



Council of the  
European Union

Brussels, 10 July 2014

11542/14  
ADD 1

INF 238  
API 85

**NOTE**

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From : General Secretariat of the Council  
To : Working Party on Information  
Subject: Public access to documents  
- Confirmatory application No 21/c/01/14

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Delegations will find attached:

Attachments to annex 3 of document 11542/14 (confirmatory application No 21/c/01/14)

COUNCIL OF  
THE EUROPEAN UNION

GENERAL SECRETARIAT

Directorate-General F  
Communication  
Transparency

- Access to Documents/  
Legislative transparency

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Brussels, 19 June 2014

Mr Joe Hage

e-mail:

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[eccles@jha.com](mailto:eccles@jha.com)

Ref. 14/0622-ADD-mjb/dm

Dear Mr Hage,

Further to our letter of 16 May 2014 in reply to your request for access to documents on behalf of Mr Oleksandr Viktorovych Yanukovych, for whom you are acting as legal representative, the General Secretariat of the Council has now completed the examination of your request on the basis of Regulation (EC) No 1049/2001 of 30 May 2001 regarding public access to European Parliament, Council and Commission documents<sup>1</sup> (hereafter Regulation 1049/2001) and specific provisions of the Council's Rules of Procedure<sup>2</sup> and has come to the following conclusion:

By letter of 16 May 2014, the General Secretariat informed you that documents 6840/14 ADD 1 RESTREINT UE/EU RESTRICTED, 6903/14 ADD 1 RESTREINT UE/EU RESTRICTED, 7324/14, 7325/14 and 7972/14 were already public and granted you full public access to documents 6840/14, 6840/14 COR 1, 6903/14, 6903/14 COR 1, CM 1922/14, CM 1932/14, SN 1694/14, 8525/14, 8526/14, 8647/14 and 8647/14 COR 1. It also informed you that consultations as regards the last document of relevance to your request, namely document MD 65/14, were still in progress.

Document **MD 65/14** is a document transmitted by the European External Action Service (EEAS) to the General Secretariat of the Council. It contains a letter from a judicial authority in Ukraine.

In accordance with Article 4(4) of Regulation 1049/2001 the General Secretariat has consulted the EEAS on the possible public disclosure of document MD 65/14 originated by the Ukrainian authorities. We are now in a position to inform you that the Ukrainian authorities have requested that the information contained in the letter should not be disclosed.

The General Secretariat has examined the document in compliance with its obligation to carry out its own assessment as to whether any of the exceptions to access to documents

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<sup>1</sup> Official Journal L 145, 31.5.2001, p. 43.

<sup>2</sup> Annex II to the Council's Rules of Procedure – Council Decision No 2009/937/EU; Official Journal L 325, 11.12.2009, p. 35.

contained in Article 4 of Regulation 1049/2001 are applicable. It considers that, in the light of its sensitive nature, unilateral disclosure of document MD 65/14, against the objection of Ukrainian authorities, would negatively affect the climate of confidence among the relevant actors and would hence prejudice the EU's relations with Ukraine. This could also seriously affect trust between the EU and other countries under similar circumstances now or in the future. In the light of the foregoing, the General Secretariat has come to the conclusion that disclosure of document MD 65/14 would undermine the protection of the public interest as regards international relations within the meaning of Article 4(1)(a), third indent, of Regulation 1049/2001.

In addition, the requested document contains information related not only to Mr Oleksandr Viktorovych Yanukovych but also to other identifiable persons. Such information constitutes personal data within the meaning of Article 2(a) of Regulation 45/2001<sup>1</sup>. The General Secretariat considers that the public interest in obtaining access to such personal data does not in the present case prevail over the interest of those individuals in protecting it. Public disclosure of personal data concerning persons other than Mr Oleksandr Yanukovych contained in document MD 65/14 must therefore also be refused pursuant to Article 4(1)(b) (protection of privacy and integrity of the individual) of Regulation 1049/2001, in conjunction with Articles 8 and 18 of Regulation (EC) No 45/2001.

Accordingly, pursuant to Article 4(1)(a), third indent, (protection of the public interest with regard to international relations) and Article 4(1)(b) (protection of privacy and integrity of the individual) of Regulation 1049/2001 the General Secretariat is unable to grant public access to document MD 65/14.

#### Statutory remedy notice

Pursuant to Article 7(2) of the Regulation, you may submit a confirmatory application requesting the Council to reconsider this position, within 15 working days of receiving this reply<sup>2</sup>.

Yours sincerely,

For the General Secretariat

Jakob Thomsen

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<sup>1</sup> Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (Official Journal L 8, 12.01.2001, p. 1).

<sup>2</sup> Confirmatory applications are published in the Council's Register of documents. If you introduce a confirmatory application, your personal data will be published in the documents related to your confirmatory application only if you have given your explicit consent for this. Your reply relating to the publication of your personal data will in no way prejudice your rights under Regulation (EC) No 1049/2001.

