

17 July 2019

## Notice to Financial Services Licence Holders - International Sanctions

The MFSA brings to the attention of all Financial Services License Holders the coming into effect of restrictive measures by virtue of Regulations which have been issued during the period of 1<sup>st</sup> April 2019 to 30<sup>th</sup> June 2019, **by the European Union ("EU") in respect of various regimes as shown hereunder.**

Regulations issued by the EU have direct applicability under the Maltese Law and require no implementation measures. The full text can be viewed at the website of the Official Journal of the EU - <https://eur-lex.europa.eu/>, or on the MFSA website - <https://www.mfsa.com.mt/> - at "International Sanctions".

Additionally, Restrictive measures have also been issued by the United Nations Security Council ("UNSC or the Security Council"), **in particular UNSC Resolutions, as shown hereunder. In Malta,** UNSC Resolutions are implemented and made enforceable by means of Regulations made by the Prime Minister under the National Interest (Enabling Powers) Act, Chapter 356 of the Laws of Malta. The full text of these Resolutions can be viewed at the website of the UNSC <https://www.un.org/securitycouncil/>, or on the MFSA website - <https://www.mfsa.com.mt/> - at "International Sanctions".

### 1. ISIL AND AL-QAIDA

Various Regulations amending *COUNCIL REGULATION (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities **associated with the ISIL (Da'esh) and Al-Qaida** organisations* have been issued amending the list of individuals and entities subject to the freezing of assets as listed hereunder.

Regulations amending Council Regulation (EC) No 881/2002

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/850 of 24 May 2019 amending for the 303rd time Council Regulation \(EC\) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL \(Da'esh\) and Al-Qaida organisations](#)

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/791 of 16 May 2019 amending for the 302nd time Council Regulation \(EC\) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL \(Da'esh\) and Al-Qaida organisations](#)

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/696 of 3 May 2019 amending for the 301st time Council Regulation \(EC\) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL \(Da'esh\) and Al-Qaida organisations](#)

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/663 of 25 April 2019 amending for the 300th time Council Regulation \(EC\) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL \(Da'esh\) and Al-Qaida organisations](#)

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/622 of 17 April 2019 amending for the 299th time Council Regulation \(EC\) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL \(Da'esh\) and Al-Qaida organisations](#)

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/555 of 5 April 2019 amending for the 298th time Council Regulation \(EC\) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL \(Da'esh\) and Al-Qaida organisations](#)

## 2. BURMA/MYANMAR

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/672 of 29 April 2019 implementing Regulation \(EU\) No 401/2013 concerning restrictive measures in respect of Myanmar/Burma](#)

This Regulation amends Annex IV to *Regulation (EU) No 401/2013* by updating information for two (2) listings whilst indicating that gender should be included for all listed persons.

## 3. CENTRAL AFRICAN REPUBLIC

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/757 of 13 May 2019 implementing Article 17\(3\) of Regulation \(EU\) No 224/2014 concerning restrictive measures in view of the situation in the Central African Republic](#)

This Regulation amends Annex I to *Regulation (EU) No 224/2014* by updating the information relating to one (1) person subject to restrictive measures after the United Nations Security Council ("UNSC") **Committee established pursuant to United Nations Security Council Resolution 2127 (2013)**.

## 4. CRIMEA AND SEVASTOPOL

[COUNCIL DECISION \(CFSP\) 2019/1018 of 20 June 2019 amending Decision 2014/386/CFSP concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol](#)

This Council Decision amends *Decision 2014/386/CFSP* by not recognising and continuing to condemn the illegal annexation of Crimea and Sevastopol by the Russian Federation and remain committed to fully implementing its non-recognition policy and renewing the restrictive measures until 23 June 2020 by adopting *Decision 2014/386/CFSP(1)*.

5. IRAN

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/855 of 27 May 2019 implementing Regulation \(EU\) No 267/2012 concerning restrictive measures against Iran](#)

This Regulation amends *Regulation (EU) No 267/2012* by updating seventeen (17) entries included in Annex IX to Regulation (EU) No 267/2012 in accordance with Article 46(7) of Regulation (EU) No 267/2012 after the Council reviewed the list of designated persons and entities set out in Annex IX and Annex XIV to that Regulation.

