

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Wednesday, 23 March 2022 4:00 PM
To: s 22(1)(a)(ii)
Cc: s 22(1)(a)(ii)
Subject: Review of Individuals who Attended Meeting with Putin on 24 Feb - For Consideration for Inclusion in Future Tranches [REDACTED]
Attachments: Oligarch Listing.docx

Hi s 22(1)(a)

I have worked through the listing provided by Post of the prominent Russian businessmen/oligarchs who met Putin on 24 February (day of the invasion).

The attached document summarises:

- whether we have already sanctioned them (or they are in our forward plan); and
- Whether like-minded have sanctioned them (UK, EU, US, Canada) – noting that where we have already sanctioned them I have not included the approach of like-minded.

I have highlighted in yellow those individuals that we have **not** sanctioned or are not in our forward plan. I imagine these would be worth consideration for inclusion in the forward plan (s 33(a)(iii), s 47C(1)

– noting that s 22(1)(a)(ii) raised with me that he included these in our plan but has not received formal approval for this tranche). Happy to discuss or take forward.

Thanks also to s 22(1)(a)(ii) for his assistance with this!

Kind regards,

s 22(1)(a)(ii)

Policy Graduate | Ukraine Taskforce
 Europe and Latin America Division
 Department of Foreign Affairs and Trade

Phone | s 22(1)(a)(ii)
 Email | s 22(1)(a)(ii) @dfat.gov.au
www.dfat.gov.au

Name	Sanctioned by Aus?	Like-Minded				Bio
		UK	EU	US	Canada	

s 22(1)(a)(ii)

Dmitry Mazepin	No – s 33(a)(iii), s 47C(1)	Yes (15/03/22) ²⁸	Yes (09/03/22) ²⁹	No	No	General Director of Uralkhim. Note: Aus has not sanctioned Uralkhim.
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s 22(1)(a)(ii)

s 22(1)(a)(ii)

²⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1061757/Russia.pdf

²⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022R0396&from=EN>

s 22(1)(a)(ii)

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Thursday, 24 March 2022 2:01 PM
To: s 22(1)(a)(ii)
Subject: s 33(a)(iii), s 47E(d)
Attachments:



Just for ease of reference if we need it.

- Y = already sanctioned
- Y = in our list for 31 April

s 22(1)(a)(ii)

Policy Graduate | Ukraine Taskforce
Europe and Latin America Division
Department of Foreign Affairs and Trade

Phone | s 22(1)(a)(ii)
Email | s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)
www.dfat.gov.au

s 33(b)

Individuals

- **14 oligarchs** (and their close family members) who are involved in key economic sectors providing revenue to the Russian Federation. s 22(1)(a)(ii), s 47E(d)

s 22(1)(a)(ii)

We will cable this later today – providing here in the interim

Best

s 22(1)(a)(ii)

Third Secretary

Australian Embassy to Belgium and Luxembourg
and Mission to the European Union and NATO
Level 7, Avenue des Arts 56, 1000 Brussels, Belgium

T s 22(1)(a)(ii) | M s 22(1)(a)(ii)



s 22(1)(a)(ii)

Dmitry Arkadievich MAZEPIN (Дмитрий
Аркадьевич МАЗЕПИН)

DOB: 18.04.1968

POB: Minsk, Byelorussian SSR, Soviet Union

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Thursday, 21 April 2022 10:34 AM
To: s 22(1)(a)(ii)
Subject: FW: Various sanctions queries [REDACTED]
Attachments: s 33(a)(iii)

FOI

From: Rachel Moseley <Rachel.Moseley@dfat.gov.au>
Sent: Monday, 4 April 2022 9:49 PM
To: s 22(1)(a)(ii) @dfat.gov.au>
Cc: Lynette Wood <Lynette.Wood@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; Ben Playle <Ben.Playle@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: Various sanctions queries [REDACTED]

Hi s 22(1)(a)(ii)

Here are responses to your recent questions on various sanctions issues.

1. Oligarchs/officials mega submission

- To be provided to FMO **Tuesday 5 April – by 9.30am**
- It will include approx. 60 persons:
 - Oligarchs, including s 22(1)(a)(ii)
 - s 22(1)(a)(ii)

s 22(1)(a)(ii)

SENSITIVE BUT UNCLASSIFIED

s 22(1)(a)(ii)

Original
s 22(1)(a)(ii)

Deputy Minister

Min 22

Min 22

Owner and CEO of Unishum

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Thursday, 24 March 2022 7:31 PM
To: s 22(1)(a)(ii)
Cc: s 22(1)(a)(ii) ; Rachel Moseley
Subject: Sanctions on Russian Oligarchs - s 47E(d), s 33(a)(iii)
Attachments: Russian Oligarchs - 31 March.docx

Dear s 22(1)(a)(ii)

We are preparing a further tranche of sanctions on Russian oligarchs, scheduled for submission to the FMO next Thursday 31 March.

We've identified some missing biodata and other information/questions pertaining to a number of these oligarchs, highlighted in orange in the **attached** document.

s 47E(d), s 33(a)(iii)

If you could revert by **OOB Tuesday 29 March (Canberra time)**, we'd be very appreciative.

Kind regards

s 22(1)(a)(ii)

Ukraine Taskforce
 Europe and Latin American Division
 Department of Foreign Affairs and Trade
 Phones s 22(1)(a)(ii) | Mobile s 22(1)(a)(ii)
www.dfat.gov.au
[Web](#) | [Twitter](#) | [YouTube](#) | [Flickr](#)

PROTECTED

Name	P.O.B. / Citizenship	D.O.B.	Info	UK	US	EU	CAN	NZ
------	-------------------------	--------	------	----	----	----	-----	----

s 22(1)(a)(ii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)	25. Dmitriy Arkadievich MAZEPIN	Minsk, Belarus	18 Apr 1968	Owner of mineral fertilizer company Uralchem	Y		Y		
----------------	---------------------------------	----------------	-------------	---	---	--	---	--	--

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Thursday, 24 March 2022 7:32 PM
To: s 22(1) k@dfat.gov.au
Cc: s 22(1)(a)(ii) ; Rachel Moseley; s 22(1)(a)(ii)
 @dfat.gov.au
Subject: Sanctions on Russian Oligarchs -s 33(a)(iii), s 47E(d)
 [REDACTED]
Attachments: Russian Oligarchs - 31 March.docx

s 22(1)(a)(ii)
 Dear

We are preparing a further tranche of sanctions on Russian oligarchs, scheduled for submission to the FMO next Thursday 31 March.

We've identified some missing biodata and other information/questions pertaining to a number of these oligarchs, highlighted in orange in the **attached** document.

s 33(a)(iii), s 47E(d)

If you could revert by **OOB Tuesday 29 March (Canberra time)**, we'd be very appreciative.

Kind regards

s 22(1)(a)(ii)

Ukraine Taskforce
 Europe and Latin American Division
 Department of Foreign Affairs and Trade
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[Web](#) | [Twitter](#) | [YouTube](#) | [Flickr](#)

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Thursday, 24 March 2022 7:35 PM
To: s 22(1)(a)(ii) s@dfat.gov.au
Cc: s 22(1)(a)(ii); Rachel Moseley; s 22(1)(a)(ii)
Subject: Sanctions on Russian Oligarchs - s 33(a)(iii), s 47E(d) [REDACTED]
Attachments: Russian Oligarchs - 31 March.docx

Dear s 22(1)(a)(ii)

We are preparing a further tranche of sanctions on Russian oligarchs, scheduled for submission to the FMO next Thursday 31 March.

We've identified some missing biodata and other information/questions pertaining to a number of these oligarchs, highlighted in orange in the **attached** document.

s 33(a)(iii), s 47E(d)

If you could revert by **OOB Tuesday 29 March (Canberra time)**, we'd be very appreciative.