# JOSEPH HAGE AARONSON LLP

Joseph Hage Aaronson LLP  
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2 April 2014

Secretary-General of the Council of the European Union  
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By email to  
[access@consilium.europa.eu](mailto:access@consilium.europa.eu)

Our ref: JXH/TB/EE/

**Strictly Private and Confidential**

Dear Sirs

**Council Decision No 2014/119/CFSP and Council Regulation (EU) No 208/2014, both of 5 March 2014: Oleksandr Viktorovych Yanukovych (Annex Name No 9): Requests for Information, Evidence and Documents**

## Introduction

1. The English law firm of Joseph Hage Aaronson LLP of 7<sup>th</sup> Floor, 280 High Holborn, London WC1V 7EE, of which I am a partner, is the duly appointed legal representative of **Oleksandr Viktorovych Yanukovych** ("Mr O Yanukovych"), advising and acting for him in relation to Council Decision 2014/119/CFSP of 5 March 2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine ("the Decision"), and Council Regulation (EU) No 208/2014 of 5 March 2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine ("the Regulation") insofar as these apply to Mr O Yanukovych. Mr O Yanukovych is the 9<sup>th</sup> named person in the Annex to the Decision and the 9<sup>th</sup> named person in Annex 1 to the Regulation.
2. One of the actions on behalf of Mr O Yanukovych which is under urgent consideration and preparation is the institution by Mr O Yanukovych of proceedings against the Decision and the Regulation, pursuant to Article 263 of the Treaty on the Functioning of the European Union ("TFEU"), seeking a review by the Court of Justice of the European Union of the legality of the Decision and the Regulation, and, amongst other things, the annulment of those acts insofar as they concern Mr O Yanukovych.

[www.jha.com](http://www.jha.com)

Joseph Hage Aaronson LLP is a limited liability partnership registered in England & Wales with registered number OC382231. The LLP is authorised and regulated by the Solicitors Regulation Authority. A list of members of the LLP is available for inspection at the LLP's registered address: 280 High Holborn, London, WC1V 7EE, United Kingdom. The word "partner" denotes an LLP member, or a consultant or employee with equivalent standing and qualifications.

Requests for Information, Evidence and Documents

3. By this letter Joseph Hage Aaronson LLP, on behalf of Mr O Yanukovych, specifically requests the Council to provide this firm, in its capacity as Mr O Yanukovych's legal representative, with (or with copies of) all Information, Evidence and Documents relevant to the making of the Decision and the Regulation, and to the inclusion of Mr O Yanukovych's name in the Annex to the Decision and Annex 1 to the Regulation. More specific Requests are, without prejudice to the generality of this Request, set out below.
4. The bases for this general Request and the specific Requests set out below include the following:
  - 4.1. Mr O Yanukovych's entitlement to disclosure of evidence as part of his rights of defence and the right to a fair trial. The Courts of the European Union must (see e.g. *Council of the European Union v Fulmen and another*, Case C-280/12, Judgment of the Court of Justice) "ensure the review, in principle the full review, of the lawfulness of all Union acts in the light of the fundamental rights forming an integral part of the European Union legal order" (para 58). Such fundamental rights include "respect for the rights of the defence and the right to effective judicial protection" (para 59). These rights in turn include "the right to have access to the file" (para 60) (subject to reservations not relevant here) and "that the person concerned must be able to ascertain the reasons upon which the decision taken in relation to him is based", including "by requesting and obtaining disclosure of those reasons ... so as to make it possible for him to defend his rights in the best possible conditions and to decide, with full knowledge of the relevant facts, whether there is any point in his applying to the court having jurisdiction ..." (para 61). Reference is also made to Recital (6) and Article 14(2) of the Regulation.
  - 4.2. Mr O Yanukovych's right of access to Council and Commission documents under Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ("Regulation 1049/2001"). This letter is also an application for disclosure under Regulation 1049/2001 (Article 6) and Annex II to the Council's Rules of Procedure; following this application, Documents are required to be made accessible to Mr O Yanukovych under that Regulation (see e.g. Article 2(4)). For the purposes of this Request the definition of "Document" in Article 3 of this Regulation is adopted.
  - 4.3. Mr O Yanukovych's rights in relation to data protection under Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ("Regulation 45/2001"). For the purposes of this Request the definitions in Article 2 of this Regulation are adopted.
5. Without prejudice to the generality of the Request above, Joseph Hage Aaronson LLP, on behalf of Mr O Yanukovych, also hereby specifically Requests the disclosure of the following Information, Evidence and Documents:
  - 5.1. All Information, Evidence and Documents which relate to Mr O Yanukovych held by the Council, including all such documents drawn up or received by the Council and in its possession, in any area of activity of the European Union.

5.2. All Information, Evidence and Documents held by the Council relied on in support of and/or relating to the following assertions by the Council:

5.2.1. The assertion that persons had been "*identified as responsible for the misappropriation of Ukrainian State Funds*" (The Decision: Recital (2) and Article 1; The Regulation: Recital (2) and Article 3).

5.2.2. The assertion that persons had been "*identified as responsible for human rights violations in Ukraine*" (Decision: Recital (2) and Article 1; The Regulation: Recital (2) and Article 3).

5.2.3. The assertion that the Decision was made "*with a view to consolidating and supporting the rule of law and respect for human rights in Ukraine*" (Decision Recital (2)).

5.2.4. The assertion that Mr O Yanukovich was at the material time (or is) a "*person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine*" (The Decision: Annex; the Regulation: Annex 1), including the following:

5.2.5. Full details of any alleged criminal proceedings relied on by the Council in relation to its assertions against Mr O Yanukovich, including when and by whom those proceedings are alleged to have been started, and their precise nature, content and scope.

5.2.6. Full details of each alleged investigation in Ukraine which is relied on by the Council against Mr Yanukovich, including which authority is alleged to be carrying out the alleged investigation, when and by what procedure it is alleged to have been started, and its precise nature, content and scope.