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/560 of 8 April 2019 implementing Regulation \(EU\) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran](#)

This Regulation amends *Regulation (EU) No 359/2011* by updating entries concerning fifty-one (51) persons and one (1) entity in Annex I to *Regulation (EU) No 359/2011* after the *Council Decision 2011/235/CFSP(2)*.

6. IRAQ

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/1103 of 27 June 2019 amending Council Regulation \(EC\) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq](#)

This Regulation amends Annex III to *Regulation (EC) No 1210/2003* after the Sanctions Committee of the United Nations Security Council decided on 24 June 2019 to remove seventeen (17) entries from the list of persons or entities to whom the freezing of funds and economic resources should apply.

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/808 of 20 May 2019 amending Council Regulation \(EC\) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq](#)

This Regulation amends Annex III to *Regulation (EC) No 1210/2003* by removing four (4) entries from the list of persons or entities to whom the freezing of funds and economic resources should apply following the decision taken by the Sanctions Committee of the United Nations Security Council.

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/596 of 11 April 2019 amending Council Regulation \(EC\) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq](#)

This Regulation amends Annex III to *Regulation (EC) No 1210/2003* by removing thirteen (13) entries from the list of persons or entities to whom the freezing of funds and economic resources should apply following the decision taken by the Sanctions Committee of the United Nations Security Council.

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/567 of 9 April 2019 amending Council Regulation \(EC\) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq](#)

This Regulation amends Annex III to *Regulation (EC) No 1210/2003* by removing nine (9) entries from the list of persons or entities to whom the freezing of funds and economic resources should apply following the decision taken by the Sanctions Committee of the United Nations Security Council.

## 7. LIBYA

*UNSC Resolution:*

S/RES/2473 (2019) - [Resolution 2473 \(2019\) Adopted by the Security Council at its 8540th meeting, on 10 June 2019](#)

In 10 June 2019, the UNSC adopted Resolution 2473 (2019) after deciding *inter alia* to extend the authorisations as set out in *Resolution 2420* for a further twelve (12) months from the date of this resolution.

*EU Regulation:*

[COUNCIL DECISION \(CFSP\) 2019/539 of 1 April 2019 amending Decision \(CFSP\) 2015/1333 concerning restrictive measures in view of the situation in Libya](#)

This Council Decision amends *Decision (CFSP) 2015/1333* by extending the restrictive measures concerning three (3) persons for a further period of six (6) months in view of the continuing instability and the gravity of the situation in Libya.

## 8. REPUBLIC OF THE MALDIVES

[COUNCIL REGULATION \(EU\) 2019/985 of 17 June 2019 repealing Regulation \(EU\) 2018/1001 concerning restrictive measures in view of the situation in the Republic of Maldives;](#)

This Regulation repeals *Regulation (EU) 2018/1001* after the Council adopted *Decision (CFSP) 2019/993*, repealing *Decision (CFSP) 2018/1006* which was given effect by Council *Regulation (EU) 2018/1001(3)*.

## 9. NORTH KOREA (DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA)

*UNSC Resolution:*

S/RES/2464 (2019) - [Resolution 2464 \(2019\) Adopted by the Security Council at its 8507th meeting, on 10 April 2019](#)

The UNSC decided to extend the mandate of the Panel of Experts until 24 April 2020; requests the Panel of Experts to provide a midterm report on its work until 2 August 2019 and further requests the submission of the final report until 6 March 2020; requests the Panel of Experts to provide a planned programme of work no later than thirty days (30) **after the Panel's** reappointment; further expresses its intent to continue to follow the work of the Panel; urges all States, relevant United Nations bodies and other interested parties, to cooperate fully with the Committee established pursuant to resolution 1718 (2006) and decides to remain actively seized of the matter.

*EU Regulation:*

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/1083 of 21 June 2019 amending Council Regulation \(EU\) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea:](#)

This Regulation amends Annex II of Council *Regulation (EU) 2017/1509* by including the goods and technology in parts VI, VII, VIII and IX of Annex II of *Regulation (EU) 2017/1509* and identifying the related categories in Council *Regulation No 428/2009 (7)*. Consequently, Parts I, II, III, IV and V of Annex II are amended to reflect the structure used in parts VI, VII, VIII and IX.

