



SNAPSHOT RUSSIA/UKRAINE SANCTIONS REGIME

Why are sanctions imposed?

Australia imposes autonomous sanctions in relation to Russia in response to the Russian threat to the sovereignty and territorial integrity of Ukraine. They were first imposed in 2014 and extended in 2015 and 2015 and 2022.

Australia imposes other autonomous sanctions in relation to Crimea and Sevastopol, and in relation to Ukraine, in response to the Russian threat to the sovereignty and territorial integrity of Ukraine. Go to the [Crimea and Sevastopol Sanctions Regime](#) and the [Ukraine Sanctions Regime](#) for further information.

Australia will also extend to the Donetsk and Luhansk regions of Ukraine the sanctions measures already applied to Crimea and Sevastopol. These sanctions measures target exports and commercial activity in relation to the transport, telecommunications, energy and exploitation of oil, gas and mineral reserve sectors; and prohibit all imports.

These sanctions measures will apply to the Donetsk and Luhansk regions of Ukraine from 28 March 2022. This will allow Australians and Australian entities with interests in those regions to consider whether their activities are captured by the sanctions measures; and if they are, either to cease their activities, or to apply to the Minister for Foreign Affairs for a sanctions permit to continue their activities.

The Regulations also include a power for the Minister to specify other areas of Ukraine, should they fall under Russian influence, to which these sanctions measures would then apply.

What is prohibited by the Russia/Ukraine sanctions regime?


The Russia/Ukraine sanctions regime imposes six sanctions measures:

Measure	UNSC	Autonomous
restrictions on the export or supply of certain goods		✓
restrictions on the import, purchase or transport of certain goods		✓
restrictions on certain commercial activities		✓
restrictions on the provision of certain services		✓
restrictions on providing assets to designated persons or entities		✓
Restrictions on dealing with the assets of designated persons or entities		✓
travel bans on designated persons		✓

Restrictions on the export or supply of certain goods

It is prohibited to directly or indirectly supply, sell or transfer to Russia any of the following goods:

- arms or related matériel
- items suited for use in the following categories of oil exploration or oil production projects in Russia (as specified in the *Autonomous Sanctions (Russia, Crimea and Sevastopol) Specification 2015*):
 - i. oil exploration and production in waters deeper than 150 metres;
 - ii. oil exploration and production in the offshore area north of the Arctic Circle;

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- iii. projects that have the potential to produce oil from resources located in shale formations by way of hydraulic fracturing (other than exploration and production through shale formations to locate or extract oil from non-shale reservoirs).

Arms or related matériel includes, but is not limited to, weapons, ammunition, military vehicles and equipment, and spare parts and accessories for any of those things. It also includes paramilitary equipment. While each case will be considered individually, goods on the [Defence and Strategic Goods List](#) are likely to be considered arms or related matériel. Depending on the context, end-user and end-use, other goods may also be considered arms or related matériel.

For Crimea and Sevastopol (in Ukraine), it is prohibited to directly or indirectly supply, sell or transfer certain items relating to the creation, acquisition or development of infrastructure for:

- the transport, telecommunications or energy sectors
- the exploitation of oil, gas or mineral reserves in Crimea/Sevastopol.

Restrictions on the import, purchase or transport of certain goods

It is prohibited to import, purchase or transport:

- arms or related matériel if they originate in or have been exported from Russia
- any goods which originate in or have been exported from Crimea or Sevastopol.

Restrictions on certain commercial activities

The Russia/Ukraine sanctions regime prohibits dealing with financial instruments issued by, or providing loans or credit to:

- specified publicly-owned or controlled Russian banks
- specified Russian companies predominantly engaged in activities relating to military equipment or services
- specified publicly-owned or controlled Russian companies involved in the sale or transport of crude oil or petroleum products
- majority-owned subsidiaries or entities acting as agents for any of the above.

For Crimea and Sevastopol, restrictions are imposed on granting loans/credit and establishing a joint venture relating to:

- the creation, acquisition or development of infrastructure in the transport, telecommunications or energy sectors
- the exploitation of oil or gas, or of specified mineral resources, in Crimea or Sevastopol.