5.2.7. Full details of each alleged crime relied on by the Council, including, without prejudice to the generality of the Request, the alleged legal basis for each such crime under Ukrainian (or any other) law, the precise State Funds alleged to have been embezzled, precise particulars of the alleged embezzlement, the precise State Funds alleged to have been illegally transferred out of Ukraine, the alleged illegality under Ukraine (or any other) law for each transfer, and precise particulars of Mr O Yanukovich's alleged involvement in each such embezzlement and/or transfer.

5.3. All Information, Documents and Evidence relied on by the Council in assessing the accuracy of the Information, Documents and Evidence referred to above.

5.4. All Information, Documents and Evidence relied on by the Council in determining the nature and extent of the restrictions to be placed on Mr O Yanukovich, in particular in relation to any consideration of the proportionality of the restrictions.

6. In each answer to the above please specify the source of the Information, Documents and Evidence, and the date upon which it was received by the Council.

Further Requests specifically under Regulation 45/2001

7. As regards Mr O Yanukovych's rights under Regulation 45/2001, this letter **makes the following Requests on his behalf:**

7.1. It appears from the Decision and the Regulation that data has been supplied to the Council relating to Mr O Yanukovych (here "the data subject") from a person or persons other than the data subject. Please confirm that this is the case.

7.2. In relation to such data, pursuant to Article 12 of Regulation 45/2001, please provide us, on behalf of the data subject, with the following information:

7.2.1.the identity of the controller;

7.2.2.the purposes of the processing operation;

7.2.3.the categories of data concerned;

7.2.4.the recipients or categories of recipients;

7.2.5.the existence of the right of access to, and the right to rectify, the data concerning the data subject;

7.2.6.the legal basis of the processing operation for which the data are intended;

7.2.7.the time-limits for storing the data;

7.2.8.the origin of the data and whether the controller contends that it cannot disclose this information for reasons of professional secrecy; and

7.2.9.such further information as is necessary, having regard to the specific circumstances in which the data are processed, to guarantee fair processing in respect of the data subject.

7.3. Under Article 13 of Regulation 45/2001 please provide us with:

7.3.1.confirmation as to whether or not data related to Mr O Yanukovych are being processed;

7.3.2.information at least as to the purposes of the processing operation, the categories of data concerned, and the recipients or categories of recipients to whom the data are disclosed;

7.3.3.communication in an intelligible form of the data undergoing processing and of any available information as to their source; and

7.3.4.the logic involved in any automated decision process concerning data relating to the data subject.

7.4. For the avoidance of doubt, the data subject wishes to have rectified under Article 14 of Regulation 45/2001 without delay inaccurate and incomplete personal data which he believes is held by the Council.

7.5. Under Article 15(1) of Regulation 45/2001 that the data held by the Council relating to him be blocked because their accuracy is contested by the data subject.

Timing

8. It is of the utmost importance to the protection of Mr O Yanukovych's rights that he receives the Information, Documents and Evidence, and all answers to the Requests made above, to which he is entitled, as a matter of great urgency. As you will know, there is a very limited time period for Mr O Yanukovych to institute proceedings under Article 263 TFEU, and he needs to get such material in advance in order properly to consider, to prepare and to institute such proceedings.

9. A full detailed response to these Requests must be provided by the Council within 7 days of the date of this letter. The Council made the Decision and the Regulation, and it must be in a position to respond in that time frame (regardless of whether the relevant Regulations permit a longer time period).

10. I request that the response to these Requests is provided to the email addresses set out below, and that all documents are sent in machine-readable electronic format.

E mail: [jhage@jha.com](mailto:jhage@jha.com)  
[eeccles@jha.com](mailto:eeccles@jha.com)

11. If you have any queries about the above, or require any further information please contact me as a matter of urgency.

Yours sincerely,



M

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**COUNCIL OF  
THE EUROPEAN UNION**

**GENERAL SECRETARIAT**

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Brussels, 28 April 2014

**Mr Joe Hage**

**e-mail:  
[jhage@jha.com](mailto:jhage@jha.com)**

**Ref. 14/0622-PRO-mjb/mf**

Dear Mr Hage,

We registered your request of 2 April 2014 for access to Council documents.

On 7 April 2014, you were informed by email that your request will be handled by our service (Access to documents) on the basis of Regulation (EC) No 1049/2001 of 30 May 2001 regarding public access to European Parliament, Council and Commission documents<sup>1</sup>. As for the other parts of your request, the Access to documents service has forwarded it to the competent service of the General Secretariat ([sanctions@consilium.europa.eu](mailto:sanctions@consilium.europa.eu)).

The General Secretariat has received your letter sent by email on 17 April 2014 requesting to receive an urgent reply by Friday 18 April 2014. We regret, however, to inform you that the necessary consultations concerning your request are not yet completed. Therefore, in view of the particular complexity of the examination incumbent upon the institution, the time-limit for the General Secretariat to reply to your application has to be extended by 15 working days (21.05.2014), in accordance with Article 7(3) of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents.

Yours sincerely,

For the General Secretariat

Jakob Thomsen

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<sup>1</sup> Official Journal L 145, 31.5.2001, p. 43.

