



## Commission publishes guidance on key provisions of EU Global Human Rights Sanctions Regime

Brussels, 18 December 2020

Today, the European Commission has published guidance on the implementation of specific provisions of [Council Regulation \(EU\) 2020/1998](#) concerning serious human rights violations and abuses.

The [Guidance Note](#) seeks to address the questions most likely to arise in the implementation of these new sanctions. It includes information about the scope of the financial restrictions therein and their application. It also explains in detail the responsibilities of those who must comply with the Regulation, covering notions such as ownership and control, and the functioning of derogations<sup>[1]</sup>.

Josep **Borrell**, High Representative of the Union for Foreign Affairs and Security Policy/Vice-President for a Stronger Europe in the World, said: *"The EU Global Human Rights Sanctions Regime sends a clear message to those responsible for serious human rights violations and abuses. It is a sign of our determination to take action and to hold those responsible for violations and abuses accountable. This Guidance Note seeks to ensure that we provide the necessary information to EU operators to facilitate/ensure their compliance."*

Mairead **McGuinness**, Commissioner for Financial Services, Financial Stability and Capital Markets Union, said: *"The proper implementation of EU sanctions is a priority. For the first time, a new EU sanctions regime is accompanied by a Guidance Note, to ensure uniform implementation from the outset. The Commission remains open to the views of operators and national authorities, and will continue issuing guidance and opinions to ensure that EU sanctions are targeted and effective."*

### For more information on the Guidance Note

EU sanctions are a foreign policy tool, which, among others, helps to achieve key EU objectives such as preserving peace, strengthening international security, and consolidating and supporting democracy, international law and human rights. Sanctions are targeted at those whose actions endanger these values, and they seek to reduce as much as possible any adverse consequences on the civilian population. The EU has about 40 different sanctions regimes currently in place.

On 7 December 2020, the [Council adopted a Decision and a Regulation establishing the EU Global Human Rights Sanctions Regime](#). The regime enables the EU to target individuals, entities and bodies – including state and non-state actors – responsible for, involved in or associated with serious human rights violations and abuses worldwide, no matter where they occurred. It applies to acts such as genocide, crimes against humanity and other serious human rights violations or abuses. Other human rights violations or abuses can also fall under the scope of this sanctions regime, if they are widespread, systematic or otherwise of serious concern as regards the objectives of the EU common foreign and security policy. The sanctions consist of travel bans applying to individuals, and freezing of funds applying to both individuals and entities. In addition, EU persons and entities will be prohibited from making funds available to those listed, either directly or indirectly.

In the context of this regime, for the first time, the Commission is publishing guidance on the implementation of a Council Regulation on sanctions immediately after its adoption. The present Guidance Note reflects the more common questions received by the Commission in the context of other sanctions regimes, chiefly from EU banks and SMEs, but also from private citizens and NGOs. Many of these questions refer in particular to the humanitarian derogation and other exceptions; to financial transactions with persons linked to those who are listed; and to specific concepts such as the anti-circumvention clause. In turn, the purpose of the Note is to help prevent the more common implementation issues that EU operators can face when applying EU sanctions. More detailed analysis, on a case-by-case basis, can be sought from National Competent Authorities (NCA) in the Member States. The Note may be updated at a later stage, in light of possible new questions received from EU operators and NCAs.

The Commission is also working closely with Member States to ensure that national procedures for authorisations are transparent, and that the Regulation is uniformly implemented throughout the EU.

[Guidance Note](#)

[EEAS Questions and Answers: EU Global Human Rights Sanctions Regime](#)

[Information on EU sanctions policy and the new EU Global Human Rights Sanctions Regime](#)

[EU Sanctions Map](#)

[1] General information on the objectives and scope of the regime can be found in the European External Action Service's (EEAS) Questions and Answers, [here](#).

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