Kind regards

s 22(1)(a)(ii)

Ukraine Taskforce
 Europe and Latin American Division
 Department of Foreign Affairs and Trade
 Phone s 22(1)(a)(ii) | Mobile s 22(1)(a)(ii)
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[Web](#) | [Twitter](#) | [YouTube](#) | [Flickr](#)

[REDACTED]

Submission Date	Tranche	Person / Entity Name	Reg	Proposed Criteria		UK	US	EU	CAN
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s 22(1)(a)(ii)

Submission Date	Tranche	Person / Entity Name	Reg	Proposed Criteria		UK	US	EU	CAN
s 22(1)(a)(ii)	Russian elites, proxies and oligarchs – s 33(a)(iii), s 47E(d)	s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
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		s 22(1)(a)(ii)							
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		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
s 22(1)(a)(ii)	Russian elites, proxies and oligarchs – s 33(a)(iii), s 47E(d)	6. Dmitry MAZEPIN	6a	Economic or strategic significance		Y		Y	
		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
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		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							
		s 22(1)(a)(ii)							

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Friday, 2 August 2024 3:15 PM
To: s 22(1)(a)(ii)
Subject: FW: Sanctions: oligarchs and officials package [REDACTED]
Attachments: s 22(1)(a)(ii) - final cleared.docx; A - Statements of Case.docx; B - Legislative Instrument - 67 Russian Officials - FINAL.docx; C - Explanatory Statement - 67 Russian Officials - FINAL.docx

[REDACTED]

s 22(1)(a)(ii)

Assistant Director | Russia Section
 Eastern and South-East Europe Branch | Europe Division
 T +s 22(1)(a)(ii) | M s 22(1)(a)(ii) | E s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)

From: s 22(1)(a)(ii)
Sent: Tuesday, April 5, 2022 10:55 AM
To: s 22(1)(a)(ii)
Cc: s 22(1)(a)(ii); Sonya Koppe
Subject: FW: Sanctions: oligarchs and officials package [REDACTED]

[REDACTED]

Done! Thanks for all your work bringing this together.

s 22(1)(a)(ii)
 Assistant Director | Ukraine Taskforce | DFAT
 t: s 22(1)(a)(ii) | m: +s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Tuesday, 5 April 2022 10:53 AM
To: s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)
Cc: s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au); Ben Playle <Ben.Playle@dfat.gov.au>; s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au); s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au); Lynette Wood <Lynette.Wood@dfat.gov.au>
Subject: Sanctions: oligarchs and officials package [REDACTED]

[REDACTED]

Hi s 22(1)(a)

Please see attached a Minsub package to be submitted shortly in PDMS, proposing the listing of 67 oligarchs, officials and others.

A package of media products will follow shortly.

Please let us know if you have any questions.

Kind regards,

s 22(1)(a)

....

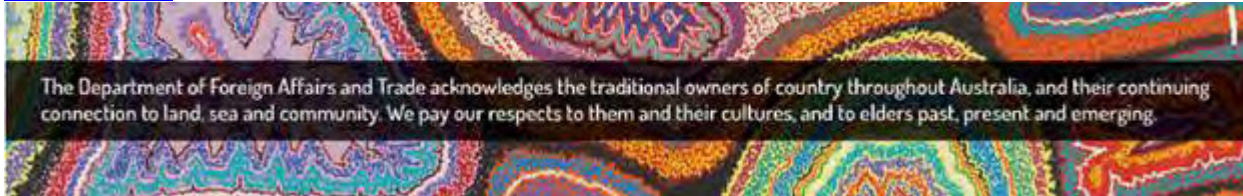
s 22(1)(a)(ii)

Assistant Director | Ukraine Taskforce
Department of Foreign Affairs and Trade, Australia

t: +s 22(1)(a)(ii)

m: s 22(1)(a)(ii)

www.dfat.gov.au



s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Friday, 2 August 2024 3:16 PM
To: s 22(1)(a)(ii)
Subject: FW: Sanctions: oligarchs and officials package [REDACTED]
Attachments: B - Legislative Instrument - 67 Russian Officials - FINAL (2).docx

[REDACTED]

s 22(1)(a)(ii)

Assistant Director | Russia Section
 Eastern and South-East Europe Branch | Europe Division
T s 22(1)(a)(ii) | **M** s 22(1)(a)(ii) | **E** s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)

From: s 22(1)(a)(ii)
Sent: Tuesday, April 5, 2022 3:58 PM
To: s 22(1)(a)(ii)
Subject: FW: Sanctions: oligarchs and officials package [REDACTED]

[REDACTED]

FYI. Hope this is right!

s 22(1)(a)(ii)
 Assistant Director | Ukraine Taskforce | DFAT
 t: s 22(1)(a)(ii) | m: s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Tuesday, 5 April 2022 3:55 PM
To: s 22(1)(a)(ii) Hunt@dfat.gov.au>
Cc: s 22(1)(a)(ii) [s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>; s 22(1)(a)(ii) [s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>; s 22(1)(a)(ii) [s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>
Subject: FW: Sanctions: oligarchs and officials package [REDACTED]

[REDACTED]

Hi s 22(1)(a)

Here are lines as discussed with rational for whether we put certain individuals under item 6A or 9:

- Some of the individuals proposed for listing would meet the listing criteria under both our Ukraine and Russia regimes.
- For these individuals, we made a determination on a case by case basis as to whether they should be proposed for listing under item 6A or 9 in the table. This was based on a range of factors, including: whether they have interests in Crimea, what regime likeminded partners listed them under, and whether they are particularly prominent (including as senior officials).
- s 22(1)(a)(ii)

We have also checked the instrument and found no other errors in the descriptions, s 22(1)(a)(ii)
– revised instrument attached.

Kind regards

s 22(1)(a)

s 22(1)(a)(ii)

Assistant Director | Ukraine Taskforce | DFAT

t: +s 22(1)(a)(ii) | m: s 22(1)(a)(ii)

From: s 22(1)(a)(ii)

Sent: Tuesday, 5 April 2022 10:53 AM

To: s 22(1)(a)(ii) <@dfat.gov.au>

Cc: s 22(1)(a)(ii) <@dfat.gov.au>; Ben Playle <Ben.Playle@dfat.gov.au>; s 22(1)(a)(ii) <@dfat.gov.au>; s 22(1)(a)(ii) <@dfat.gov.au>; Lynette Wood

<Lynette.Wood@dfat.gov.au>

Subject: Sanctions: oligarchs and officials package [REDACTED]

Hi s 22(1)(a)

Please see attached a Minsub package to be submitted shortly in PDMS, proposing the listing of 67 oligarchs, officials and others.

A package of media products will follow shortly.

Please let us know if you have any questions.

Kind regards,

s 22(1)(a)

s 22(1)(a)(ii)

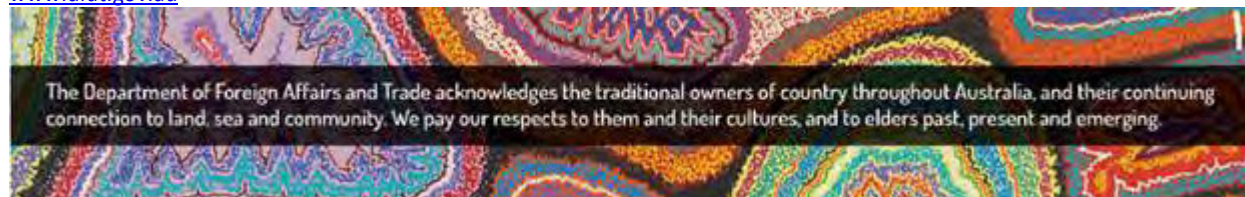
Assistant Director | Ukraine Taskforce

Department of Foreign Affairs and Trade, Australia

t: +s 22(1)(a)(ii)

m: +s 22(1)(a)(ii)

www.dfat.gov.au



s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Thursday, 24 March 2022 9:28 AM
To: s 22(1)(a)(ii)
Cc: s 22(1)(a)(ii) Sonya Koppe; s 22(1)(a)(ii)
Subject: Listing - Individuals who Attended Meeting with Putin on 24 Feb [REDACTED]
Attachments: Oligarch Listing - Clean.docx; Oligarch Listing - Further Detail.docx

Hi s 22(1)(a)(ii) ,

s 33(a)(iii), s 33(b)

Attachment 1:

Clean version of the listing with names and role.