Restrictions on the provision of certain services

To complement the restrictions on the export/import of goods and on some commercial activities, the provision of services which relate to some of those sanctioned goods or activities is also restricted. It is prohibited to provide:


- services which relate to the supply of arms or related matériel to Russia
- services which relate to the supply of export sanctioned goods to Crimea/Sevastopol, or to the manufacture, maintenance or use of such goods for Crimea/Sevastopol (see 'Restrictions on the export or supply of goods' above)
- financial assistance or financial services which relate to goods originating in or exported from Crimea/Sevastopol
- investment services which relate to sanctioned commercial activities (see 'Restrictions on commercial activities' above)
- services to Russia, or for use in Russia, which relate to:
 - a military activity, or
 - the manufacture, maintenance or use of arms or related matériel
- services to Crimea/Sevastopol, or for use in Crimea/Sevastopol, which relate to engagement in a sanctioned commercial activity for Crimea/Sevastopol (see 'Restrictions on commercial activities' above)
- certain services to Russia (or to a person or entity for use in Russia) that are necessary for specified types of oil exploration or production projects in Russia. For example, drilling or well-testing services.

Restrictions on providing assets to designated persons or entities

Restrictions on dealing with the assets of designated persons or entities (requirement to freeze assets)

The Minister for Foreign Affairs may designate a person or entity for targeted financial sanctions if:

- (a) the Minister is satisfied that the person or entity is responsible for, or complicit in, the threat to the sovereignty and territorial integrity of Ukraine

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- (b) the Minister is satisfied that the person or entity is, or has been, engaging in an activity or performing a function that is of economic or strategic significance to Russia
 - (c) the person is a current or former Minister or senior official of the Russian Government
 - (d) the person is an immediate family member of a person mentioned in paragraph (b) or (c).

It is prohibited to directly or indirectly make an asset available to (or for the benefit of) a designated person or entity.

It is also prohibited to use or deal with an asset, or allow or facilitate another person to use or deal with an asset, owned or controlled by a designated person or entity (the assets are 'frozen' and cannot be used or dealt with). The prohibition on 'dealing' with assets includes using, selling or moving assets.

'An 'asset' includes an asset or property of any kind, whether tangible or intangible, movable or immovable.

Go to the Consolidated List to search the names of designated persons and entities.

If you become aware that you are holding an asset of a designated person or entity, you are required to freeze (hold) that asset and notify the AFP as soon as possible. Go to What You Need to Do for more information.

Travel bans on declared persons

The Minister for Foreign Affairs may declare a person for a travel ban if:

- (e) the Minister is satisfied that the person or entity is responsible for, or complicit in, the threat to the sovereignty and territorial integrity of Ukraine
- (f) the Minister is satisfied that the person or entity is, or has been, engaging in an activity or performing a function that is of economic or strategic significance to Russia
- (g) the person is a current or former Minister or senior official of the Russian Government
- (h) the person is an immediate family member of a person mentioned in paragraph (b) or (c).

Who must comply with sanctions?

Australian sanction laws apply to activities in Australia and to activities undertaken overseas by Australian citizens and Australian-registered bodies corporate.

In some circumstances, it may be possible to obtain a permit from the Minister for Foreign Affairs to engage in an activity that would otherwise be prohibited by a sanctions measure. Information on planning an activity and submitting an application for a sanctions permit is available on the [DFAT website](#).

It is a serious criminal offence to contravene a sanctions measure (or a condition of a sanctions permit). The penalties include up to ten years in prison and substantial fines.

Relevant legislation


The relevant legislation for the Russia/Ukraine sanctions regime includes the following:

- *Autonomous Sanctions Act 2011*
- *Autonomous Sanctions Regulations 2011*
- *Autonomous Sanctions Amendment (Russia) Regulations 2022*
- *Autonomous Sanctions Amendment (Ukraine Regions) Regulations 2022*
- *Autonomous Sanctions (Russia, Crimea and Sevastopol) Specification 2015*
- *Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Ukraine) List 2014*
- *Customs (Prohibited Exports) Regulations 1958*
- *Customs (Prohibited Imports) Regulations 1956*
- *Migration Regulations 1994*

Where can I get more information?

More information on Australia's sanctions can be found on DFAT's website: <https://dfat.gov.au/international-relations/security/sanctions/Pages/sanctions.aspx>.

Enquiries can be made to DFAT by emailing sanctions@dfat.gov.au.



DFAT maintains a mailing list for people interested in receiving updates on Australian sanctions laws. You can subscribe to this list via the [DFAT website](#).

This document provides a summary only of relevant sanctions laws. It should not be relied upon as a substitute for legal advice. It is your responsibility to ensure you do not contravene sanctions law, including by obtaining your own legal advice.