

Treasury
Customs and Excise Division

Sanctions Notice 19

European Union Sanctions

Belarus



November 2012
(Updated to 3 October 2019)



Isle of Man
Government

Reilrys Ellan Vannin

About this Notice

This Notice draws attention in convenient form to the Orders and Regulations made under the European Communities (Isle of Man) Act 1973 which place financial restrictions on certain named individuals and entities.

This Notice provides guidance on certain aspects only of the Orders and Regulations, and should be read in conjunction with those Orders and Regulations.

The Treasury has appointed its Customs and Excise Division to act for the purpose of enforcing financial sanctions. Accordingly, certain powers have been delegated by the Treasury to the Division.

The list of persons and entities subject to the sanctions may be found at:

<https://www.gov.uk/government/publications/financial-sanctions-belarus>

Enquiries concerning this Notice should be addressed to the address given below and marked for the attention of the Sanctions Officer.

Enquiries may also be made by -

- facsimile transmission (01624 661725)
- Email (customs@gov.im)
- Telephone (01624 648109)

The address for any enquiries or applications relating to this Notice is -

The Sanctions Officer
The Treasury
Customs and Excise Division
PO Box 6
Custom House
North Quay
Douglas
Isle of Man
IM99 1AG

This Notice is provided for information purposes only, and its contents should not be taken as a definitive statement of the law. You are advised to seek independent legal advice if you believe you are affected by anything contained in this Notice.



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For further information on sanctions in general, including how to deal with false positives, or when sanctions are lifted or persons delisted, refer to Financial [Sanctions Guidance Notice](#).

The Financial Sanctions Guidance Notice also deals with the granting of licences.

These Notices, and other information about sanctions and export and trade controls, may be found at -

<https://www.gov.im/categories/tax-vat-and-your-money/customs-and-excise/sanctions-and-export-control/>

Privacy Notice

The Treasury collects information about you in order to administer taxation and carry out other functions for which it is responsible (e.g. National Insurance, customs and excise duties, property rates, social security benefits, state pensions and legal aid etc.), and for the detection and prevention of crime.

Whilst that information will primarily be provided by you, where the law allows we may also get information about you from other organisations, or give information about you to them. This may be to check the accuracy of the information provided, prevent or detect crime or protect public funds in other ways. These organisations may include other government departments, the police and other agencies.

To find out more about how we collect and use personal information, contact any of our offices or visit our website at: <https://www.gov.im/about-the-government/departments/the-treasury/privacy-notice/>

Directions

The Customs and Excise Division, as agent for the Treasury, **directs** that any funds held for or on behalf of the individuals or entities named in the published lists having effect in the Island must not be made available, except under the authority of a licence in writing from the Treasury.

Any funds should be blocked or frozen and the details reported to the Financial Intelligence Unit.

All persons in business or a profession in the Island, including financial institutions, **must** check whether they maintain any account, or otherwise hold or control funds or economic resources, for individuals or entities included in the lists and, if so, they should freeze the account, funds or economic resources and report their findings to the Financial Intelligence Unit.

Any person, entity or body with information that would facilitate compliance with the sanctions Regulation(s) **must** supply such information to the Financial Intelligence Unit and co-operate in any verification of the information.

Reports of accounts and amounts frozen should be made using THEMIS; however, if you do not have access to this reporting system, you should use the appropriate form on the FIU website.

Financial Intelligence Unit contact details

Financial Intelligence Unit
PO Box 51
Douglas
Isle of Man
IM99 2TD

Telephone: +44 1624 686000
Email: fiu@gov.im

Introduction

1. On 20 May 2006 the EU imposed restrictive measures against certain officials in Belarus following what it said were violations of international electoral standards and a crackdown on the democratic opposition.
2. Council Common Position 2006/362/CFSP and Council Regulation 765/2006/EC imposed a freeze on the funds and economic resources of the Belarus President and other named officials. It also prohibited the provision, directly or indirectly, of funds or economic resources to those people.
3. On 1 June 2006 the European Communities (Belarus Sanctions) (Application) Order 2006 came into operation in the Isle of Man. This gave effect to Council Regulation (EC) No. 765/2006 in the Island.

