

Overview of current sanctions measures concerning Belarus

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1. United States (US) sanctions concerning Belarus

ARMS EMBARGO

Policy of denial for defense articles and defense services to Belarus.

ASSETS FREEZE

- All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of US persons, including their overseas branches, of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in by listed persons.
- Blocking Sanctions against Belarusian State-Owned Banks, Belarusian Defense and Security Industries, and Senior Security Officials.
- Designation of two major State-owned Banks: Belarussian Bank of Development and Reconstruction Belinvestbank Joint Stock Company (Belinvestbank) & Bank Dabrabyt Joint-Stock Company (Bank Dabrabyt).
- Prohibition from engaging in “any transaction involving the Central Bank of the Russian Federation, the National Wealth Fund of the Russian Federation, or the Ministry of Finance of the Russian Federation, including any transfer of assets to such entities or any foreign exchange transaction for or on behalf of such entities.”

TRAVEL BAN

The unrestricted immigrant and nonimmigrant entry into the United States of listed persons would be

detrimental to the interests of the United States, and the entry of such persons into the United States, as immigrants or nonimmigrants, is hereby suspended.

EXPORT CONTROLS

- A license is required, excluding deemed exports and deemed reexports, to export, reexport, or transfer (in-country) to or within Belarus any item subject to the EAR and specified in any Export Control Classification Number (ECCN) on the CCL.
- A license is required to reexport, export from abroad, or transfer (in-country) to any destination any foreign-produced item subject to the EAR under the Russia/Belarus FDP rule in the EAR.
- A license is required to reexport, export from abroad, or transfer (in-country) to or within any destination any foreign-produced item subject to the EAR under § 734.9(g) of the EAR.
- A license is required to export, reexport, or transfer (in-country) to or within Russia or Belarus any 'luxury good' subject to the EAR, as identified in supplement no. 5 to this part.
- Highly restrictive policy of denial for the review of license applications for exports, reexports, and transfers (in-country) to the listed entities of all items subject to the EAR and prohibition on the use of all license exceptions for such transactions.
- Policy of denial for all items subject to the EAR apart from food and medicine designated at EAR99, which will be reviewed on a case-by-case basis, for all Belarusian entities listed under the Entity List (EAR – Supplement No. 4 to Part 744).

Russia/Belarus FDP rule establishes a control over foreign-produced items that are:

- (i) the direct product of certain U.S.-origin software or technology subject to the EAR; or
- (ii) produced by certain plants or major components there of which are themselves the direct product of certain U.S.-origin software or technology subject to the EAR.

The Russia/Belarus FDP rule does not apply to foreign-produced items that would be designated as EAR99 (items not listed on the CCL).

Russia/Belarus MEU FDP rule applies to foreign-produced items that are:

- (i) the direct product of any software or technology subject to the EAR that is on the CCL; or
- (ii) produced by certain plants or major components there of which are themselves the direct product of any U.S.-origin software or technology on the CCL.

SOURCE: <https://ofac.treasury.gov/sanctions-programs-and-country-information/belarus-sanctions> & https://www.bis.doc.gov/index.php/component/docman/?task=doc_download&gid=2383 & <https://www.ecfr.gov/current/title-22/chapter-I/subchapter-M/part-126/section-126.1>

2. European Union (EU) sanctions concerning Belarus

ARMS EMBARGO

Prohibition of the sale, supply, transfer or export of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, as well as equipment which might be used for internal repression, to Belarus by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft, including technical assistance, brokering services, provide financing or financial assistance or other related services, as well as sell, license or transfer in any other way intellectual property rights or trade secrets as well as to grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets.

Prohibition of the sale, supply, transfer or export, directly or indirectly, of firearms, their parts and essential components and ammunition, including technical assistance, brokering services, provide financing or financial assistance or other related services.

Prohibition on the transit via the territory of Belarus of these firearms, their parts and essential components and ammunition.

TRAVEL BAN

Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of persons listed.

ASSETS FREEZE

- All funds and economic resources belonging to, owned, held or controlled by listed persons, entities or bodies shall be frozen.
- No funds or economic resources shall be made available directly or indirectly to or for the benefit of the listed natural or legal persons, entities or bodies.

TRANSPORT RESTRICTIONS

- Member States shall deny permission to land in, take off from or overfly their territories to any aircraft operated by Belarusian air carriers, including as a marketing carrier, in accordance with their national rules and laws and consistent with international law, in particular relevant international civil aviation agreements.
- Prohibition for any road transport undertaking established in Belarus to transport goods by road within the territory of the Union, including in transit.