Attachment 2:

To provide some further context and background, this attachment summarises:

- whether we have already sanctioned the individuals (or they are in our forward plan); and
- whether like-minded have sanctioned them (UK, EU, US, Canada) – noting that where we have already sanctioned the individual I have not included the approach of like-minded.

s 22(1)(a)(ii)

s 33(a)(iii), s 47E(d)

. Thanks.

Kind regards,

s 22(1)(a)(ii)

Policy Graduate | Ukraine Taskforce
 Europe and Latin America Division
 Department of Foreign Affairs and Trade

Phone | s 22(1)(a)(ii)

Email | s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)www.dfat.gov.au

Name	Bio
s 22(1)(a)(ii)	

Name	Bio
s 22(1)(a)(ii)	
Dmitry Mazepin	General Director of Uralkhim.
s 22(1)(a)(ii)	

Name	Sanctioned by Aus?	Like-Minded				Bio
		UK	EU	US	Canada	

s 22(1)(a)(ii)

Dmitry Mazepin	No – s 33(a)(iii), s 47C(1)	Yes (15/03/22) ²⁸	Yes (09/03/22) ²⁹	No	No	General Director of Uralkhim.
						Note: Aus has not sanctioned Uralkhim.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1061757/Russia.pdf

²⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022R0396&from=EN>

s 22(1)(a)(ii)

From: [Ben Playle](#)
To: [Andrew Walter](#)
Subject: Fwd: Russia-Ukraine Sanctions Plan (b) (1), (b) (7)(C)
Date: Saturday, 26 March 2022 10:48:28 AM
Attachments: [220325 AIT A Statements of Case - SOEs.docx](#)

For information. Cheers, Ben

From: [s 22\(1\)\(a\)\(ii\)](#) [@dfat.gov.au](#)
 Date: Saturday, 26 March 2022 at 10:43:26 am
 To: [s 22\(1\)\(a\)\(ii\)](#) [@dfat.gov.au](#)
 Cc: Lynette Wood <[Lynette.Wood@dfat.gov.au](#)>, "Ben Playle" <[Ben.Playle@dfat.gov.au](#)>, [s 22\(1\)\(a\)\(ii\)](#) [@dfat.gov.au](#), [s 22\(1\)\(a\)\(ii\)](#) [@dfat.gov.au](#), [s 22\(1\)\(a\)\(ii\)](#) [@dfat.gov.au](#)
 Subject: Russia-Ukraine Sanctions Plan - next week [s 22\(1\)\(a\)\(ii\)](#) [@dfat.gov.au](#)

Hi 
s 22(1)(a)(ii)

-

We are already working on a tranche of oligarchs (below) for Thursday as discussed.

S **s 22(1)(a)(ii)**
31 March

s 22(1)(a)(ii)

Russian elites, proxies and oligarchs -s 33(a)(iii), s 47E(d)

— s 22(1)(a)(ii)

6. Dmitriy MAZEPIN
s 22(1)(a)(ii)

s 22(1)(a)(ii)

Decision Record

Autonomous Sanctions – Russia

Guide

- The Decision at Part A designates nine entities, except for those which you indicate 'Do Not List' in Part C.
- The listing criteria at Part B provides the criteria for listing persons and entities for targeted financial sanctions and travel bans, as set out in item 6A of regulation 6 of the *Autonomous Sanctions Regulations 2011* (the Regulations).
- The statements of case at Part D support your consideration of the entities for designation.

Part A: Designation

I am satisfied that the entities identified in Part C meet the criteria for designation outlined in Part B below, unless I have initialled the '**Do Not List**' column in respect of an entity.

I confirm that I considered the statements of case supporting designation for targeted financial sanctions in respect of each entity in Part D in reaching my decision.

Marise Payne
Minister for Foreign Affairs

____/____/____

Part B: Criteria for listing

The listing criteria for persons and entities is set out in item 6A of regulation 6 of the Regulations, as follows:

- (a) A person or entity that the Minister is satisfied is, or has been, engaging in an activity or performing a function that is of economic or strategic significance to Russia.
- (b) A current or former Minister or senior official of the Russian Government.
- (c) An immediate family member of a person mentioned in paragraph (a) or (b).

s 22(1)(a)(ii)

From: s 22(1)(a)
Sent: (ii) Monday, 4 April 2022 6:10 PM
To: s 22(1)(a)
Cc: (ii) Sonya Koppe; s 22(1)(a)(ii)
Subject: FOR REVIEW: Updated SOC's [REDACTED]
Attachments: SOC's - Snr Russian government officials and oligarchs - Full Listing.docx

s 22(1)(a)
 Hi (ii)

Thank you very much for ASO's feedback.

Please see the revised draft, noting 68 persons are now listed (down from 70).

We note the minsub is assigned to you too; some of the details (incl. listing criteria + number of likemindeds) will need to be updated. We can do this – just let us know if there's anything else ASO wise we should incorporate!

Happy to discuss!

Kind regards,

s 22(1)(a)(ii)

s 22(1)(a)

(ii)
 Policy Officer – Ukraine | Ukraine Taskforce
 Australian Department of Foreign Affairs and Trade

From: s 22(1)(a)

Sent: (ii) Monday, 4 April 2022 1:53 PM

To: s 22(1)(a)

Cc: (ii) Sonya Koppe ; s 22(1)(a)(ii)

Subject: RE: FOR REVIEW: Updated minsub and SOC's - Belarus (s 22(1)(a)(ii)) [REDACTED]

Hi s
 22(1)

Please see attached ASO's review of the SoC's from persons 39-70.

Things to note:

- Some of the individuals are missing nationality

- Grateful if you could confirm the primary names/spelling of certain individuals and have the additional name as an alias (can't have 2 primary names)
- Individuals that need a bit more work: s 22(1)(a)(ii)
- s 22(1)(a)(ii)

- s 47E(d)

Happy to chat through any comments further – apologies all the tracked changes makes the document a bit messy to read!

We will now turn to the MinSub.

Cheers,
s 22(1)(a)(ii)

Legal Officer | Sanctions Policy Section A
 Australian Sanctions Office and Transnational Crime Branch | Regulatory Legal Division
 Department of Foreign Affairs and Trade
 Phone s 22(1)(a)(ii)
www.dfat.gov.au
[Web](#) | [Twitter](#) | [YouTube](#) | [Flickr](#)

From: s @dfat.gov.au>
Sent: Friday, 1 April 2022 5:19 PM
To: s @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Cc: Sonya Koppe <Sonya.Koppe@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: RE: FOR REVIEW: Updated minsub and SOC's - Belarus s 22(1)(a)(ii) [REDACTED]

Hi ASO team

Please find attached draft SOC's for your consideration.

s 22(1)(a)(ii) will assign the draft minsub shortly!

Any questions, please let us know.

