

INTERNATIONAL SANCTIONS AUGUST 2021

I. EUROPEAN UNION

LEBANON

- On August 02, 2021, Council Decision (CFSP) 2021/1277 concerning restrictive measures in view of the situation in Lebanon was published in the Official Journal of the European Union. In its first article, the Decision states that, "*[M]ember States shall take the necessary measures to prevent the entry into, or transit through, their territories of (a) natural persons responsible for - and associated with - undermining democracy or the rule of law in Lebanon by any of the following actions: obstructing or undermining the democratic political process (obstructing the formation of government or the holding of elections), obstructing or undermining the implementation of plans approved by Lebanese authorities and endorsed by relevant international actors and/or committing serious financial violations*".

In addition, Article 2 freezes "*[A]ll funds and economic resources owned or controlled by: (a) natural persons responsible for - and associated with - undermining democracy or the rule of law in Lebanon by any of the following actions: obstructing or undermining the democratic political process (obstructing the formation of government or holding elections), obstructing or undermining the implementation of plans approved by Lebanese authorities and endorsed by relevant international actors and/or committing serious financial violations*".

NICARAGUA

- On 02 August 2021, Council Decision (CFSP) 2021/1278 amending Decision (CFSP) 2019/1720¹ concerning restrictive measures in view of the situation in Nicaragua inherent to "*[T]he actions of the Nicaraguan authorities against opposition parties, media, journalists and other media workers and human rights defenders, as well as against civil society, in particular by systematically arresting and detaining potential presidential candidates and opposition leaders*", media, journalists and other media

¹ Consejo de la Unión Europea, 14 de octubre de 2019. Decisión (PESC) 2019/1720 del Consejo relativa a medidas restrictivas habida cuenta de la situación en Nicaragua. <https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:32019D1720&from=EN>

workers and human rights defenders, as well as against civil society, in particular through the systematic arrest and detention of potential presidential candidates and opposition leaders".

Eight (8) natural persons listed in the Annex to Decision (CFSP) 2019/1720 are added to the list for, "*[T]he repression exercised against civil society and the democratic opposition, and for undermining democracy and the rule of law in Nicaragua.*"

GUINEA

- On 05 August 2021, *Council Decision (CFSP) 2021/1305 amending Decision 2010/638/CFSP*² concerning restrictive measures against the Republic of Guinea was published in the Official Journal of the European Union. The Annex to Decision 2010/638/CFSP is amended in accordance with the Annex to this Decision, the position of five (5) natural persons under the heading "*List of persons referred to in Articles 3 and 4*" is amended.

² Consejo de la Unión Europea, 26 de octubre de 2010. Decisión 2010/638/PESC Del Consejo de 25 de octubre de 2010 relativa a la adopción de medidas restrictivas contra la República de Guinea. <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:280:0010:0017:ES:PDF>

II. UNITED STATES

ANTITERRORISM

- On August 08, 2021, the OFAC, pursuant to the SDGT and *Executive Order 13224*, has added to the SDN List one (1) natural person of Kenyan nationality "*[A]s a facilitator and operations planner. As of November 2019, this individual was a senior Al Shabaab leader and served as the head of operations and logistics. This individual had also led the planning of previous attacks for al-Shabaab.*"
- On August 08, 2021, the OFAC, pursuant to the SDGT and *Executive Order 13224*, has added to the SDN List one (1) natural person of Mauritanian nationality, "*[B]elonging to the Jama'at Nasr al-Islam wal Muslimin (JNIM) and being a senior leader and emir of Arbinda and Serma in the Mopti region of Mali. This person is also in charge of JNIM supervision in Burkina Faso and is an explosives expert and instructor.*"
- On August 08, 2021, the OFAC, pursuant to the SDGT and *Executive Order 13224*, has added to the SDN List one (1) natural person of Malian nationality for, "*[B]eing a senior leader and commander responsible for the Kidal region of Mali within JNIM. This person was part of the group responsible for the January 20, 2019, attack on the MINUSMA base in Aguelhoc, Kidal region of Mali. He was also responsible for the hostages in the Kidal region.*"
- On August 08, 2021, OFAC, pursuant to the SDGT and *Executive Order 13224*, has added to the SDN List one (1) natural person of Mozambican nationality, "*[F]or leading the military and foreign affairs departments of ISIS-Mozambique and acts as the lead commander and coordinator for all attacks conducted by the group in northern Mozambique, as well as the lead facilitator and communications conduit for the group. During the March 2021 Palma attack, he led one group of fighters while the leader of ISIS-Mozambique, led another group of fighters. This individual also led the Amarula hotel bombing in Palma. This person has been responsible for attacks in Cabo Delgado province (Mozambique) and in the Mtwara region (Tanzania).*"
- On August 08, 2021, the OFAC, pursuant to the SDGT and *Executive Order 13224*, has added to the SDN List one (1) natural person of Somali nationality "*[B]eing the spokesperson for Al Shabaab and a senior leader of the group [...] Rage has been involved in planning attacks that have targeted areas in Kenya and Somalia.*"