EXPORT RESTRICTIONS

- Prohibition to sell, supply, transfer or export, directly or indirectly, goods which could contribute in particular to the enhancement of Belarusian industrial capacities including the transit via the territory of Belarus of these goods and technology.
- Prohibition of the direct or indirect sale, supply, transfer or export to any natural or legal person, entity or body in Belarus, or for use in Belarus, of equipment, technology or software intended primarily for use in the monitoring or interception by, or on behalf of, the Belarusian authorities of the internet and of telephone communications on mobile or fixed networks, including the provision of any telecommunication or internet monitoring or interception services of any kind, as well as the provision of financial and technical assistance to install, operate or update such equipment, technology or software, by nationals of Member States or from the territories of Member States, including technical assistance, brokering services, provide financing or financial assistance or other related services.
- Prohibition of the direct or indirect sale, supply, transfer or export of all dual-use goods and technology, including technical assistance, brokering services, provide financing or financial assistance or other related services, as well as sell, license or transfer in any other way intellectual property rights or trade secrets as well as to grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets.
- Prohibition on the transit via the territory of Belarus of the dual-use goods and technology.
- Prohibition to sell, supply, transfer or export, directly or indirectly, goods and technology which might contribute to the military and technological enhancement of Belarus, or to the development of its defence and security sector, whether or not originating in the Union, to any natural or legal person, entity or body in Belarus or for use in Belarus, including technical assistance, brokering services, provide financing or financial assistance, as well as insurance and re-insurance, as well as sell, license or transfer in any other way intellectual property rights or trade secrets as well as to grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets.
- Prohibition on the transit via the territory of Belarus of goods and technology which might contribute to the military and technological enhancement of Belarus or to the development of its defence and security sector.
- Prohibition to sell, supply, transfer or export, directly or indirectly, maritime navigation goods and technology, including technical assistance, brokering services, provide financing or financial assistance, as well as insurance and re-insurance, as well as sell, license or transfer in any other way intellectual property rights or trade secrets as well as to grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets.
- Prohibition of the direct or indirect sale, supply, transfer or export to any natural or legal person, entity or body in Belarus or for use in Belarus of goods used for the production or manufacturing of tobacco products, including technical assistance, brokering services, provide financing or financial assistance, as well as insurance and re-insurance, as well as sell, license or transfer in any other way intellectual property rights or trade secrets as well as to grant rights to

access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets.

- Prohibition to sell, supply, transfer or export, directly or indirectly, luxury goods, including technical assistance, brokering services, provide financing or financial assistance, as well as insurance and re-insurance, as well as sell, license or transfer in any other way intellectual property rights or trade secrets as well as to grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets.
- Prohibition to sell, supply, transfer, or export, directly or indirectly, goods and technology suited for use in oil refining and liquefaction of natural gas, including technical assistance, brokering services, provide financing or financial assistance, as well as insurance and re-insurance, as well as sell, license or transfer in any other way intellectual property rights or trade secrets as well as to grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets.
- Prohibition to sell, supply, transfer or export, directly or indirectly, certain machinery, including technical assistance, brokering services, provide financing or financial assistance, as well as insurance and re-insurance.
- Prohibition on the transit via the territory of Belarus of machinery.
- Prohibition to sell, supply, transfer or export, directly or indirectly, goods and technology suited for use in aviation or the space industry, including technical assistance, brokering services, provide financing or financial assistance, as well as insurance and re-insurance, as well as sell, license or transfer in any other way intellectual property rights or trade secrets as well as to grant rights to access or re-use any material or information protected by means of intellectual property rights or constituting trade secrets, or one or any combination of the following activities: overhaul, repair, inspection, replacement, modification or defect rectification of an aircraft.
- Prohibition on the transit via the territory of Belarus of goods and technology suited for use in aviation or the space industry.

IMPORT RESTRICTION

- Prohibition of the purchase, import or transfer, directly or indirectly, mineral products and crude oil, if they originate in Belarus or are exported from, including technical assistance, brokering services, provide financing or financial assistance.
- Prohibition of the purchase, import or transfer from Belarus of potassium chloride ('potash') products, including technical assistance, brokering services, provide financing or financial assistance, as well as insurance and re-insurance.
- Prohibition to import or transport, directly or indirectly, wood products, cement products, iron and steel products and rubber products, including technical assistance, brokering services, provide financing or financial assistance, or other services.
- Prohibition to purchase, import, or transfer into the Union, directly or indirectly, goods which allow Belarus to diversify its sources of revenue, thereby enabling its involvement in the Russian

aggression against Ukraine, including technical assistance, brokering services, provide financing or financial assistance, or other related services.

- Prohibition to purchase, import, or transfer, directly or indirectly, gold, including technical assistance, brokering services, provide financing or financial assistance, or other related services.
- Prohibition to purchase, import, or transfer, directly or indirectly, diamonds and products incorporating diamonds, if they originate in Belarus or have been exported from Belarus, as well as if they have transited via the territory of Belarus, including technical assistance, brokering services, provide financing or financial assistance, or other related services.