Kind regards,

s
22(1)

s 22(1)(a)

7:33

Policy Officer – Ukraine | Ukraine Taskforce

Australian Department of Foreign Affairs and Trade

Part B: Criteria for listing

The listing criteria for persons and entities is set out in the following items of the table in regulation 6 of the Regulations, as follows:

Ukraine	A person or entity that the Minister is satisfied is responsible for, or complicit in, the threat to the sovereignty and territorial integrity of Ukraine.
Russia	<p>(a) A person or entity that the Minister is satisfied is, or has been, engaging in an activity or performing a function that is of economic or strategic significance to Russia.</p> <p>(b) A current or former Minister or senior official of the Russian Government.</p> <p>(c) An immediate family member of a person mentioned in paragraph (a) or (b).</p>

Note: *immediate family member, of a person, means:*

- (a) a spouse of the person; or*
- (b) an adult child of the person; or*
- (c) a spouse of an adult child of the person; or*
- (d) a parent of the person; or*
- (e) a brother, sister, step-brother or step-sister of the person; or*
- (f) a spouse of a brother, sister, step-brother or step-sister of the person.*

Ref No	Primary name	Title	Place of Birth	DOB (DD/MM/YY)	Listed by likeminds as at 29 March 2022	DO NOT LIST
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s 22(1)(a)(ii)

23.	Dmitriy MAZEPIN	CEO of Uralchem	Minsk, Belarus	18/04/1968		
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s 22(1)(a)(ii)

s 22(1)(a)(ii)

23. Name: Dmitriy Arkadievich MAZEPIN**Nationality: Belarusian, Russian**

- . Dmitriy Arkadievich MAZEPIN is the owner and CEO of the mineral fertiliser company Uralchem.¹³⁸
- . Uralchem Group is a Russian manufacturer of a wide range of chemical products, including mineral fertilisers and ammoniac saltpetre. According to the company, it is the largest producer of ammonium nitrate as well as the second-largest producer of ammonia and nitrogen fertilisers in Russia.¹³⁹
- . As owner and CEO of Uralchem, MAZEPIN is involved in economic sectors providing a substantial source of revenue to the Government of the Russian Federation and is therefore of economic significance.¹⁴⁰
- . On 24 February 2022, in the aftermath of the initial stages of Russian aggression against Ukraine, MAZEPIN, along with other 36 businesspeople, met with President Vladimir Putin and other members of the Russian government to discuss the impact of the course of action in the wake of Western sanctions.¹⁴¹
- . His attendance at this meeting demonstrates that he is part of Putin's closest circle, holds political influence within the upper echelon of the Russian Government, and is complicit in the Russian Government's policies toward Ukraine..¹⁴²

¹³⁴¹³⁵ s 22(1)(a)(ii)¹³⁷¹³⁸ [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)¹³⁹ [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)¹⁴⁰ [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)¹⁴¹ [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)¹⁴² [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)

- . On 9 March 2022, the European Union sanctioned MAZEPIN for his involvement in “economic sectors providing a substantial source of revenue to the Government of the Russian Federation, which is responsible for the annexation of Crimea and the destabilisation of Ukraine.”¹⁴³
- . The United Kingdom sanctioned MAZEPIN on 15 March 2022.¹⁴⁴
- . Given MAZEPIN’s role as owner and CEO of Uralchem, his closeness to Putin and his influence and relationships to the Russian Government, it is open to the Minister to be satisfied that MAZEPIN is, or has been, engaging in an activity or performing a function that is of economic or strategic significance to Russia.

s 22(1)(a)(ii)

¹⁴³ [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)

¹⁴⁴ [CONSOLIDATED LIST OF FINANCIAL SANCTIONS TARGETS IN THE UK \(windows.net\)](#)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Tuesday, 5 April 2022 2:59 PM
To: s 22(1)(a)(ii) @homeaffairs.gov.au; s 22(1)(a)(ii) @abf.gov.au; s 22(1)(a)(ii) @ato.gov.au; s 22(1)(a)(ii) @asic.gov.au; s 22(1)(a)(ii) @asic.gov.au; s 22(1)(a)(ii) @asic.gov.au; s 22(1)(a)(ii) @abf.gov.au; s 22(1)(a)(ii) @asic.gov.au; s 22(1)(a)(ii) @asic.gov.au; s 22(1)(a)(ii) @homeaffairs.gov.au; s 22(1)(a)(ii)
Cc: s 22(1)(a)(ii)
Subject: Sanctions: Next tranche of proposed listings [REDACTED]
Attachments: B - Legislative Instrument - 67 Russian Officials - FINAL.docx

[REDACTED]

Dear colleagues,

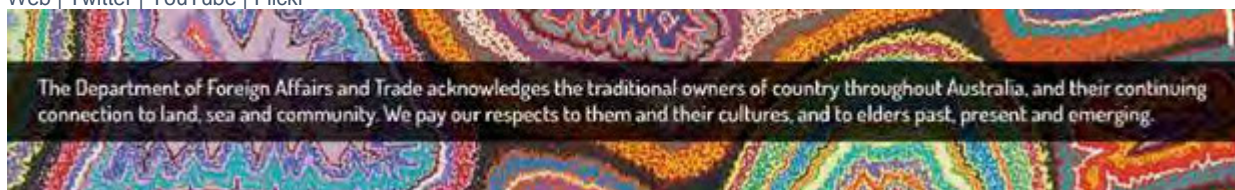
Ahead of the working group meeting tomorrow (06 April), please see draft Legislative Instrument with the next tranche of proposed listings yet to be approved by the Foreign Minister. **PLEASE NOTE: These listings are not yet in effect.**

If you have any questions, please feel free to contact me or s 22(1)(a)(ii) (Director, ASO) for more information.

Kind regards,

s 22(1)(a)(ii)

Sanctions Casework, Compliance and Outreach
 Australian Sanctions Office and Transnational Crime Branch | Regulatory Legal Division
 Department of Foreign Affairs and Trade
www.dfat.gov.au | [DFAT Sanctions website](#) | [DFAT Consolidated List](#)
 Web | Twitter | YouTube | Flickr





Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 11) Instrument 2022

I, Marise Payne, Minister for Foreign Affairs, make the following instrument.

Dated 2022

Marise Payne
Minister for Foreign Affairs

Contents

1 Name	1
2 Commencement	1
3 Authority	1
4 Schedules	1
Schedule 1—Amendments	2
<i>Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Russia and Ukraine) List 2014</i>	2

1 Name

This instrument is the *Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 11) Instrument 2022*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under paragraphs 6(a) and (b) of the *Autonomous Sanctions Regulations 2011*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Russia and Ukraine) List 2014

1 In the appropriate position in Part 1 of Schedule 1 (table)

Add:

s 22(1)(a)(ii)

s 22(1)(a)(ii)

109	Name of individual	Dmitriy MAZEPIN
	Date of birth	18 April 1968
	Place of birth	Minsk, Belarus

*Autonomous Sanctions (Designated Persons and Entities and Declared Persons—
Russia and Ukraine) Amendment (No. 11) Instrument 2022*

6

	Instrument of first designation and declaration	<i>Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Ukraine) Amendment (No. 11) Instrument 2022</i>
s 22(1)(a)(ii)	Additional information	CEO of Uralchem

FOR: Senator the Hon Marise Payne
INFO: The Hon Dan Tehan MP

Action Requested By: 8 April 2022
Reason for Urgency: Russian invasion of Ukraine

Ukraine: Sanctions against Russian Oligarchs and Senior Officials

<p>Key Issues: This submission seeks your (Minister Payne) approval to list 67 persons for targeted financial sanctions and travel bans, including 52 Russian oligarchs/elites, senior Russian government officials s 22(1)(a)(ii)</p> <p style="text-align: right;">This</p> <p>tranche builds on earlier listings of Russian officials and oligarchs (s 22(1)(a)(ii)), and aligns with sanctions imposed by the US, UK, EU, Canada and Japan.</p>	
<p>Recommendation: That you:</p> <p>a) Consider the Declaration and Decision Record at Attachment A and:</p> <ul style="list-style-type: none"> i) if you are satisfied the 67 persons in Part C meet the criteria for listing, designate them for targeted financial sanctions and declare them for travel bans by signing Part A of the Decision Record; ii) note that, if you do not agree to a designation or declaration, you should indicate this by initialling the 'Do Not List' column corresponding to the relevant person in Part C of the Decision Record. <p>b) if you agree to designate 67 persons for targeted financial sanctions, and declare the persons for travel bans:</p> <ul style="list-style-type: none"> i) sign and date the first page of the legislative instrument at Attachment B; and ii) agree to the Explanatory Statement and Statement of Compatibility with Human Rights at Attachment C. 	<p>Decision:</p> <p><u>Signed / Not Signed</u></p> <p><u>Noted</u></p> <p><u>Signed / Not Signed</u></p> <p><u>Agreed / Not Agreed</u></p>
<p>Domestic/Media Considerations: Ongoing interest in Australia's response to Russia's invasion of Ukraine.</p> <p>Action:</p> <p>Marise Payne</p> <p>/ /</p>	
<p>Information:</p> <p style="text-align: right;"><u>Noted</u></p> <p>Dan Tehan</p> <p>/ /</p>	
<p>From: Rachel Moseley (AS, ELB) s 22(1)(a)(ii) Ben Playle (AS, RLD) s 22(1)(a)(ii)</p>	<p>Contact: s 22(1)(a) (Director, ASO) s 22(1)(a)(ii) s 22(1)(a)(ii) (Assistant Director, ELD) s 22(1)(a)(ii)</p>
<p>Can this proposal be funded from within your existing divisional allocation (departmental/aid)? Not Applicable</p> <p>If the proposal high risk/high value (over \$100m) concept has been approved by the Aid Governance Board? Not Applicable</p>	
<p>Consultation: s 33(a)(iii), s 47E(d)</p>	

