

2 December 2020

Notice to Financial Services Licence Holders - International Sanctions

The MFSA brings to the attention of all Financial Services Licence Holders the coming into effect of restrictive measures by virtue of Regulations which have been issued during the period of 01 June to 30 September 2020, by the European Union ("EU") and the United Nations Security Council ("UNSC" or "the Security Council"), in respect of various regimes as shown hereunder.

Regulations issued by the EU and UNSC have direct applicability under the Maltese Law and require no implementation measures. The full texts can be viewed at the Official Journal of the EU, the UNSC or the MFSA's websites through the following links, respectively; <https://eur-lex.europa.eu/>, <https://www.un.org/securitycouncil/>, <https://www.mfsa.com.mt/>.

1. CENTRAL AFRICAN REPUBLIC

[COUNCIL DECISION \(CFSP\) 2020/1312 of 21 September 2020 amending Decision 2013/798/eCFSP concerning restrictive measures against the Central African Republic](#)

This decision updates the Council Decision 2013/798/CFSP which concerns the restrictive measures against the Central African Republic.

[COUNCIL REGULATION \(EU\) 2020/1311 of 21 September 2020 amending Regulation \(EU\) No 224/2014 concerning restrictive measures in view of the situation in the Central African Republic](#)

This regulation updated Regulation (EU) No 224/2014 taken on 10 March 2014. On 21 September 2020, the Council adopted Decision (CFSP) 2020/1312, which amends Decision 2013/798/CFSP in accordance with Resolution 2536 (2020).) Regulation (EU) No 224/2014 should therefore be amended accordingly.

[COUNCIL IMPLEMENTING DECISION \(CFSP\) 2020/1195 of 12 August 2020 implementing Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic](#)

This Decision added one (1) person to the list of persons and entities subject to restrictive measures in Annex 1 to Decision (CFSP) 2013/798.

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2020/1194 of 12 August 2020 implementing Article 17\(1\) of Regulation \(EU\) No 224/2014 concerning restrictive measures in view of the situation in the Central African Republic](#)

This Regulation added one (1) person to the list of persons and entities subject to restrictive measures in Annex 1 to Regulation (EU) No 224/2014.

[COUNCIL IMPLEMENTING DECISION \(CFSP\) 2020/1172 of 7 August 2020 implementing Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic](#)

This Decision updates the information relating to six (6) persons subject to restrictive measures in Decision (CFSP) 2017/798.

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2020/1171 of 7 August 2020 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 updates the information relating to six (6) persons subject to restrictive measures in Regulation (EU) No 224/2014.

S/RES/2536 – [Resolution 2536 \(2020\) Adopted by the Security Council at its 8750th meeting, on 28 July 2020](#) (Dated 28 July 2020)

The resolution welcomed the commitment demonstrated and the progress made by the CAR authorities, along with their international partners, to achieve the key benchmarks for the review of the arms embargo measures, through inter alia suspension or progressive lifting of these measures, established in the statement of its President of 9 April 2019 (S/PRST/2019/3) and taking note of the letter of the CAR authorities addressed to the President of the Security Council (S/2020/57). It stresses the importance of the CAR authorities achieving the key benchmarks in order to contribute to the advancement of the SSR process, the disarmament, demobilisation, reintegration and repatriation (DDRR) process and necessary weapons and ammunition management reforms and encouraging the CAR authorities to maintain their efforts and continue their progress in this regard.

2. DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (DPRK)

[COUNCIL DECISION \(CFSP\) 2020/1136 of 30 July 2020 amending Decision \(CFSP\) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea](#)

The decision updates Decision (CFSP) 2016/849 which concerns restrictive measures against the Democratic People's Republic of Korea. It further states that the statement of reasons for nineteen persons and the identifying information of five persons and two entities should be updated and that the gender of all natural persons listed in Annex II should be included in the identifying information.

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2020/1129 of 30 July 2020 implementing Regulation \(EU\) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea](#)

The regulation maintains the restrictive measures against all persons and entities in the lists set out in Annexes XV and XVI and updates the statement of reasons for nineteen persons and the identifying information of five persons and two entities and that the gender of all natural persons listed in Annex XV should be included in the identifying information.

3. ISIL DA'ESH & AL QAIDA

[COMMISSION IMPLEMENTING REGULATION \(EU\) 2020/1297 of 17 September 2020 amending for the 316th 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](#)

The regulation updates Annex I to Regulation (EC) No 881/2002 which lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation. It also amends 11 entries in the list of persons, groups and entities to whom the freezing of funds and economic resources should apply.