FINANCIAL RESTRICTIONS

- Prohibition to (a) acquire any new or extend any existing participation in, (b) grant or be part of any arrangement to grant any new loan or credit, or otherwise provide financing, including equity capital to, (c) create any new joint venture with, - any legal person, entity or body operating in the energy sector in Belarus -, or (d) provide investment services directly related to such activities.
- Prohibition to directly or indirectly purchase, sell, provide investment services for or assistance in the issuance of, or otherwise deal with transferable securities and money-market instruments with a maturity exceeding 90 days.
- Prohibition on transactions related to the management of reserves as well as of assets of the Central Bank of Belarus, including transactions with any legal person, entity or body acting on behalf of, or at the direction of, the Central Bank of Belarus.
- Prohibition to list and provide services on trading venues registered or recognised in the Union for the transferable securities of any legal person, entity or body established in Belarus and with over 50 % public ownership.
- Prohibition to directly or indirectly make or be part of any arrangement to make new loans or credit with a maturity exceeding 90 days.
- Prohibition to provide insurance or re-insurance.
- Prohibition to provide public financing or financial assistance for trade with, or investment in, Belarus.
- Prohibition to accept any deposits from Belarusian nationals or natural persons residing in Belarus, or legal persons, entities or bodies established in Belarus, if the total value of deposits of the natural or legal person, entity or body per credit institution exceeds EUR 100 000.
- Prohibition for Union central securities depositories to provide any services for transferable securities issued after 12 April 2022 to any Belarusian national or natural person residing in Belarus or any legal person, entity or body established in Belarus.
- Prohibition to sell transferable securities denominated in any official currency of a Member State issued after 12 April 2022 or units in collective investment undertakings providing exposure to such securities, to any Belarusian national or natural person residing in Belarus or any legal person, entity or body established in Belarus.

- Prohibition to sell, supply, transfer or export banknotes denominated in any official currency of a Member State to Belarus.
- Prohibition to provide specialised financial messaging services (e.g. SWIFT), which are used to exchange financial data, to designated entities.

SERVICES RESTRICTIONS

- Prohibition to provide, directly or indirectly, accounting, auditing, including statutory audit, bookkeeping or tax consulting services, or business and management consulting or public relations services, including technical assistance, brokering services, provide financing or financial assistance, or other related services.
- Prohibition to provide, directly or indirectly, architectural and engineering services, legal advisory services and IT consultancy services, including technical assistance, brokering services, provide financing or financial assistance, or other related services.
- Prohibition to provide, directly or indirectly, market research and public opinion polling services, technical testing and analysis services and advertising services, including technical assistance, brokering services, provide financing or financial assistance, or other related services.
- Prohibition to sell, supply, transfer, export or provide, directly or indirectly, software for the management of enterprises and software for industrial design and manufacture, including technical assistance, brokering services, provide financing or financial assistance, or other related services.

MISCELLANEOUS

When selling, supplying, transferring or exporting to a third country, with certain exception of countries, goods or technology as listed in Annexes XVI, XVII, XXVIII to Regulation (EC) No 765/2006, common high priority items as listed in Annex XXX to Regulation (EC) No 765/2006, or firearms and ammunition as listed in Annex I to Regulation (EU) No 258/2012, exporters shall contractually prohibit re-exportation to Belarus and re-exportation for use in Belarus.

CIRCUMVENTION & FACILITATION

Prohibition to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions, including by participating in such activities without deliberately seeking that object or effect but being aware that the participation may have that object or effect and accepting that possibility.

SOURCE:

<https://www.sanctionsmap.eu/#/main/details/2/?search=%7B%22value%22:%22%22,%22searchType%22:%7B%7D%7D>

3. United Kingdom (UK) sanctions concerning Belarus

The Belarus (Sanctions) (EU Exit) Regulations 2019 put in place sanctions measures.