Background:

This submission seeks your (Minister Payne's) agreement to list 67 persons for targeted financial sanctions and travel bans. Statements of case supporting the listings are at **Attachment A**.

2. This tranche includes 52 oligarchs and elites with interests in sectors that form a core part of Russia's economic base. These persons have a range of business interests and are a key source of revenue for Putin's regime. These interests include oil and gas companies, financial institutions, mining, and state-owned infrastructure companies. s 22(1)(a)(ii)

s 22(1)(a)(ii)

5. Of the persons we propose to list, the United States has listed 15, Canada 21, the European Union 25, the United Kingdom 46, and Japan 3. Listing these 67 individuals will demonstrate Australia's commitment to imposing sanctions on a broad range of persons, in alignment with likeminded partners.

6. Should you agree to list the 67 persons, we would register the legislative instrument at **Attachment B** on the same day. The listings would come into force at 12:01am the following day.

7. s 33(a)(iii), s 47E(d)

Decision Record

Autonomous Sanctions – Ukraine

Guide

- The Decision at Part A designates and declares 67 persons, except for any which you indicate 'Do Not List' in Part C.
- The listing criteria at Part B provides the criteria for designating persons and entities for targeted financial sanctions, and declaring persons for travel bans, as set out in items 6A and 9 of regulation 6 of the *Autonomous Sanctions Regulations 2011* (the Regulations).
- The statements of case at Part D support your consideration of the persons for designation and declaration.

Part A: Designation and declaration

I am satisfied that the persons identified in Part C meet the criteria for designation and declaration outlined in Part B below, unless I have initialled the '**Do Not List**' column in respect of a person.

I confirm that I considered the statements of case supporting designation for targeted financial sanctions and declaration for travel bans in respect of each person in Part D in reaching my decision.

Marise Payne
Minister for Foreign Affairs

____/____/____

Part B: Criteria for listing

The listing criteria for persons and entities is set out in the following items of the table in regulation 6 of the Regulations, as follows:

Ukraine (item 9)	A person or entity that the Minister is satisfied is responsible for, or complicit in, the threat to the sovereignty and territorial integrity of Ukraine.
Russia (item 6A)	<p>(a) A person or entity that the Minister is satisfied is, or has been, engaging in an activity or performing a function that is of economic or strategic significance to Russia.</p> <p>(b) A current or former Minister or senior official of the Russian Government.</p> <p>(c) An immediate family member of a person mentioned in paragraph (a) or (b).</p>



Note: *immediate family member, of a person, means:*

- (a) a spouse of the person; or*
- (b) an adult child of the person; or*
- (c) a spouse of an adult child of the person; or*
- (d) a parent of the person; or*
- (e) a brother, sister, step-brother or step-sister of the person; or*
- (f) a spouse of a brother, sister, step-brother or step-sister of the person.*

Part C: Decision on designation

Ref No	Primary name	Title	Place of Birth	DOB (DD/MM/YY)	Listed by likeminds as at 29 March 2022	DO NOT LIST
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s 22(1)(a)(ii)





Ref No	Primary name	Title	Place of Birth	DOB (DD/MM/YY)	Listed by likeminde ds as at 29 March 2022	DO NOT LIST
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s 22(1)(a)(ii)

23.	Dmitriy MAZEPIN	CEO of Uralchem	Minsk, Belarus	18/04/1968	EU, UK	
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s 22(1)(a)(ii)

s 22(1)(a)(ii)

23. Name: Dmitriy Arkadievich MAZEPIN

Nationality: Belarusian, Russian

- . Dmitry Arkadievich MAZEPIN is the owner and CEO of the mineral fertiliser company Uralchem.¹³⁹
- . Uralchem Group is a Russian manufacturer of a wide range of chemical products, including mineral fertilisers and ammoniac saltpetre. According to the company, it is the largest producer of ammonium nitrate as well as the second-largest producer of ammonia and nitrogen fertilisers in Russia.¹⁴⁰
- . As owner and CEO of Uralchem, MAZEPIN is involved in economic sectors providing a substantial source of revenue to the Government of the Russian Federation and is therefore of economic significance.¹⁴¹
- . On 24 February 2022, in the aftermath of the initial stages of Russian aggression against Ukraine, MAZEPIN, along with other 36 businesspeople, met with President Vladimir Putin and other members of the Russian government to discuss the impact of the course of action in the wake of Western sanctions.¹⁴²

s 22(1)(a)(ii)

¹³⁹ [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)

¹⁴⁰ [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)

¹⁴¹ [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)

¹⁴² [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)

- . His attendance at this meeting demonstrates that he is part of Putin’s closest circle, holds political influence within the upper echelon of the Russian Government, and is complicit in the Russian Government’s policies toward Ukraine.¹⁴³
- . On 9 March 2022, the European Union sanctioned MAZEPIN for his involvement in “economic sectors providing a substantial source of revenue to the Government of the Russian Federation, which is responsible for the annexation of Crimea and the destabilisation of Ukraine.”¹⁴⁴
- . The United Kingdom sanctioned MAZEPIN on 15 March 2022.¹⁴⁵
- . Given MAZEPIN’s role as owner and CEO of Uralchem, his close ties to Putin and his influence and relationships with the Russian Government, it is open to the Minister to be satisfied that MAZEPIN is, or has been, engaging in an activity or performing a function that is of economic or strategic significance to Russia.

s 22(1)(a)(ii)

¹⁴³ [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)

¹⁴⁴ [EUR-Lex - 32022R0396 - EN - EUR-Lex \(europa.eu\)](#)

¹⁴⁵ [CONSOLIDATED LIST OF FINANCIAL SANCTIONS TARGETS IN THE UK \(windows.net\)](#)

s 22(1)(a)(ii)



Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 11) Instrument 2022

I, Marise Payne, Minister for Foreign Affairs, make the following instrument.

Dated 2022

Marise Payne
Minister for Foreign Affairs

Contents

1 Name	1
2 Commencement	1
3 Authority	1
4 Schedules	1
Schedule 1—Amendments	2
<i>Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Russia and Ukraine) List 2014</i>	2

1 Name

This instrument is the *Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 11) Instrument 2022*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under paragraphs 6(a) and (b) of the *Autonomous Sanctions Regulations 2011*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Russia and Ukraine) List 2014

1 In the appropriate position in Part 1 of Schedule 1 (table)

Add:

s 22(1)(a)(ii)

s 22(1)(a)(ii)

109	Name of individual	Dmitriy MAZEPIN
	Date of birth	18 April 1968
	Place of birth	Minsk, Belarus

Instrument of first designation and declaration	<i>Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Ukraine) Amendment (No. 11) Instrument 2022</i>
Additional information	CEO of Uralchem

s 22(1)(a)(ii)

Explanatory Statement

Issued by the Authority of the Minister for Foreign Affairs

Autonomous Sanctions Regulations 2011

Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 11) Instrument 2022

Autonomous sanctions are measures not involving the use of armed force which a government imposes as a matter of foreign policy in response to situations of international concern, including threats to a country's sovereignty and territorial integrity.