## DECISIONS

## COUNCIL DECISION 2014/119/CFSP

of 5 March 2014

concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- (1) On 20 February 2014, the Council condemned in the strongest terms all use of violence in Ukraine. It called for an immediate end to the violence in Ukraine, and full respect for human rights and fundamental freedoms. It called upon the Ukrainian Government to exercise maximum restraint and opposition leaders to distance themselves from those who resort to radical action, including violence.
- (2) On 3 March 2014, the Council agreed to focus restrictive measures on the freezing and recovery of assets of persons identified as responsible for the misappropriation of Ukrainian State funds and persons responsible for human rights violations, with a view to consolidating and supporting the rule of law and respect for human rights in Ukraine.
- (3) Further action by the Union is needed in order to implement certain measures,

HAS ADOPTED THIS DECISION:

*Article 1*

1. All funds and economic resources belonging to, owned, held or controlled by persons having been identified as responsible for the misappropriation of Ukrainian State funds and persons responsible for human rights violations in Ukraine, and natural or legal persons, entities or bodies associated with them, as listed in the Annex, shall be frozen.
2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of natural or legal persons, entities or bodies listed in the Annex.
3. The competent authority of a Member State may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as it deems appropriate, after having determined that the funds or economic resources concerned are:

- (a) necessary to satisfy the basic needs of the natural persons listed in the Annex and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for the payment of reasonable professional fees and the reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for the payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources; or
- (d) necessary for extraordinary expenses, provided that the competent authority has notified the competent authorities of the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least two weeks prior to the authorisation.

The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under this paragraph.

4. By way of derogation from paragraph 1, the competent authorities of a Member State may authorise the release of certain frozen funds or economic resources, provided that the following conditions are met:

- (a) the funds or economic resources are the subject of an arbitral decision rendered prior to the date on which the natural or legal person, entity or body referred to in paragraph 1 was listed in the Annex, or of a judicial or administrative decision rendered in the Union, or a judicial decision enforceable in the Member State concerned, prior to or after that date;
- (b) the funds or economic resources will be used exclusively to satisfy claims secured by such a decision or recognised as valid in such a decision, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the decision is not for the benefit of a natural or legal person, entity or body listed in the Annex; and

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- (d) recognition of the decision is not contrary to public policy in the Member State concerned.

The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under this paragraph.

5. Paragraph 1 shall not prevent a listed natural or legal person, entity or body from making a payment due under a contract entered into prior to the date on which such person, entity or body was listed in the Annex, provided that the Member State concerned has determined that the payment is not, directly or indirectly, received by a person, entity or body referred to in paragraph 1.

6. Paragraph 2 shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts;
- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to the measures provided for in paragraphs 1 and 2; or
- (c) payments due under judicial, administrative or arbitral decisions rendered in the Union or enforceable in the Member State concerned,

provided that any such interest, other earnings and payments remain subject to the measures provided for in paragraph 1.

#### Article 2

1. The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall decide to establish and amend the list in the Annex.

2. The Council shall communicate the decision referred to in paragraph 1, including the grounds for the listing, to the natural or legal person, entity or body concerned, either directly, if the address is known, or through the publication of a notice, providing such person, entity or body with an opportunity to present observations.

3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review the decision referred to in paragraph 1 and inform the person, entity or body concerned accordingly.

#### Article 3

1. The Annex shall include the grounds for listing the natural and legal persons, entities and bodies referred to in Article 1(1).

2. The Annex shall also contain, where available, the information necessary to identify the natural and legal persons, entities or bodies concerned. With regard to natural persons, such information may include names, including aliases, date and place of birth, nationality, passport and identity card numbers, gender, address if known, and function or profession. With regard to legal persons, entities and bodies, such information may include names, place and date of registration, registration number and place of business.

#### Article 4

In order to maximise the impact of the measures referred to in Article 1(1) and (2), the Union shall encourage third States to adopt restrictive measures similar to those provided for in this Decision.

#### Article 5

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

This Decision shall apply until 6 March 2015.

This Decision shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.

Done at Brussels, 5 March 2014.

For the Council  
The President  
D. KOURKOLAS

## ANNEX

## List of persons, entities and bodies referred to in Article 1

	Name	Identifying information	Statement of reasons	Date of listing
1.	Viktor Fedorovych Yanukovich	born on 9 July 1950, former President of Ukraine	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
2.	Vitalii Yuriyovych Zakharchenko	born on 26 January 1963, former Minister of Internal Affairs	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
3.	Viktor Pavlovych Pshonka	born on 6 February 1954, former Prosecutor General of Ukraine	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
4.	Oleksandr Hryhorovych Yacymenko	born on 22 December 1964, former Head of Security Service of Ukraine	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
5.	Andriy Volodymyrovych Portnov	born on 27 October 1973, former Adviser to the President of Ukraine	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
6.	Olena Lermidivna Lukash	born on 12 November 1926, former Minister of Justice	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
7.	Andrii Petrovych Kluiev	born on 12 August 1964, former Head of Administration of President of Ukraine	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014