PROHIBITIONS ON FINANCE

Asset freeze in relation to designated persons

- Prohibition to make funds available to, or for the benefit of, designated persons
- Prohibition to make economic resources available to, or for the benefit of, designated persons
- Prohibition on dealing with transferable securities or money-market instruments
- Prohibition on loans and credit arrangements
- Prohibition on insurance and reinsurance services
- Prohibition on the provision of financial services relating to foreign exchange reserve and asset management
- Prohibition on circumventing

DIRECTOR DISQUALIFICATION SANCTIONS

PROHIBITIONS ON IMMIGRATION

- Refusal of leave to enter and/or remain in the United Kingdom
- Cancelling a persons leave to enter or remain in the United Kingdom

PROHIBITIONS ON TRADE

Definitions

- Export restricted goods and restricted technology - banknotes, chemical and biological weapons-related goods, critical-industry goods, dual-use goods, interception and monitoring goods, internal repression goods, luxury goods, machinery-related goods, military goods, oil refining goods, quantum computing and advanced materials goods, tobacco industry goods,
- Import designated goods and designated technology - aluminium, arms and related materiel, cement, gold and gold jewellery, iron and steel products, mineral products, potash, relevant processed gold, rubber, wood
- Prohibition on export (or for use in), supply, delivery, making available, transfer, technical assistance, financial services and funds, brokering services in relation to export restricted goods and restricted technology
- Prohibition on the transfer of technology related to the export restricted goods and restricted technology
- Prohibition on import, acquisition, supply and delivery, technical assistance, financial services, funds and brokering services in relation to import designated goods and designated technology

- Prohibition on the provision of interception and monitoring services to, or for the benefit of, the Government of Belarus
- Prohibition on providing technical assistance relating to aircraft and ships
- Prohibition on enabling or facilitating military activities
- Prevention provision of internet services to or for the benefit of designated persons
- Prohibition on circumventing

PROHIBITIONS IN RELATION TO AIRCRAFT

- Prohibition on overflying or landing in the United Kingdom
- Prohibition on registration of an aircraft in the United Kingdom

PROHIBITIONS IN RELATION TO SHIPS

- Prohibition on port entry
- Prohibition on registration in the United Kingdom

SOURCE: <https://www.gov.uk/government/collections/uk-sanctions-on-the-republic-of-belarus>

4. Canada sanctions concerning Belarus

DEALINGS PROHIBITION AND ASSET FREEZE

- The Regulations prohibit any person in Canada or any Canadian outside Canada from: dealing in property, wherever situated, that is owned, held or controlled by listed persons or a person acting on behalf of a listed person;
- entering into or facilitating any transaction related to a dealing prohibited by these Regulations;
- providing any financial or related services in respect of a dealing prohibited by these Regulations;
- making available any goods, wherever situated, to a listed person or a person acting on behalf of a listed person; and
- providing any financial or other related services to or for the benefit of a listed person.

TRAVEL BAN

Listed individuals are inadmissible to Canada.

FINANCIAL SANCTIONS

- Restrictions on certain activities relating to transferrable securities and money market instruments, debt financing, insurance and reinsurance, petroleum products, and potassium chloride products. With some exceptions, the Regulations prohibit persons in Canada or

Canadians outside Canada from:

dealing in transferable securities and money market instruments, including treasury bills, certificates of deposit and commercial papers but not including instruments of payment, issued by specific entities or individuals identified in the Regulations;

- transacting in, provide financing for or otherwise dealing in debt of longer than 90 days' maturity, including bonds, loans, debentures, extensions of credit, loan guarantees, letters of credit, bank drafts, bankers' acceptances, discount notes, treasury bills, commercial paper and other similar instruments in relation to specific entities or individuals identified in the Regulations;
- providing insurance or reinsurance to specific entities or individuals identified in the Regulations;
- importing, purchasing, acquiring, shipping or otherwise dealing in any petroleum goods, wherever situated, that is exported from Belarus, as well as providing any financial, technical or other services such as insurance or reinsurance related to goods subject to this prohibition; and
- importing, purchasing, acquiring, shipping or otherwise dealing in any potassium chloride goods, wherever situated, that is exported from Belarus.

INSURANCE

Prohibition on provision of any and all insurance, reinsurance, and underwriting services for aircraft, and aviation and aerospace products either owned by, controlled by, registered to, chartered by, or operated by entities and individuals resident, incorporated, or domiciled in Belarus.

TRADE SANCTIONS

- Ban on exporting, selling, supplying or shipping any good, wherever situated, or to provide any technology, to Belarus or to any person in Belarus, if it is described in the Restricted Goods and Technologies List.
- Ban on exporting, selling, supplying or shipping any good or technology, wherever situated, to Belarus or to any person in Belarus if the good or technology is referred to in Schedule 3.
- Ban on exporting, selling, supplying or shipping any luxury good, wherever situated, to Belarus or to any person in Belarus.
- Ban on import, purchase or acquisition by any person in Canada and any Canadian outside Canada, of any luxury good, wherever situated, from Belarus or from any person in Belarus.
- Ban on exporting, selling, supplying or shipping any good that could be used for the manufacturing weapons, wherever situated, to Belarus or to any person in Belarus.

CIRCUMVENTION & FACILITATION

Causing, facilitating or assisting in prohibited activities is likewise prohibited.

SOURCE:

https://www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/belarus.aspx?lang=eng