The *Autonomous Sanctions Regulations 2011* (the Regulations) make provision for, among other things, the proscription of persons or entities for autonomous sanctions in relation to Russia and Ukraine. Regulation 6 of the Regulations enables the Minister for Foreign Affairs (the Minister) to designate a person or entity for targeted financial sanctions, and/or declare a person for a travel ban, if:

- the Minister is satisfied that the person or entity is responsible for, or complicit in, the threat to the sovereignty and territorial integrity of Ukraine (item 9 of the table at regulation 6) (the Ukraine criteria);
- the Minister is satisfied that the person or entity is, or has been, engaging in an activity or performing a function that is of economic or strategic significance to Russia (paragraph (a) of item 6A of the table at regulation 6) (paragraph (a) of the Russia criteria);
- the person is a current or former Minister or senior official of the Russian Government (paragraph (b) of the Russia criteria); or
- the person is an immediate family member of a person mentioned in paragraphs (a) or (b) of the Russia criteria.

The purpose of a designation is to subject the designated person or entity to targeted financial sanctions. There are two components to targeted financial sanctions under the Regulations:

- a designated person or entity becomes the object of the prohibition in regulation 14 (which prohibits directly or indirectly making an asset available to, or for the benefit of, a designated person or entity, other than as authorised by a permit granted under regulation 18); and/or
- an asset owned or controlled by a designated person or entity is a 'controlled asset', subject to the prohibition in regulation 15 (which requires a person who holds a controlled asset to freeze that asset, by prohibiting that person from either using or dealing with that asset, or allowing it to be used or dealt with, or facilitating the use of or dealing with it, other than as authorised by a permit granted under regulation 18).

The purpose of a declaration is to prevent a person from travelling to, entering or remaining in Australia.

Designated and declared persons, and designated entities, in relation to Russia and Ukraine are listed in the *Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Russia and Ukraine) List 2014* (the 2014 List).

In accordance with regulation 6, the *Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 11) Instrument 2022* (the Instrument) lists 6 persons for targeted financial sanctions and travel bans under the Ukraine listing criteria. These persons include Mikhail Mizintsev, the ‘Butcher of Mariupol’, and Galina Danilchenko, the Russian-installed acting ‘Mayor’ of Melitopol. The Minister made these listings being satisfied that by virtue of their positions and actions, the persons are responsible for, or complicit in, the threat to the sovereignty and territorial integrity of Ukraine.

The Instrument also lists 61 persons for targeted financial sanctions and travel bans under the Russia listing criteria. These persons include senior Russian Government officials: Deputy Prime Minister Dmitry Grigorenko, Minister of Economic Development Maksim Reshetnikov, and Deputy Chairman of the Russian State Duma Aleksander Babakov. The Minister made these listings being satisfied that by virtue of their positions and actions, the persons are, or have been, engaging in activity or performing a function that is of economic or strategic significance to Russia, are a current or former Minister or senior official of the Russian Government, or are an immediate family member of such persons.

Under subregulations 9(1) and (2) of the Regulations, designations and declarations that are made under regulation 6 of the Regulations cease to have effect three years after the date on which they took effect, unless the Minister declares they are to continue pursuant to subregulation 9(3).

Details of the Instrument, which amends the 2014 List, are set out at **Attachment A**.

The legal framework for the imposition of autonomous sanctions by Australia, of which the Regulations are part, was the subject of extensive consultation with governmental and non-governmental stakeholders when introduced. The new sanctions being imposed through the making of the Instrument were subject to targeted consultation within government and with relevant international partners.

In order to meet the policy objective of prohibiting unauthorised financial transactions involving the persons specified in the Instrument, the Minister is satisfied that wider consultations beyond those already undertaken would not be appropriate or practicable (subsections 17(1) and (2) of the *Legislation Act 2003*). Consultation is not appropriate in the circumstances in order to enable Australia to act swiftly in response to threats to the sovereignty and territorial integrity of Ukraine and strengthen the impact of sanctions on Russia. Additionally, consultation would risk alerting persons to the impending sanctions and enabling capital flight before assets can be frozen.

The Office of Best Practice Regulation (OBPR) has advised that a Regulation Impact Statement is not required for listing instruments (OBPR reference: 26252).

Attachment A*Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 11) Instrument 2022*Section 1

The title of the instrument is the *Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 11) Instrument 2022* (the Instrument).

Section 2

The Instrument commences the day after it is registered.

Section 3

The Instrument is made under paragraphs 6(a) and (b) of the *Autonomous Sanctions Regulations 2011*.

Section 4

Each instrument that is specified in a Schedule to this Instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Instrument has effect according to its terms.

Schedule 1*Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Russia and Ukraine) List 2014*Item 1 – Part 1 of Schedule 1 (at the end of the table)

The persons listed in Part 1 of Schedule 1 are designated by the Minister for the purposes of paragraph 6(a) of the Regulations and declared by the Minister for the purposes of paragraph 6(b) of the Regulations.

These persons include the President and Chairman of VTB Bank, Head of the Russian General Staff's Main Intelligence Directorate, the General Director of defence entity Tactile Missiles Corporation, the Director of the Russian National Centre for Defence Management, the Russian-installed acting 'Mayor' of Melitopol and a senior leader of the Russian Ministry of Defense. The Minister made the designations and declarations being satisfied that by virtue of their positions and/or actions, they are a person responsible for, or complicit in, the threat to the sovereignty and territorial integrity of Ukraine.

Item 2 –Part 1 of Schedule 2 (at the end of the table)

The persons listed in Part 1 of Schedule 2 are designated by the Minister for the purposes of paragraph 6(a) of the Regulations and declared by the Minister for the purposes of paragraph 6(b) of the Regulations.

These persons include senior Russian Government officials, though are primarily Russian oligarchs, prominent businesspeople and their immediate family members. Together, they form a core part of Russia's economic base with business interests in

oil and gas companies, financial institutions, mining and state-owned infrastructure companies. The Minister made the designations and declarations being satisfied that, by virtue of their positions and/or actions, such persons (a) are, or have been, engaging in an activity or performing a function that is of economic or strategic significance to Russia; (b) are a current or former Minister or senior official of the Russian Government; or (c) are an immediate family member of a person mentioned in (a) or (b).

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*

Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 11) Instrument 2022

The *Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 11) Instrument 2022* (the Instrument) is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Australia's autonomous sanctions regimes impose highly targeted measures in response to situations of international concern, including (but not limited to) where there are, or have been, threats to the sovereignty and territorial integrity of a State. Given the serious nature of the threats to the sovereignty and territorial integrity of Ukraine, the Government considers that targeted financial sanctions and travel bans are the most effective and least rights-restrictive way to achieve its legitimate foreign policy objective of signalling Australia's concerns about the situation in Ukraine. These sanctions allow a targeted response to Australia's concerns relating to Russia's unprovoked and unacceptable attack on Ukraine, by imposing a cost on Russia and seeking to influence the Russian state to de-escalate the situation.

The autonomous sanctions designations and declarations made by this Instrument pursue legitimate objectives and have appropriate safeguards in place to ensure that any limitation on human rights engaged by the imposition of sanctions is a reasonable, necessary and proportionate response to the situation of international concern, and do not affect particularly vulnerable groups. The Government keeps its sanctions regimes under regular review, including in relation to whether more effective, less rights-restrictive means are available to achieve similar foreign policy objectives.