Among other consequences, "*[A]ll assets and interests in assets of these individuals must be blocked and reported to the Treasury Department's Office of Foreign Assets*

*Control (OFAC). In addition, persons who engage in certain transactions with the persons designated today may themselves be subject to designation. In addition, any foreign financial institution that knowingly facilitates a significant financial transaction or provides significant financial services to designated persons could be subject to U.S. correspondent or payable-through account sanctions”.*³

BELARUS

- On August 09, 2021, the OFAC, pursuant to *Executive Order 13405*, as well as the August 09, 2021, Executive Order Blocking Property of Other Persons Contributing to the Situation in Belarus⁴, has added twenty-three (23) natural persons and twenty-one (21) legal persons to the SDN list. *“[T]he designated individuals are involved in the ongoing violent repression of peaceful protests; they are connected to the Ryanair incident of May 23, 2021; they are either benefiting from the Belarusian regime or sustaining it at the expense of the Belarusian people. This is the latest move by OFAC, in coordination with its transatlantic partners since last year’s fraudulent elections to demonstrate international unity against the repression of the Belarusian regime and in support of the democratic aspirations of the Belarusian people. Today’s action represents the largest tranche of Belarus-related designations imposed by OFAC to date.”*

All property and interests in property of the persons described above that are in the United States or in the possession or control of U.S. persons are blocked and must be reported to the OFAC.

CUBA

- On August 13, 2021, the OFAC, pursuant to GLOMAG and *Executive Order 13818*, has added two (2) natural persons and one (1) Cuban legal person to the SDN List, *“[T]he Treasury Department will continue to designate those who enable the Cuban government to perpetuate human rights abuses against peaceful protesters.”*

³ Antony J. Blinken, Secretario de Estado, Comunicado de Prensa. 6 de agosto de 2021. [Designaciones de líderes de ISIS-Mozambique, JNIM y al-Shabaab.](https://www.state.gov/designations-of-isis-mozambique-jnim-and-al-shabaab-leaders/) <https://www.state.gov/designations-of-isis-mozambique-jnim-and-al-shabaab-leaders/>

⁴ Joseph R. Biden Jr. 09 de agosto de 2021 [Orden Ejecutiva sobre el bloqueo de Propiedad de otras personas que contribuyen a la situación en Bielorrusia.](https://home.treasury.gov/system/files/126/20210809_belarus_eo.pdf) https://home.treasury.gov/system/files/126/20210809_belarus_eo.pdf

On August 19, 2021, the OFAC, pursuant to GLOMAG and *Executive Order 13818*, has added three (3) Cuban natural persons to the SDN List, "*[T]he Treasury Department will continue to hold accountable those who enable the Cuban government to perpetuate human rights abuse,*" said *Office of Foreign Assets Control Director Andrea M. Gacki*. "*Today's action exposes others responsible for suppressing the Cuban people's calls for freedom and respect for human rights.*"

This sanction means that all assets and interests in assets of these individuals are blocked in accordance with the Cuban Assets Control Regulations, 31 C.F.R. part 515 (CACR). The CACR prohibits persons subject to U.S. jurisdiction from dealing in property in which Cuba or a Cuban national has an interest, unless authorized or exempt.

In addition, in accordance with the Magnitsky Comprehensive Sanctions Regulations, 31 C.F.R. Part 583, all property in which Cuba or a Cuban national has an interest is blocked. part 583, all property and interests in property of the above persons that are in the United States or in the possession or control of U.S. persons are blocked, and all transactions by U.S. persons or within (or in transit through) the United States involving property or interests in property of designated or otherwise blocked persons are prohibited, unless authorized by a general or specific license issued by OFAC, or otherwise exempted. These prohibitions include the making of any contribution or provision of funds, goods, or services by or for the benefit of any blocked person, or the receipt of any contribution or provision of funds, goods, or services from or for the benefit of any such person.

IRAN

- On August 13, 2021, the OFAC, pursuant to *Executive Order 13224*, has added to the SDN List one (1) Iranian natural person, one (1) Liberian legal person, one (1) Omani legal person, one (1) Romanian legal person, and one (1) Liberian vessel, "*[T]he IRGC-QF is using proceeds from its sales of Iranian oil to fund its malign activities at the expense of the Iranian people[. ..] These sales rely on key foreign intermediaries to conceal the IRGC-QF's involvement, and Treasury will continue to disrupt and expose anyone who supports these efforts.*"

These designations mean that, "*[A]ll assets and interests in assets subject to U.S. jurisdiction of designated persons are blocked, and U.S. persons are generally prohibited from transacting with designated persons or their blocked assets. In*

addition, foreign financial institutions that knowingly facilitate significant transactions for the designated persons today, or persons who provide material or other support to them, risk exposure to sanctions that could cut off their access to the U.S. financial system or block their property or interests in property subject to U.S. jurisdiction."