	Name	Identifying information	Statement of reasons	Date of listing
8.	Viktor Ivanovych Rotushniak	born on 16 October 1959, former Deputy Minister of Internal Affairs	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
9.	Oleksandr Viktorovych Yanukovych	born on 1 July 1973, son of former President, businessman	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
10.	Viktor Viktorovych Yanukovych	born on 16 July 1981, son of former President, Member of the Verkhovna Rada of Ukraine	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
11.	Artem Viktorovych Pshonka	born on 19 March 1976, son of former Prosecutor General, Deputy Head of the faction of Party of Regions in the Verkhovna Rada of Ukraine	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
12.	Serhii Petrovych Klusiev	born on 12 August 1969, businessman, brother of Mr. Andrii Klusiev	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
13.	Mykola Yanovych Azarov	born on 17 December 1947, Prime Minister of Ukraine until January 2014	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
14.	Oleksii Mykolajovych Azarov	son of former Prime Minister Azarov	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
15.	Serhij Vitalijovych Kurchenko	born on 21 September 1985, businessman	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014

	Name	Identifying information	Statement of reasons	Date of listing
16.	Dmytro Volodymyrovych Tabachnyk	born on 28 November 1963, former Minister of Education and Science	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
17.	Kaisa Vasylyvna Bobasnykova	born on 6 January 1953, former Minister of Health	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
18.	Ihor Oleksandrovych Kalinta	born on 28 December 1950, former Adviser to the President of Ukraine	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014

## COUNCIL IMPLEMENTING DECISION 2014/216/CFSP

of 14 April 2014

implementing Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision 2014/119/CFSP of 5 March 2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (1), and in particular Article 2(1) thereof,

Whereas:

- (1) On 5 March 2014, the Council adopted Decision 2014/119/CFSP.
- (2) Additional persons should be included in the list of persons, entities and bodies subject to restrictive measures as set out in the Annex to Decision 2014/119/CFSP.
- (3) In addition, the identifying information for three persons listed in the Annex to Decision 2014/119/CFSP should be amended.
- (4) The Annex to Decision 2014/119/CFSP should therefore be amended accordingly.

HAS ADOPTED THIS DECISION:

## Article 1

The persons listed in Annex 1 to this Decision shall be added to the list set out in the Annex to Decision 2014/119/CFSP.

## Article 2

The Annex to Decision 2014/119/CFSP is hereby amended as set out in Annex II to this Decision.

## Article 3

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

Done at Luxembourg, 14 April 2014.

For the Council  
The President  
C. ASHTON

(1) OJ L 66, 6.3.2014, p. 26.

## ANNEX I

## Persons referred to in Article 1

	Name	Identifying information	Statement of reasons	Date of listing
19.	Serhiy Arbutov	Born on 24 March 1976, former Prime Minister of Ukraine.	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	15.4.2014
20.	Yuriy Ivanyushchenko	Born on 21 February 1959, Party of Regions MP.	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	15.4.2014
21.	Oleksandr Klymenko	Born on 16 November 1980, former Minister of Revenues and Charges.	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	15.4.2014
22.	Edward Stavytskyi	Born on 4 October 1972, former Minister of Fuel and Energy of Ukraine.	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	15.4.2014



## ANNEX II

The entries for the following persons listed in the Annex to Decision 2014/119/CFSP are replaced by the entries below:

	Name	Identifying information	Statement of reasons	Date of listing
9.	Oleksandr Viktorovich Yanukovich	Born on 10 July 1973, son of former President, businessman.	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
12.	Serhiy Petrovych Kluiuiev	Born on 19 August 1969, brother of Mr Andrii Kluiuiev, businessman.	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
14.	Oleksii Mykolayovich Azarov	Born on 13 July 1971, son of former Prime Minister Azarov.	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014

## II

(Non-legislative acts)

## REGULATIONS

## COUNCIL REGULATION (EU) No 208/2014

of 5 March 2014

concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine

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 2014/119/CFSP of 5 March 2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine <sup>(1)</sup>,

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

Whereas:

- (1) On 20 February 2014, the Council condemned in the strongest terms all use of violence in Ukraine. It called for an immediate end to the violence, and full respect for human rights and fundamental freedoms in Ukraine. It called upon the Ukrainian Government to exercise maximum restraint and opposition leaders to distance themselves from those who resort to radical action, including violence.
- (2) On 3 March 2014, the Council agreed to focus restrictive measures on the freezing and recovery of assets of persons identified as responsible for the misappropriation of Ukrainian State funds and persons responsible for human rights violations in Ukraine.
- (3) On 5 March 2014, the Council adopted Decision 2014/119/CFSP.

<sup>(1)</sup> See page 26 of this Official Journal.

- (4) Decision 2014/119/CFSP provides for the freezing of funds and economic resources of certain persons identified as responsible for the misappropriation of Ukrainian State funds and persons responsible for human rights violations in Ukraine, and natural or legal persons, entities or bodies associated with them, with a view to consolidating and supporting the rule of law and respect for human rights in Ukraine. Those persons, entities and bodies are listed in the Annex to that Decision.
- (5) These measures fall within the scope of the Treaty on the Functioning of the European Union and, therefore, notably with a view to ensuring their uniform application by economic operators in all Member States, regulatory action at the level of the Union is necessary in order to implement them.
- (6) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and notably the right to an effective remedy and to a fair trial and the right to the protection of personal data. This Regulation should be applied in accordance with those rights and principles.
- (7) The power to amend the list in Annex I to this Regulation should be exercised by the Council, in view of the serious political situation in Ukraine, and to ensure consistency with the process for amending and reviewing the Annex to Decision 2014/119/CFSP.
- (8) The procedure for amending the list in Annex I to this Regulation should include providing designated natural or legal persons, entities or bodies with the grounds for listing, so as to give them an opportunity to submit observations. Where observations are submitted, or substantial new evidence is presented, the Council should review its decision in light of those observations and inform the person, entity or body concerned accordingly.

