes should be included in the list of persons and entities subject to restrictive measures provided for in Council Decision 2014/119/CFSP and in Council Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine. The grounds for designations of those persons appear in the relevant entries in those Annexes.

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 websites in Annex II to Regulation (EU) No 208/2014, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4 of the Regulation).

¹ OJ: Please insert number of Council Decision in document 6335/21.

² OJ: Please insert number of Council Regulation in document 6338/21.

³ OJ L 66, 6.3.2014, p. 26.

⁴ OJ L 66, 6.3.2014, p. 1.

The persons concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the abovementioned list should be reconsidered, **before 10 December 2022** 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

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, 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 2014/119/CFSP and Council Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in 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 basis for this processing operation are Decision 2014/119/CFSP, as amended by Council Decision (CFSP) 2022/xxx¹, and Council Regulation (EU) No 208/2014 as implemented by Council Implementing Regulation (EU) 2022/xxx².

The controller of this processing operation is the Department RELEX.1 in the Directorate-General for 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 of Council Decision in document 6335/21.

² OJ: Please insert number of Council Regulation in document 6338/21.

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 2014/119/CFSP, as amended by Council Decision (CFSP) 2022/xxx³, and Council Regulation (EU) No 208/2014 as implemented by Council Implementing Regulation (EU) 2022/xxx⁴.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision 2014/119/CFSP and Regulation (EU) No 208/2014.

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) 2018/1725 (edps@edps.europa.eu).

³ OJ: Please insert number of Council Decision in document 6335/21.

⁴ OJ: Please insert number of Council Regulation in document 6338/21.

General template for notification letters

This is to inform you that the Council of the European Union has decided that you/your client should continue to be included in the list of persons and entities subject to restrictive measures in the Annex to Council Decision 2014/119/CFSP as amended by Council Decision (CFSP) 2022/xxx¹, and in Annex I to Council Regulation (EU) No°208/2014 as implemented by Council Implementing Regulation (EU) 2022/xxx², concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine.

Your attention is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites in Annex II to Council Regulation (EU) No °208/2014, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4 of the Regulation).

Your attention is drawn to the possibility of submitting a request to the Council, **before 10 December 2022**, together with supporting documentation, that the decision to include you/your client 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

¹ Official Journal L...

² Official Journal L...

Your attention 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.

You are also informed of the Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision 2014/119/CFSP and Council Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine apply (2022/Cxxx/xx)³.

³ Official Journal C ...