RUSSIA

- On August 23, 2021, the OFAC, pursuant to *Executive Order 14024*, has added to the SDN List nine (9) Russian natural persons, seven (7) Russian legal persons, and thirteen (13) Russian vessels, "*[I]n response to the state-sponsored poisoning of Russian opposition leader Aleksey Navalny that took place one year ago today.*"

All property and interests in property of the persons described above that are in the United States or in the possession or control of U.S. persons are blocked and must be reported to the OFAC.

ERITREA

- On August 23, 2021, the OFAC, pursuant to *Executive Order 13818*, has added to the SDN List one (1) Eritrean natural person for, "*[F]or being a leader or official of an entity that is engaged in serious human rights abuse committed during the ongoing conflict in Tigray*".

All property and interests in property of the persons described above that are in the United States or in the possession or control of U.S. persons are blocked and must be reported to the OFAC.

PARAGUAY

- On August 24, 2021, the OFAC, pursuant to *Executive Order 13818*, has added to the SDN list three (2) individuals of Paraguayan nationality, one (1) Brazilian nationality, and five (5) entities of Paraguayan nationality for, "*[T]heir roles in corruption in Paraguay, as well as five associated entities related to their corruption schemes.*"

All assets and interests in assets of the aforementioned person that are in the United States or in the possession or control of U.S. persons are blocked and must be reported to OFAC.

U.S.-CUBA TRADE AND ECONOMIC COUNCIL, INC.

- Dated August 19, 2021, in Cuba. **Cuba Adopting LLC Structure For The Re-Emerging Private Sector Is A Message To Biden- Harris Administration- Even If That Was Not [Primary] Intention. Providing Familiarity For U.S. Sources Of MSME Investment And Financing.**

For companies, investment platforms, and individuals subject to United States jurisdiction, the 175-pages published in the Gaceta Oficial by the Ministry of Justice of the Republic of Cuba on 19 August 2021 were profound in that by their existence they conveyed deficiencies and provided opportunities within the commercial environment of the Republic of Cuba.

Most striking in the 175-pages were the letters in Chapter II, Constitution of MPIYMES [micro, small, and medium-sized enterprises], Section On, Generalities:

- **Article 11.** MIPYMES are constituted as commercial companies, which adopt the form of a limited liability company, hereinafter SRL, by deed public, which is registered in the Mercantile Registry and with its registration acquire personality legal.
- **Article 12.** The form of LLC implies the existence of a commercial company, with own legal personality, whose capital is divided into social shares and is composed of the contributions of all the partners, who do not respond personally of social debts.
- **Article 13.** MIPYMES can be made up of one or more partners.
- **Article 14.1.** The name of the MSMEs necessarily includes the indication "Limited Liability Company" or its abbreviation "S.R.L."

The last ninety days for the Republic of Cuba have, from a commercial perspective, been astonishing in swiftness and depth. Some of what has been approved:

- Duties and fees eliminated on certain imports.
- Regulation of cryptocurrency.
- Postal service to provide financial services.
- Financing for purchases.
- Private sector increases access to suppliers, foreign currency.
- Suspension of tariffs and fees for residential solar systems.
- Regulations for micro, small, and medium-size enterprises.

- Adoption of the LLC as an ownership format

Since 1 January 2021, the government of the Republic of Cuba merged its two operational currencies, the Convertible Peso (**CUC- 1 to US\$1.00**) and the Cuban Peso (**CUP- 24 to US\$1.00**) leaving the CUP. The CUP remains overvalued ("street" value is 60-70 to US\$1.00). Further official devaluation is expected perhaps by the end of 2021. There has been decentralization within the commercial sectors, though there remain opportunities for additional changes. Expanded use by private companies of Republic of Cuba government-operated Fincimex-created American International Services (**AIS**) card cards issued by Republic of Cuba government-operated Banco Metropolitano. Expanded use of *Moneda Librementa Convertible (MLC)* for transactions. Republic of Cuba government-operated companies and private sector companies may retain from 80% to 100% of revenues from exports.

III. UNITED KINGDOM

BELARUS

- On 09 August 2021 the UK Government, under The Republic Of Belarus (Sanctions) (EU Exit) Regulations 2019 has added to the UK Sanctions List ("UKSL List") one (1) Russian-Cypriot natural person for being, *"[O]ne of the leading private investors in Belarus and a former associate of Alexander Lukashenko, responsible for serious human rights violations, repression of civil society and democratic opposition in Belarus. This individual has provided support to the Government of Belarus, including by using his business interests."*

RUSSIA

- On August 20, 2021, the British Government, under The Chemical Weapons (Sanctions) (EU Exit) Regulations 2019 has added to the UK Sanctions List ("UKSL List") seven (7) natural persons of Russian nationality. *"[R]ussia had the motive and opportunity to carry out the attack. Navalny is a senior Russian opposition politician who has vehemently criticized the Russian administration and establishment. At the time of the attack, he was on Russian territory under the surveillance of the Federal Security Service of the Russian Federation."*

In Madrid, on August 31st, 2021
International Trade and Sanctions Department
Lupicinio International Law Firm