- (9) For the implementation of this Regulation, and in order to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources must be frozen in accordance with this Regulation, must be made public. Any processing of personal data should comply with Regulation (EC) No 45/2001 of the European Parliament and of the Council <sup>(1)</sup> and Directive 95/46/EC of the European Parliament and of the Council <sup>(2)</sup>.
- (10) In order to ensure that the measures provided for in this Regulation are effective, it should enter into force immediately.

HAS ADOPTED THIS REGULATION:

#### Article 1

For the purposes of this Regulation, the following definitions apply:

- (a) 'claim' means any claim, whether asserted by legal proceedings or not, made before or after 6 March 2014, under or in connection with a contract or transaction, and includes in particular:
- (i) a claim for performance of any obligation arising under or in connection with a contract or transaction;
  - (ii) a claim for extension or payment of a bond, financial guarantee or indemnity of whatever form;
  - (iii) a claim for compensation in respect of a contract or transaction;
  - (iv) a counterclaim;
  - (v) a claim for the recognition or enforcement, including by the procedure of *exequatur*, of a judgment, an arbitration award or an equivalent decision, wherever made or given;
- (b) 'contract or transaction' means any transaction of whatever form and whatever the applicable law, whether comprising one or more contracts or similar obligations made between the same or different parties; for this purpose 'contract' includes a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, and credit, whether legally independent or not, as well as any related provision arising under, or in connection with, the transaction;

<sup>(1)</sup> Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

<sup>(2)</sup> Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

- (c) 'competent authorities' means the competent authorities of the Member States as identified on the websites listed in Annex II;
- (d) 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds, but may be used to obtain funds, goods or services;
- (e) 'freezing of economic resources' means preventing the use of economic resources to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them;
- (f) 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
- (g) 'funds' means financial assets and benefits of every kind, including, but not limited to:
- (i) cash, cheques, claims on money, drafts, money orders and other payment instruments;
  - (ii) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
  - (iii) publicly- and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
  - (iv) interest, dividends or other income on or value accruing from or generated by assets;
  - (v) credit, right of set-off, guarantees, performance bonds or other financial commitments;
  - (vi) letters of credit, bills of lading, bills of sale; and
  - (vii) documents showing evidence of an interest in funds or financial resources;
- (h) 'territory of the Union' means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty, including their airspace.

#### Article 2

1. All funds and economic resources belonging to, owned, held or controlled by any natural or legal person, entity or body as listed in Annex I shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of natural or legal persons, entities or bodies listed in Annex 1.

#### Article 3

1. Annex 1 shall include persons who, in accordance with Article 1 of Decision 2014/119/CFSP, have been identified by the Council as being responsible for the misappropriation of Ukrainian State funds, and persons responsible for human rights violations in Ukraine, and natural or legal persons, entities or bodies associated with them.

2. Annex 1 shall include the grounds for the listing of natural or legal persons, entities and bodies concerned.

3. Annex 1 shall include, where available, information necessary to identify the natural or legal persons, entities and bodies concerned. With regard to natural persons, such information may include names including aliases, date and place of birth, nationality, passport and ID card numbers, gender, address, if known, and function or profession. With regard to legal persons, entities and bodies, such information may include names, place and date of registration, registration number and place of business.

#### Article 4

1. By way of derogation from Article 2, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, after having determined that the funds or economic resources concerned are:

- (a) necessary to satisfy the basic needs of the natural or legal persons, entities or bodies listed in Annex 1, and dependent family members of such natural persons, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for payment of reasonable professional fees or reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; or
- (d) necessary for extraordinary expenses, provided that the relevant competent authority has notified the grounds on which it considers that a specific authorisation should be granted to the competent authorities of the other Member States and to the Commission at least two weeks prior to authorisation.

2. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

#### Article 5

1. By way of derogation from Article 2, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources, if the following conditions are met:

- (a) the funds or economic resources are subject to an arbitral decision rendered prior to the date on which the natural or legal person, entity or body referred to in Article 2 was included in Annex 1, or of a judicial or administrative decision rendered in the Union, or a judicial decision enforceable in the Member State concerned, prior to or after that date;
- (b) the funds or economic resources will be used exclusively to satisfy claims secured by such a decision or recognised as valid in such a decision, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the decision is not for the benefit of a natural or legal person, entity or body listed in Annex 1; and
- (d) recognition of the decision is not contrary to public policy in the Member State concerned.

2. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

#### Article 6

1. By way of derogation from Article 2 and provided that a payment by a natural or legal person, entity or body listed in Annex 1 is due under a contract or agreement that was concluded by, or under an obligation that arose for the natural or legal person, entity or body concerned, before the date on which that natural or legal person, entity or body was included in Annex 1, the competent authorities of the Member States may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources, provided that the competent authority concerned has determined that:

- (a) the funds or economic resources shall be used for a payment by a natural or legal person, entity or body listed in Annex 1; and
- (b) the payment is not in breach of Article 2(2).

2. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

## Article 7

1. Article 2(2) shall not prevent the crediting of the frozen accounts by financial or credit institutions that receive funds transferred by third parties onto the account of a listed natural or legal person, entity or body, provided that any additions to such accounts will also be frozen. The financial or credit institution shall inform the relevant competent authority about any such transaction without delay.

