Council Regulation (EU) 2019/1889 of 11 November 2019 amending Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela

COUNCIL REGULATION (EU) 2019/1889

of 11 November 2019

amending Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2017/2074 of 13 November 2017 concerning restrictive measures in view of the situation in Venezuela[(1)],

Having regard to the joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission,

Whereas:

(1) Council Regulation (EU) 2017/2063[(2)] gives effect to several restrictive measures provided for in Decision (CFSP) 2017/2074.

(2) On 11 November 2019, the Council adopted Decision (CFSP) 2019/1893[(3)], which amended Decision (CFSP) 2017/2074 by introducing an article on the processing of personal data by the Council and the High Representative.

(3) For the implementation of Regulation (EU) 2017/2063, and in order to ensure maximum legal certainty within the Union, the names of and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources are frozen in accordance with that Regulation should be made public. Any processing of personal data must comply with Regulations (EU) 2016/679[(4)] and (EU) 2018/1725[(5)] of the European Parliament and of the Council.

(4) Regulation (EU) 2017/2063 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The following article is inserted in Regulation (EU) 2017/2063:

Article 18a

1. The Council, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy (the "High Representative") may process personal data in order to carry out their tasks under this Regulation. These tasks include:

   (a) as regards the Council, preparing and making amendments to Annexes IV and V;

Changes to legislation: *There are currently no known outstanding effects for the Council Regulation (EU) 2019/1889. (See end of Document for details)*

(b) as regards the High Representative, preparing amendments to Annexes IV and V;

(c) as regards the Commission:

(i) adding the contents of Annexes IV and V to the electronic consolidated list of persons, groups and entities subject to Union financial restrictive measures and in the interactive sanctions map, both publicly available;

(ii) processing information on the impact of measures taken under this Regulation, such as the value of frozen funds and information on authorisations granted by the competent authorities.

2. The Council, the Commission and the High Representative may process, where applicable, relevant data relating to criminal offences committed by listed natural persons, to criminal convictions of such persons or to security measures concerning such persons, only to the extent that such processing is necessary for the preparation of Annexes IV and V.

3. For the purposes of this Regulation, the Council, the Commission service listed in Annex III to this Regulation and the High Representative are designated as "controllers" within the meaning of point (8) of Article 3 of Regulation (EU) 2018/1725 of the European Parliament and of the Council[6], in order to ensure that the natural persons concerned can exercise their rights under Regulation (EU) 2018/1725..

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 November 2019.

For the Council

The President

F. MOGHERINI