## 10. SOUTH SUDAN

*UNSC Resolution:*

S/RES/2471 (2019) - [Resolution 2471 \(2019\) Adopted by the Security Council at its 8536th meeting, on 30 May 2019](#)

On 30 May 2019, the UNSC adopted Resolution 2471 (2019), recalling its previous resolutions and statements on South Sudan. Acting under Chapter VII of the Charter of the United Nations, the UNSC decided *inter alia* to extend the mandate of Panel of Experts as established by paragraph 18 of Resolution 2206 (2015).

## 11. SYRIA

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2019/798 of 17 May 2019 implementing Regulation \(EU\) No 36/2012 concerning restrictive measures in view of the situation in Syria](#)

This Regulation amends Annex II to *Regulation (EU) No 36/2012* by the deletion of nine (9) entries from the list of designated persons and entities on the basis that the Council stated that

the entries for fifty nine (59) persons subject to restrictive measures as set out in Annex II to *Regulation (EU) No 36/2012* should be amended.

## 12. UKRAINE

[COUNCIL DECISION \(CFSP\) 2019/1108 of 27 June 2019 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#)

This Decision amends *Decision 2014/512/CFSP* until 31 July 2019 after the European Council agreed that the necessary measures would be taken to clearly link the duration of the restrictive measures to the complete implementation of the Minsk agreements. However, after having assessed the implementation of the Minsk agreements, the Council decided to renew this Decision for a further six months in order to further analyse their implementation.

## 13. OTHER

[COUNCIL REGULATION \(EU\) 2019/796 of 17 May 2019 concerning restrictive measures against cyber-attacks threatening the Union or its Member States](#)

On 17 May 2019 the Council adopted *Decision (CFSP) 2019/797* which establishes a framework for targeted restrictive measures to deter and respond to cyber-attacks with a significant effect which constitute an external threat to the Union and its Member States. Persons, entities and bodies subject to the restrictive measures are listed in the Annex to that Decision. For the implementation of this Regulation, and in order to ensure maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources are to be frozen in accordance with this Regulation should be made public. Any processing of personal data should comply with Regulations (EU) 2016/679 (2) and (EU) 2018/1725 (3) of the European Parliament and of the Council.

## LICENSE HOLDERS OBLIGATIONS

The MFSA requires its license holders to take note of all international sanctions as issued from time to time (including new designations of individuals and entities) and to exercise caution and vigilance in order to ensure that they do not in any way support activities, individuals or entities which are subject to sanctions or other restrictive measures. License holders have a legal obligation to comply with international sanctions and to take all the steps as may be required for their immediate implementation. They are therefore required to monitor their business relationships and to verify their records on an on-going basis for any information or transactions known or suspected to be connected or related in any manner whatsoever with designated individuals and entities and to identify and freeze any funds, financial assets and economic resources in accordance with the requirements of the sanctions.

## REPORTING

License holders are also required to report the findings of their verifications to the MFSA and to inform the MFSA of any action taken. In particular, license holders are to report and give all relevant details to the MFSA about any funds, financial assets and economic resources which have been identified to be owned or controlled, directly or indirectly, by the designated individuals and entities and which they have frozen in terms of sanctions.

Information may be sent either by mail to the Director – Financial Crime Compliance, or via e-mail on [enforcement.aml@mfsa.com.mt](mailto:enforcement.aml@mfsa.com.mt).

It is also required that any person who identifies, holds and freezes any such funds, financial assets or economic resources notifies in writing without delay the Sanctions Monitoring Board at the Ministry of Foreign Affairs.

Finally, the MFSA would like to stress that the purpose of this notice is to provide an overview to License Holders of the restrictive measures that have been issued recently by the EU and the UNSC. License Holders should refer to the Official Journal of the European Union and the website of the UNSC for the complete list and any other related information concerning the restrictive measures that have been issued recently by the EU and the UNSC.