2. Article 2(2) shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts;
- (b) payments due under contracts, agreements or obligations that were concluded or arose before the date on which the natural or legal person, entity or body referred to in Article 2 has been included in Annex I; or
- (c) payments due under judicial, administrative or arbitral decisions rendered in a Member State or enforceable in the Member State concerned,

provided that any such interest, other earnings and payments are frozen in accordance with Article 2(1).

## Article 8

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy, natural and legal persons, entities and bodies shall:

- (a) supply immediately any information which would facilitate compliance with this Regulation, such as information on accounts and amounts frozen in accordance with Article 2, to the competent authority of the Member State where they are resident or located, and shall transmit such information, directly or through the Member State, to the Commission; and
- (b) cooperate with the competent authority in any verification of such information.

2. Any additional information received directly by the Commission shall be made available to the Member States.

3. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

4. Paragraph 3 shall not prevent Member States from sharing that information, in accordance with their national law, with the relevant authorities of Ukraine and other Member States where necessary for the purpose of assisting the recovery of misappropriated funds.

## Article 9

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Article 2.

## Article 10

1. The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person or entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen or withheld as a result of negligence.

2. Actions by natural or legal persons, entities or bodies shall not give rise to any liability of any kind on their part if they did not know, and had no reasonable cause to suspect, that their actions would infringe the prohibitions set out in this Regulation.

## Article 11

1. No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Regulation, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, notably a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:

- (a) designated natural or legal persons, entities or bodies listed in Annex I;
- (b) any natural or legal person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in point (a).

2. In any proceedings for the enforcement of a claim, the onus of proving that satisfying the claim is not prohibited by paragraph 1 shall be on the natural or legal person, entity or body seeking the enforcement of that claim.

3. This Article is without prejudice to the right of the natural or legal persons, entities and bodies referred to in paragraph 1 to judicial review of the legality of the non-performance of contractual obligations in accordance with this Regulation.

## Article 12

1. The Commission and Member States shall inform each other of the measures taken under this Regulation and share any other relevant information at their disposal in connection with this Regulation in particular information:

- (a) in respect of funds frozen under Article 2 and authorisations granted under Articles 4, 5 and 6;
- (b) in respect of violation and enforcement problems and judgments handed down by national courts.

2. The Member States shall immediately inform each other and the Commission of any other relevant information at their disposal which might affect the effective implementation of this Regulation.

#### Article 13

The Commission shall be empowered to amend Annex II on the basis of information supplied by Member States.

#### Article 14

1. Where the Council decides to subject a natural or legal person, entity or body to the measures referred to in Article 2, it shall amend Annex I accordingly.

2. The Council shall communicate its decision, including the grounds for listing, to the natural or legal person, entity or body referred to in paragraph 1, either directly, if the address is known, or through the publication of a notice, providing such natural or legal person, entity or body with an opportunity to present observations.

3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the natural or legal person, entity or body accordingly.

4. The list in Annex I shall be reviewed at regular intervals and at least every 12 months.

#### Article 15

1. Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

2. Member States shall notify the rules referred to in paragraph 1 to the Commission without delay after 6 March 2014 and shall notify it of any subsequent amendment.

#### Article 16

1. Member States shall designate the competent authorities referred to in this Regulation and identify them on the websites listed in Annex II. Member States shall notify the Commission of any changes in the addresses of their websites listed in Annex II.

2. Member States shall notify the Commission of their competent authorities, including the contact details of those competent authorities, without delay after the entry into force of this Regulation, and shall notify it of any subsequent amendment.

3. Where this Regulation sets out a requirement to notify, inform or otherwise communicate with the Commission, the address and other contact details to be used for such communication shall be those indicated in Annex II.

#### Article 17

This Regulation shall apply:

- (a) within the territory of the Union, including its airspace;
- (b) on board any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person inside or outside the territory of the Union who is a national of a Member State;
- (d) to any legal person, entity or body, inside or outside the territory of the Union, which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.

#### Article 18

This Regulation shall enter into force on the date 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, 5 March 2014.

For the Council  
The President  
D. KOURKOULAS

## ANNEX I

## List of natural and legal persons, entities and bodies referred to in Article 2

	Name	Identifying information	Statement of reasons	Date of listing
1.	Viktor Fedorovych Yanukovich	born on 9 July 1950, former President of Ukraine	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
2.	Vitalii Yuriyovych Zakharchenko	born on 20 January 1963, former Minister of Internal Affairs	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
3.	Viktor Pavlovych Pshonka	born on 6 February 1954, former Prosecutor General of Ukraine	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
4.	Oleksandr Hryhorovych Yakymenko	born on 22 December 1964, former Head of Security Service of Ukraine	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
5.	Andriy Volodymyrovych Portnov	born on 27 October 1973, former Adviser to the President of Ukraine	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
6.	Olena Leonidivna Lukash	born on 12 November 1976, former Minister of Justice	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
7.	Andrii Petrovych Kliushev	born on 12 August 1964, former Head of Administration of President of Ukraine	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014