[COUNCIL DECISION \(CFSP\) 2020/1126 of 30 July 2020 amending Decision \(CFSP\) 2016/1693 concerning restrictive measures against ISIL \(Da'esh\) and AlQaeda and persons, groups, undertakings and entities associated with them](#)

This decision maintains Decision (CFSP) 2016/1693 and adds one person to the list of persons, groups, undertakings and entities set out in the Annex to the decision.

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2020/1124 of 30 July 2020 implementing Regulation \(EU\) 2016/1686 imposing additional restrictive measures directed against ISIL \(Da'esh\) and Al-Qaeda and natural and legal persons, entities or bodies associated with them](#)

This regulation maintains Regulation 2016/1686 and adds one person to the list of natural and legal persons, entities or bodies set out in Annex I.

4. LIBYA

[COUNCIL IMPLEMENTING DECISION \(CFSP\) 2020/1310 of 21 September 2020 implementing Decision \(CFSP\) 2015/1333 concerning restrictive measures in view of the situation in Libya](#)

This decision updates Decision (CFSP) 2015/1333 by adding two persons responsible for human rights abuses and three entities involved in violating the UN arms embargo to the list of persons and entities subject to restrictive measures as set out in Annexes II and IV.

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2020/1309 of 21 September 2020 implementing Article 21\(2\) of Regulation \(EU\) 2016/44 concerning restrictive measures in view of the situation in Libya](#)

This regulation updates Regulation (EU) 2016/44 by adding two persons responsible for human rights abuses and three entities involved in violating the UN arms embargo, to the list of persons and entities subject to restrictive measures as set out in Annex III.

[COUNCIL IMPLEMENTING DECISION \(CFSP\) 2020/1137 of 30 July 2020 implementing Decision \(CFSP\) 2015/1333 concerning restrictive measures in view of the situation in Libya](#)

This decision maintains the measures against all persons and entities in the list set up in Annexes II and IV to the Decision (CFSP) 2015/1333 and the identifying information for one (1) person should be updated.

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2020/1130 of 30 July 2020 implementing Article 21\(2\) of Regulation \(EU\) 2016/44 concerning restrictive measures in view of the situation in Libya](#)

This regulation maintains the measures against all persons and entities in the list set out in Annex III to Regulation (EU) 2016/44 and the identifying information for one (1) person should be updated.

5. MALI

S/RES/2541 - [Resolution 2541 \(2020\) Adopted by the Security Council on 31 August 2020](#) (Dated 31 August 2020)

This Resolution renewed the measures set out in paragraphs 1 to 7 of Resolution 2374 (2017) until 31 August 2021 and extended the mandate of the Panel of Experts until 30 September 2021 as set out in paragraphs 11 to 15 of Resolution 2371 (2017).

6. UKRAINE

[COUNCIL DECISION \(CFSP\) 2020/1269 of 10 September 2020 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine](#)

This decision renews the measures provided for in Decision 2014/145/CFSP for a further six (6) months and amends the information concerning 41 individuals and 28 entities.

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2020/1267 of 10 September 2020 implementing Regulation \(EU\) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine](#)

This regulation renews the measures provided in Regulation (EU) No 269/2014 and amends the information concerning 41 individuals and 28 entities in Annex I.

7. GENERAL

[COUNCIL IMPLEMENTING REGULATION \(EU\) 2020/1128 of 30 July 2020 implementing Article 2\(3\) of Regulation \(EC\) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, and repealing Implementing Regulation \(EU\) 2020/19](#)

The Council adopted Implementing Regulation (EU) 2020/19 which implements Article 2(3) of Regulation (EC) No 2580/2001, establishing an updated list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies ('the list').

[COUNCIL DECISION \(CFSP\) 2020/1132 of 30 July 2020 updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism, and repealing Decision \(CFSP\) 2020/20](#)

This decision maintains Common Position 2001/931/CFSP and updates the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP.

LICENCE HOLDERS OBLIGATIONS

The MFSA requires its licence 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. Licence 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

Licence 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, licence 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 Head – Financial Crime Compliance, or via e-mail on FCC@mfsa.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 Licence Holders of the restrictive measures that have been issued recently by the EU and the UNSC. Licence 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.