

Overview of current sanctions measures concerning Burma

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1. United States (US) sanctions concerning Burma

ARMS EMBARGO

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

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 U.S. persons, including their overseas branches, of the listed persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in.

TRAVEL BAN

The unrestricted immigrant and nonimmigrant entry into the United States of listed noncitizens 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

- Restrictive review policy for certain license applications as well as several amendments imposing restrictions under the Export Administration Regulations (EAR) on the export and reexport of items (commodities, software, and technology) subject to the EAR that are destined for Myanmar and/or certain entities located in Myanmar.

- In addition to U.S.-origin items, certain foreign-produced items are also subject to the EAR, if they meet a certain “de minimis” level of U.S.-origin content by value that is “controlled” to the destination in question (in the case of Myanmar, greater than 25 percent).
- Commerce/BIS reviews license applications for items destined for Myanmar’s Ministry of Defense, Ministry of Home Affairs, armed forces, and security forces under a presumption of denial. BIS also suspended the availability of four license exceptions for items destined for Myanmar.
- Myanmar moved to a more restrictive country group (Country Group D:1), and subject to “military end use” and “military end user” controls.
- Exports of all items subject to the EAR require a license to military-intelligence end users in Myanmar.

SOURCE: <https://ofac.treasury.gov/sanctions-programs-and-country-information/burma> & <https://www.bis.doc.gov/index.php/documents/regulations-docs/2383-supplement-no-1-to-part-738/f> & <https://www.ecfr.gov/current/title-22/chapter-I/subchapter-M/part-126/section-126.1>

2. European Union (EU) sanctions concerning Burma

ARMS EMBARGO

Prohibition on the sale, supply, transfer or export of arms and related materiel 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 Myanmar/Burma 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, or to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions.

TRAVEL BAN

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

ASSETS FREEZE

All funds and economic resources owned or controlled directly or indirectly 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.

EXPORT RESTRICTIONS

Prohibition on the direct or indirect sale, supply, transfer or export of all dual-use goods and technology listed in Annex I to Council Regulation (EC) No 428/2009 for military use in Myanmar/Burma, or to any military end-user or to the Border Guard Police in Myanmar/Burma 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.

Prohibition on the sale, supply, transfer or export of equipment, technology or software intended primarily for use in the monitoring or interception by the Government of Myanmar/Burma, or on its behalf, of the internet and of telephone communications on mobile or fixed networks in Myanmar/Burma, 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.

SERVICES RESTRICTIONS

Prohibition on the provision of military training to or military cooperation with the Myanmar Armed Forces (Tatmadaw) and the Border Guard Police.

SOURCE:

<https://www.sanctionsmap.eu/#/main/details/8/?search=%7B%22value%22:%22%22,%22searchType%22:%7B%7D%7D>

3. United Kingdom (UK) sanctions concerning Burma

The Myanmar (Sanctions) Regulations 2021 puts in place 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 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 - military goods and technology, internal repression goods and technology, interception and monitoring goods and technology
- Prohibition on export (or for use in), supply, delivery, making available, transfer, technical assistance, financial services, brokering services in relation to export restricted goods and restricted technology
- Prohibition on export (or for use in), supply, delivery, making available, transfer, technical assistance, financial services, brokering services in relation to dual-use goods and dual-use technology
- Prohibition on providing interception and monitoring services
- Prohibition on military activities or otherwise enabling or facilitating the conduct of armed hostilities
- Prohibition on circumventing

SOURCE:

<https://www.gov.uk/government/publications/myanmar-sanctions-guidance/myanmar-sanctions-guidance>

4. Canada sanctions concerning Burma

Sanctions related to Myanmar were enacted under the Special Economic Measures Act to respond to the human rights and humanitarian situation in Myanmar. Subject to certain exceptions, the measures imposed against Myanmar include:

FINANCIAL RESTRICTIONS

Asset freeze against any designated Myanmar nationals connected with the Myanmar State, as well as prohibitions on several categories of transactions, services and dealings involving property of designated persons, wherever situated; and

ARMS EMBARGO

Arms embargo, including prohibitions on exporting and importing arms and related material to and from Myanmar, on communicating technical data related to military activities or arms and related material, and on financial services related to military activities or arms and related material.

AVIATION FUEL

Prohibition on the export, sale, supply or shipment of aviation fuel to Myanmar, and a prohibition on the provision of shipping insurance for aviation fuel to Myanmar.

SOURCE:

https://www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/myanmar.aspx?lang=eng#a1