	Name	Identifying information	Statement of reasons	Date of listing
8.	Viktor Ivanovych Ratushniak	born on 16 October 1959, former Deputy Minister of Internal Affairs	Person subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
9.	Oleksandr Viktorovych Yanukovych	born on 1 July 1973, son of former President, businessman	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
10.	Viktor Viktorovych Yanukovych	born on 16 July 1981, son of former President, Member of the Verkhovna Rada of Ukraine	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
11.	Artem Viktorovych Pshonka	born on 19 March 1976, son of former Prosecutor General, Deputy Head of the faction of Party of Regions in the Verkhovna Rada of Ukraine	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
12.	Serhiy Petrovych Kliaiev	born on 12 August 1969, businessman, brother of Mr. Andrii Kliaiev	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
13.	Mykola Yanovych Azarov	born on 17 December 1947, Prime Minister of Ukraine until January 2014	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
14.	Oleksii Mykolayovych Azarov	son of former Prime Minister Azarov	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
15.	Serhiy Vitaliyovych Kurchenko	born on 21 September 1985, businessman	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014



	Name	Identifying information	Statement of reasons	Date of Entry
16.	Dmytro Volodymyrovych Tabachnyk	born on 28 November 1963, former Minister of Education and Science	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
17.	Raisa Vasylyvna Bohatyriova	born on 6 January 1953, former Minister of Health	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014
18.	Ihor Oleksandrovych Kalitvin	born on 28 December 1959, former Adviser to the President of Ukraine	Person subject to investigation in Ukraine for involvement in crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine.	6.3.2014

## ANNEX II

**Websites for information on the competent authorities and address for notification to the European Commission**

## BELGIUM

<http://www.diplomatic.be/eusanctions>

## BULGARIA

<http://www.mfa.bg/en/pages/135/index.html>

## CZECH REPUBLIC

<http://www.mfcr.cz/mezinarodnisancke>

## DENMARK

<http://um.dk/da/politik-og-diplomati/retsorden/sanktioner/>

## GERMANY

[http://www.bmwi.de/DE/Themen/Aussenwirtschaft/aussenwirtschaftsrecht\\_did=404888.html](http://www.bmwi.de/DE/Themen/Aussenwirtschaft/aussenwirtschaftsrecht_did=404888.html)

## ESTONIA

[http://www.vm.ee/est/kat\\_622/](http://www.vm.ee/est/kat_622/)

## IRELAND

<http://www.dfa.ie/home/index.aspx?id=28519>

## GREECE

<http://www.mfa.gr/en/foreign-policy/global-issues/international-sanctions.html>

## SPAIN

<http://www.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/GlobalizacionOportunidadesRiesgos/Documents/ORGANISMOS%20COMPETENTES%20SANCCIONES%20INTERNACIONALES.pdf>

## FRANCE

<http://www.diplomatie.gouv.fr/autorites-sanctions/>

## CROATIA

<http://www.mvep.hr/sankcije>

## ITALY

[http://www.es Esteri.it/MAE/IT/Politica\\_Europca/Deroghe.htm](http://www.es Esteri.it/MAE/IT/Politica_Europca/Deroghe.htm)

## CYPRUS

<http://www.mfa.gov.cy/sanctions>

## LATVIA

<http://www.mfa.gov.lv/en/security/4539>

## LITHUANIA

<http://www.urm.lt/sanctions>

## LUXEMBOURG

<http://www.mae.lu/sanctions>

## HUNGARY

[http://www.kulugyminiszterium.hu/kum/bu/bal/Kulpolitikank/nemzetkozi\\_szankcioik/](http://www.kulugyminiszterium.hu/kum/bu/bal/Kulpolitikank/nemzetkozi_szankcioik/)

## MALTA

[http://www.doi.gov.mt/EN/bodies/boards/sanctions\\_monitoring.asp](http://www.doi.gov.mt/EN/bodies/boards/sanctions_monitoring.asp)

## NETHERLANDS

[www.rijksoverheid.nl/onderwerpen/internationale-vrede-en-veiligheid/sancties](http://www.rijksoverheid.nl/onderwerpen/internationale-vrede-en-veiligheid/sancties)

## AUSTRIA

[http://www.bmeia.gv.at/view.php?f\\_id=12750&LNG=en&version=](http://www.bmeia.gv.at/view.php?f_id=12750&LNG=en&version=)

## POLAND

<http://www.msx.gov.pl>

## PORTUGAL

<http://www.portugal.gov.pt/pt/os-ministerios/ministerio-dos-negocios-estrangeiros/quero-saber-mais/sobre-o-ministerio/medidas-restritivas/medidas-restritivas.aspx>

## ROMANIA

<http://www.mae.ro/node/1548>

## SLOVENIA

[http://www.mzz.gov.si/si/zunanja\\_politika\\_in\\_mednarodno\\_pravo/zunanja\\_politika/mednarodna\\_varnost/omejevalni\\_ukrepi/](http://www.mzz.gov.si/si/zunanja_politika_in_mednarodno_pravo/zunanja_politika/mednarodna_varnost/omejevalni_ukrepi/)

## SLOVAKIA

[http://www.mzv.sk/sk/europske\\_zalezitosti/europske\\_politiky-sankcie\\_eu](http://www.mzv.sk/sk/europske_zalezitosti/europske_politiky-sankcie_eu)

## FINLAND

<http://formin.finland.fi/kvyhteisty/pakotteet>

## SWEDEN

<https://www.ud.se/sanktioner>

## UNITED KINGDOM

<https://www.gov.uk/sanctions-embargoes-and-restrictions>

Address for notifications to the European Commission:

European Commission  
Service for Foreign Policy Instruments (FPI)  
EEAS 02/309  
B-1049 Brussels  
Belgium  
E-mail: [relex-sanctions@ec.europa.eu](mailto:relex-sanctions@ec.europa.eu)