The *Autonomous Sanctions Regulations 2011* (the Regulations) make provision for, among other things, the proscription of persons or entities for autonomous sanctions. The Instrument, made under regulation 6 of the Regulations, designates persons and entities for targeted financial sanctions and declares those persons for the purposes of travel bans. The Minister made the designations and declarations being satisfied that the persons or entities:

- are responsible for or complicit in the threat to the sovereignty and territorial integrity of Ukraine (item 9 of the table at regulation 6) (the Ukraine criteria);
- are, or have been, engaging in an activity or performing a function that is of economic or strategic significance to Russia (paragraph (a) of item 6A of the table at regulation 6) (the Russia criteria);
- the person is a current or former Minister or senior official of the Russian Government (paragraph (b) of the Russia criteria); or
- the person is an immediate family member of a person mentioned in paragraphs (a) or (b) of the Russia criteria.

The human rights compatibility of the Instrument is addressed by reference to each of the human rights engaged below.

Right to privacy

Right

Article 17 of the International Covenant on Civil and Political Rights (the ICCPR) prohibits unlawful or arbitrary interferences with a person's privacy, family, home and correspondence.

The use of the term 'arbitrary' in the ICCPR means that any interferences with privacy must be in accordance with the provisions, aims and objectives of the ICCPR and should be reasonable in the individual circumstances. Arbitrariness connotes elements of injustice, unpredictability, unreasonableness, capriciousness and 'unproportionality'.¹

Permissible limitations

The Instrument is not an unlawful interference with an individual's right to privacy. Section 10 of the *Autonomous Sanctions Act 2011* (the Act) permits regulations relating to, among other things: 'proscription of persons or entities (for specified purposes or more generally)'; and 'restriction or prevention of uses of, dealings with, and making available of, assets'. The designations and declarations contained in the Instrument were made pursuant to regulation 6 of the *Autonomous Sanctions Regulations 2011* (the Regulations), which provides that the Minister may, by legislative instrument, designate and/or declare a person for targeted financial sanctions and/or travel bans.

The measures contained in the Instrument are not an arbitrary interference with an individual's right to privacy. An interference with privacy will not be arbitrary where it is reasonable, necessary and proportionate in the individual circumstances.

In designating an individual under the Regulations for targeted financial sanctions and/or travel bans, the Minister uses predictable, publicly available criteria. These criteria are designed to capture only those persons the Minister is satisfied are involved in situations of international concern, as set out in regulation 6 of the Regulations.

Accordingly, targeted financial sanctions and travel bans imposed by the Minister through the designation of specific individuals under the Regulations are reasonable, necessary and proportionate to the individual circumstances the sanctions are seeking to address. Any interference with the right to privacy created by the operation of the Instrument is not arbitrary or unlawful and is consistent with Australia's obligations under Article 17 of the ICCPR.

¹ Manfred Nowak, *United Nations Covenant on Civil and Political Rights: CCPR Commentary* (NP Engel, 1993) 178.

Right to respect for the family

Right

The right to respect for the family is protected by articles 17 and 23 of the ICCPR. It covers, among other things, the separation of family members under migration laws, and arbitrary or unlawful interferences with the family.

Limitations on the right to respect for the family under Articles 17 and 23 of the ICCPR will not violate those articles if the measures in question are lawful and non-arbitrary. An interference with respect for the family will be consistent with the ICCPR where it is necessary and proportionate, in accordance with the provisions, aims and objectives of the ICCPR, and is reasonable in the individual circumstances.

Permissible limitations

As set out above, the autonomous sanctions regime is authorised by domestic law and is not unlawful.

As the listing criteria in regulation 6 of the Regulations are drafted by reference to specific foreign countries, it is highly unlikely, as a practical matter, that a person declared for a travel ban will hold an Australian visa, usually reside in Australia and have immediate family also in Australia.

The Department of Foreign Affairs and Trade (DFAT) consults relevant agencies as appropriate in advance of a designation and declaration of a person with known connections to Australia to determine the possible impacts of the designation and declaration on any family members in Australia.

To the extent that the travel bans imposed pursuant to the Instrument engage and limit the right to respect for the family in a particular case, the Regulations provide sufficient flexibility to treat different cases differently. Under the Regulations, the Minister may waive the operation of a travel ban on the grounds that it would be either: (a) in the national interest; or (b) on humanitarian grounds. This provides a mechanism to address circumstances in which issues such as the possible separation of family members in Australia are involved. In addition, this decision may be judicially reviewed. Finally, were such a separation to take place, for the reasons outlined in relation to Article 17 above, such a separation would be reasonable, necessary, proportionate and justified in achieving the objective of the Instrument.

Accordingly, any interference with the right to respect for the family created by the operation of the Instrument is not unlawful or arbitrary, and, is consistent with Australia's obligations under Articles 17 and 23 of the ICCPR.

Right to an adequate standard of living

Right

The right to an adequate standard of living is contained in Article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and requires States to ensure the availability and accessibility of the resources that are essential to the realisation of the right: namely, food, water, and housing.

Article 4 of the ICESCR provides that this right may be subject to such limitations ‘as are determined by law only in so far as this may be compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a democratic society’. To be consistent with the ICESCR, limitations must be proportionate.

Permissible limitations

Any limitation on the enjoyment of Article 11(1), to the extent that it occurs, is reasonable and necessary to achieve the objective of the Instrument and are proportionate due to the targeted nature of listings. The Regulations also provide sufficient flexibility to treat different cases differently by allowing for any adverse impacts on family members as a consequence of targeted financial sanctions to be mitigated. The Regulations provide for the payment of basic expenses (among others) in certain circumstances. The objective of the ‘basic expenses exemption’ in regulation 20 is, in part, to enable the Australian Government to administer the sanctions regime in a manner compatible with relevant human rights standards.

The permit process is a flexible and effective safeguard on any limitation to the enjoyment of Article 11(1).

Right to freedom of movement

Right

Article 12 of the ICCPR protects the right to freedom of movement, which includes a right to leave Australia, as well as the right to enter, remain, or return to one’s ‘own country’.

The right to freedom of movement may be restricted under domestic law on any of the grounds in Article 12(3) of the ICCPR, namely national security, public order, public health or morals or the rights and freedoms of others. Any limitation on the enjoyment of the right also needs to be reasonable, necessary and proportionate.

Permissible limitations

As the listing criteria in regulation 6 of the Regulations are drafted by reference to specific foreign countries, it is highly unlikely, as a practical matter, that a person declared for a travel ban would be an Australian citizen, or have spent such lengths of time in Australia, such that Australia could be considered their ‘own country’. Furthermore, travel bans – which are a power to refuse a visa and to cancel a visa – do not apply to Australian citizens.

To the extent that Article 12(4) is engaged in an individual case, such that a person listed in the Instrument is prevented from entering Australia as their ‘own country’, the imposition of the travel ban would be justified.

As set out above in relation to Article 17 of the ICCPR, travel bans are a reasonable, necessary and proportionate means of achieving the legitimate objectives of Australia’s autonomous sanctions regime. Travel bans are reasonable because they are only imposed on persons who the Minister is satisfied are responsible for giving rise to situations of international concern.

Preventing a person who is, for example, complicit in the threat to the sovereignty and territorial integrity of Ukraine, is engaging in activity or performing a function that is of economic or strategic influence to Russia or is an immediate family member of such person, from travelling to, entering or remaining in Australia through operation of the Instrument, is a reasonable means to achieve the legitimate foreign policy objective of signalling Australia’s concerns about the situation in Ukraine. Australia’s practice in this respect is consistent with that of other countries such as the United States, the United Kingdom and Canada.

The Minister may also waive the operation of a declaration that was made for the purpose of preventing a person from travelling to, entering or remaining in Australia, on the grounds that it would be in the national interest, or on humanitarian grounds. This decision is subject to natural justice requirements, and may be judicially reviewed.

Non-refoulement

Right

The obligations relating to the prohibition on torture and other cruel, inhuman or degrading treatment or punishment under Article 3 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the CAT) and Article 7 of the ICCPR, as well as Article 6 of the ICCPR on the right to life and prohibition on arbitrary deprivation of life, are engaged by the travel restrictions in the Instrument. There is no permissible derogation from these implied or express non-refoulement obligations.

