

Belarus Sanctions

Last month further sanctions were introduced against Belarus after previous action taken by the EU, US and the UK in response to the detention of journalist Roman Protasevich and his partner Sofia Sapega, following the unlawful diversion of Ryanair flight FR4978 in May 2021.

Background

In 2006, the US issued Executive Order 13405, which blocks the property of certain persons responsible for undermining the democratic processes or institutions in Belarus. The order authorises sanctions on persons that participated in human rights abuses related to the political repression in Belarus; this includes senior-level officials, and persons that are closely linked to such an official who is responsible for or has engaged in public corruption related to Belarus.

The EU introduced Council Regulation (EC) No 765/2006 concerning restrictive measures against President Lukashenko and certain officials of Belarus. This has since been amended by [Regulation \(EU\) 2021/1030](#) following the additional sanctions that have been imposed.

In response to the Belarussian presidential elections in August 2020, the EU and the UK developed asset freeze measures against persons and entities responsible for serious violations of human rights, undermining of democracy for the benefit of Lukashenko's regime and the violent repression of civil society.

Recent developments

Whilst there is some overlap between the latest sanctions measures taken by the EU, US and UK, there are also material differences. However, all three states have imposed significant trade sanctions against the potash and petroleum sectors that are targeted to build pressure on the Lukashenko regime.

The UK has further expanded the scope of its sanctions against Belarus to include sector-based restrictions. The UK measures broadly reflect the restrictions imposed by the EU and include prohibitions on the provision of insurance and reinsurance services to Belarus, Belarusian state bodies or anyone acting on their behalf or at their direction. Moreover, the measures include *the prohibition on direct or indirect supply or delivery of petroleum products and potash that originated in Belarus*.

Please [click here](#) for further guidance.

The EU's new targeted economic sanctions include the prohibition to sell directly or indirectly, supply, transfer or export to anyone in Belarus equipment, technology or software intended

primarily for use in the monitoring or interception of the internet and of telephone communications, and dual-use goods and technologies for military use and to specified persons, entities or bodies in Belarus. Trade in petroleum products, potassium chloride ('potash') and providing insurance and re-insurance to the Belarusian government and Belarusian public bodies and agencies are also prohibited.

Please [click here](#) for further guidance.

The US have issued a new Executive Order (EO 14038) which expands the scope of the national emergency declared under EO 13405 and provides OFAC with the authority to impose sanctions against those who “operate or have operated in the defense and related materiel sector, security sector, energy sector, potassium chloride (potash) sector, tobacco products sector, construction sector, or transportation sector of the economy of Belarus, or any other sector of the Belarus economy as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State”.

Please [click here](#) for further guidance.

The tightening of these sanctions have also targeted a number of individuals and organisations who are now listed as a specially designated national on the [US SDN list](#).

Notice to Members

We encourage Members to have an awareness of the UK, EU and US sanctions regimes concerning Belarus. Members who may be impacted by a UK, EU or US nexus are strongly advised to identify any transactions or trade related and/or connected to Belarus and assess the risks involved.