4. The Belarus Sanctions (Freezing of Funds etc) Regulations 2006 provide for offences, penalties and information-gathering powers in relation to the sanctions in the Island.
5. On 10 November 2008, the EU suspended travel restrictions imposed upon certain leading figures in the Belarus regime until 13 April 2009. However, the financial sanctions remained in place. Again on 17 December 2009, the EU suspended the entry and travel bans on certain persons but reinstated them from 25 October 2010 (except in the case of Yuri Nikolaevich Podobed, where the bans remained suspended until 31 October 2011).
6. On 31 January 2011 the EU adopted Council Implementing Regulation (EU) No. 84/2011 which amended Council Regulation (EC) No. 765/2006. In particular, the new Regulation inserted a new Annex IA into the 2006 Regulation, the persons named being deemed responsible for violations of international electoral standards in the presidential elections in December 2010.
7. On 21 June 2011, Council Regulation 558/2011/EU further amended Regulation 765/2006, including providing for an arms embargo.
8. During 2011 a number of Orders applied the series of EU Regulations in the Island, together with amendment Regulations concerned with enforcement of the various sanctions measures involved and the granting of licences where required. As a result, as at 9 December 2011 the list of individuals and entities subject to restrictive measures in the Island matched the list in use in the UK.
9. On 17 December 2011, the EU added 2 additional names to its list of individuals subject to restrictive measures by means of Council Implementing Regulation (EU) No. 1320/2011. This Regulation was applied in Island law by Order on 27 January 2012.
10. On 12 February 2012, Council Regulation (EU) No. 114/2012 amended Council Regulation (EC) No. 765/2006 to provide for a new Annex IB which would list those natural or legal persons, entities and bodies who have been identified as being responsible for serious violations of human rights or the repression of civil society and democratic opposition in Belarus; or benefiting from or supporting the Lukashenko regime. However, at the time no names were included in the Annex.
11. On 19 June 2012, the European Union (Belarus Sanctions) Order 2012 [SD 474/12] applied in Island law a number of EU instruments concerned with sanctions against Belarus, including Council Regulation (EU) No. 354/2012 of 23 April, revoking and replacing various earlier orders. The new Order also allowed for changes to the lists of those affected by such EU sanctions to have immediate effect in the Island without need for a further application Order. On the same date, the Belarus Sanctions Regulations 2012 [SD 475/12] came into operation and provided for offences, penalties, licences, information powers etc.
12. On 14 December 2012, Council Regulation (EU) No. 1014/2012 was applied in the Island. This application implemented changes made by the EU from 7 November 2012, when it amalgamated the lists of persons and bodies in Annexes I, IA and IB to Regulation (EC) No. 765/2006 into a single Annex I.

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13. On 29 October 2015, the EU suspended its asset freeze and travel ban applying to 170 individuals and 3 entities for 4 months - following the release of all political prisoners on 22 August 2015 and in the context of improving EU-Belarus relations. The sanctions were due to expire (if not renewed) on 31 October 2015, but the EU both renewed them until at least 29 February 2016 and then suspended them in their effect for the 170 individuals and 3 entities.

4 other persons remain subject to sanctions, and the arms embargo was kept in force.

14. On 13 November 2015 the European Union (Belarus Sanctions) (Amendment) Order 2015 [SD 2015/0374] applied in Island law Council Regulation (EU) No 2015/1948 which formally implemented the suspension announced on 29 October 2015. At the same time the Belarus Sanctions (Amendment) Regulations 2015 [SD 2015/0375] were also made.
- 14A. Council Regulation 2017/331/EU of 27 February 2017 had the effect of granting an exemption from the export ban on goods that might be used for internal repression (or their financing, technical assistance etc). The exemption related to rifles, ammunition and sights of specific types intended exclusively for use in biathlon events and training. This Regulation was applied to the Island by means of the European Union (Belarus Sanctions) (Amendment) Order 2017 [SD 2017/0157]; with the Belarus Sanctions Regulations 2012 being amended accordingly at the same time.
- 14B. Council Regulation (EU) 2018/275 of 23 February 2018 allows the export of certain types of small-calibre sporting rifles, pistols and ammunition, exclusively for use in sports events or sports training, or technical assistance or brokering services, financing or financial assistance related to such goods, subject to authorisation by the Treasury.
15. The Treasury or any other person authorised by the Treasury, such as the Financial Intelligence Unit can serve a written notice on anyone to whom the measures apply, requiring them to furnish them with any information in their possession or control, or produce any document in their possession or control, for the purpose of allowing the Treasury to ensure compliance with, or detect evasion of, the sanctions.

Failure to furnish such information or documents without reasonable excuse is an offence. Providing false information is also an offence, as is providing false information for the purposes of obtaining a licence (or failing to comply with any condition of the licence).

16. On 16 March 2018, the European Union (Belarus Sanctions) (Amendment) Order 2018 [SD 2018/0101] applied in Island law Council Regulation (EU) 2018/275.

The Regulation amends Articles 1a and 1b of Regulation (EC) 765/2006 to allow, subject to authorisation by the Treasury a limited number of specific-use sporting rifles and sporting pistols, and the provision of technical assistance or brokering services, financing or financial services related to such goods. The Belarus Sanctions (Amendment) Regulations 2018 [SD 2018/0102] also came into force on the same day.

Amendments to this Notice

17 December 2012	Amended paragraph 12 inserted re use of amalgamated lists in new Annex I to EU Regulation 765/2006.
30 October 2015	New paragraph 13 added re suspension of most EU sanctions with effect from 30 October 2015.
16 November 2015	New paragraph 14 re SD 2015/0374 added.
25 November 2015	New "directions" substituted on page 4; new paragraph 15 inserted.
10 March 2017	Mention of Sanctions Notices 26 and 32 added on page 3.
4 May 2017	New paragraph 14A inserted re the biathlon equipment exemption in EU Regulation 2017/331.
3 August 2017	Amendments made to make clear that not only financial institutions are subject to reporting requirements of the sanctions.
19 March 2018	New paragraph 16 inserted regarding the application of Council Regulation (EU) 2018/275 in Island law.
3 April 2018	Various amendments to make clear that reporting of frozen accounts or breaches of sanctions must be made to the Financial Intelligence Unit. New paragraph 14B inserted re application of Council Regulation (EU) 2018/275 in Island law.
31 May 2018	Privacy Notice added
3 October 2019	Telephone number and references to notices updated.

Isle of Man Customs and Excise website

Amendments to these sanctions will be advised by means of news releases which will be published on the official Isle of Man Government website at <http://www.gov.im/>

The Isle of Man Customs and Excise website will contain details of all current sanctions, news releases and links to the relevant lists

<https://www.gov.im/categories/tax-vat-and-your-money/customs-and-excise/news/>

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