Permissible limitations

To the extent that the travel bans imposed pursuant to the Instrument engage Australia’s non-refoulement obligations, the Regulations allow the Minister to waive the operation of a travel ban on the grounds that it would be either: (a) in the national interest; or (b) on humanitarian grounds.

A travel ban may lead to the cancellation of a visa held by a non-citizen lawfully in Australia, which can lead to removal under section 198 of the *Migration Act 1958*. Australia will continue to meet its non-refoulement obligations through mechanisms prior to the person becoming available for removal under the *Migration Act 1958*, including through the protection visa application process, and through the use of the Minister for Home Affairs’ personal powers in the *Migration Act 1958*.

The Instrument is consistent with Australia's international non-refoulement obligations as, together with the Foreign Minister's powers to revoke a declaration or waive its operation in an individual case, non-refoulement obligations are considered prior to a person becoming available for removal under the *Migration Act 1958*. A person must not be removed from Australia to another country if there is a real risk that the person may be subjected to arbitrary deprivation of life, the death penalty, torture, cruel or inhuman treatment or punishment, or degrading treatment or punishment.

Right to equality and non-discrimination

Right

The right to equality and non-discrimination under Article 26 of the ICCPR provides that everyone is entitled to enjoy their rights without discrimination of any kind, and that people are equal before the law and are entitled without discrimination to the equal and non-discriminatory protection of the law.

Differential treatment (including the differential effect of a measure that is neutral on its face) will not constitute unlawful discrimination if the differential treatment is based on reasonable and objective criteria, serves a legitimate objective, and is a proportionate means of achieving that objective.

Permissible limitations

Any differential treatment of people as a consequence of the application of the Instrument does not amount to discrimination pursuant to Article 26 of the ICCPR.

The criteria set out in regulation 6 of the Regulations are reasonable and objective. They are reasonable insofar as they list only those States and activities which the Government has specifically determined give rise to situations of international concern. They are objective as they provide a clear, consistent and objectively verifiable reference point by which the Minister is able to make a designation or declaration. The Regulations serve a legitimate objective, as discussed above.

To the extent that the measures result in a differential impact on persons from particular countries, this is both proportionate and necessary to achieve the objective of the Instrument. Country-specific sanctions will inevitably impact persons from certain countries more than others, as they are used as a tool of foreign diplomacy to facilitate the conduct of Australia's international relations with particular countries. In this case, the measures will predominantly impact persons of Russian national origin or nationality.

Denying access to international travel and the international financial system to certain designated individuals is a highly targeted, justified and less rights-restrictive means of achieving the objectives of the Regulations, including in a context where other conventional mechanisms are unavailable.

While these measures may impact individuals of certain nationalities and national origins more than others, there is no information to support the view that affected groups are vulnerable. Rather, the individuals designated in the Instrument are

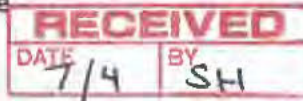
persons the Minister is satisfied are involved in activities that give rise to situations of international concern. Further, there are several safeguards, such as the availability of judicial review and regular review processes in place, to ensure that any limitation is proportionate to the objective being sought.



Ministerial Submission

Cleared by: Rachel Moseley
Date sent to MO: 5 April 2022

FOR: Senator the Hon Marise Payne
INFO: The Hon Dan Tehan MP



Action Requested By: 8 April 2022
Reason for Urgency: Russian invasion of Ukraine

Ukraine: Sanctions against Russian Oligarchs and Senior Officials

Key Issues: This submission seeks your (Minister Payne) approval to list 67 persons for targeted financial sanctions and travel bans, including 52 Russian oligarchs/elites, senior Russian government officials s 22(1)(a) s 22(1)(a)(ii)

This tranche builds on earlier listings of Russian officials and oligarchs: s 22(1)(a)(ii) and aligns with sanctions imposed by the US, UK, EU, Canada and Japan.

Recommendation: That you: a) Consider the Declaration and Decision Record at Attachment A and: i) if you are satisfied the 67 persons in Part C meet the criteria for listing, designate them for targeted financial sanctions and declare them for travel bans by signing Part A of the Decision Record; ii) note that, if you do not agree to a designation or declaration, you should indicate this by initialling the 'Do Not List' column corresponding to the relevant person in Part C of the Decision Record. b) if you agree to designate 67 persons for targeted financial sanctions, and declare the persons for travel bans: i) sign and date the first page of the legislative instrument at Attachment B; and ii) agree to the Explanatory Statement and Statement of Compatibility with Human Rights at Attachment C.	Decision: <div style="border: 1px solid black; border-radius: 50%; width: 100px; height: 100px; display: flex; align-items: center; justify-content: center; margin: 10px auto;"> <div style="border-bottom: 1px solid black; padding: 2px 10px;">Signed / Not Signed</div> </div> <div style="border: 1px solid black; border-radius: 50%; width: 100px; height: 100px; display: flex; align-items: center; justify-content: center; margin: 10px auto;"> <div style="border-bottom: 1px solid black; padding: 2px 10px;">Noted</div> </div> <div style="border: 1px solid black; border-radius: 50%; width: 100px; height: 100px; display: flex; align-items: center; justify-content: center; margin: 10px auto;"> <div style="border-bottom: 1px solid black; padding: 2px 10px;">Signed / Not Signed</div> </div> <div style="border: 1px solid black; border-radius: 50%; width: 100px; height: 100px; display: flex; align-items: center; justify-content: center; margin: 10px auto;"> <div style="border-bottom: 1px solid black; padding: 2px 10px;">Agreed / Not Agreed</div> </div>
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Domestic/Media Considerations: Ongoing interest in Australia's response to Russia's invasion of Ukraine.

Action:

- The Minister has signed the Attachments as set out above & agrees with the Explanatory Statement & the Statement of Compatibility with Human Rights.

Marise Payne

/ /

Many thanks. CA

7 April 2022

CHRIS MCNICOL

Senior Adviser

Minister for Foreign Affairs

Acting Chief of Staff

Noted

Information:

Dan Tehan

/ /

From: Rachel Moseley (AS, ELB) s 22(1)(a)(ii)
Ben Playle (AS, RLD) s 22(1)(a)(ii)

Contact s 22(1)(a)(ii) (Director, ASO) s 22(1)(a)(ii)
s 22(1)(a)(ii) (Assistant Director, ELD) s 22(1)(a)(ii)

Can this proposal be funded from within your existing divisional allocation (departmental/aid)? Not Applicable
If the proposal high risk/high value (over \$100m) concept has been approved by the Aid Governance Board? Not Applicable

Consultation: s 33(a)(iii), s 47E(d)



Background:

This submission seeks your (Minister Payne's) agreement to list 67 persons for targeted financial sanctions and travel bans. Statements of case supporting the listings are at **Attachment A**.

2. This tranche includes 52 oligarchs and elites with interests in sectors that form a core part of Russia's economic base. These persons have a range of business interests and are a key source of revenue for Putin's regime. These interests include oil and gas companies, financial institutions, mining, and state-owned infrastructure companies. s 22(1)(a)(ii)

s 22(1)(a)(ii)

5. Of the persons we propose to list, the United States has listed 15, Canada 21, the European Union 25, the United Kingdom 46, and Japan 3. Listing these 67 individuals will demonstrate Australia's commitment to imposing sanctions on a broad range of persons, in alignment with likeminded partners.

6. Should you agree to list the 67 persons, we would register the legislative instrument at **Attachment B** on the same day. The listings would come into force at 12:01am the following day.

s 33(a)(iii), s 47E(d)

s 22(1)(a)(ii)

6896	Dmitriy MAZEPIN	Individual	Primary Name	18/04/1968	Minsk, Belarus			CEO of Uralchem	Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Ukraine) Amendment (No. 11) Instrument 2022	Autonomous (Russia and Ukraine)	6/04/2022
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s 22(1)(a)(ii)

