

# What Can Russians Be Sanctioned for Doing?

## Answers for the U.S., U.K., and E.U.

### Introduction

Since Russia invaded Ukraine, governments have imposed a flood of sanctions on Russian persons (i.e., politicians, government officials, banks, companies, and private individuals). These sanctions have been announced by governments all over the world but have been led by actions from the U.S., U.K, and E.U., oftentimes working in cooperation with each other. To help navigate who may be sanctioned and on what grounds, this explainer breaks down the relevant sanctions criteria by jurisdiction and theme.

### United States

The U.S. government (USG) maintains a wide range of sanctions criteria under at least ten different sanctions authorities that allow for designations against Russian persons (meaning both individuals and entities). These criteria are grouped below in thematic areas with links to the relevant authorities:

#### Broad Status-Based Criteria

The USG maintains sanctions authorities that include the power to sanction Russian individuals or entities for holding a specific status, instead of for being responsible for a certain malign activity. Specifically, the USG can designate any person that is determined to:

- be or have been **an official of the Government of the Russian government** ([E.O. 13661](#); [E.O. 14024](#), [RuHSR](#));
  - The U.S. definition of the Russian government is expansive, including “any political subdivision, agency, or instrumentality thereof . . . and *any person owned or controlled by, or acting for or on behalf of*” it. ([E.O. 13661](#))
- be or have been **a leader, senior executive officer, or member of the board of directors** of: the Russian government or an entity that has engaged in certain sanctionable activities ([E.O. 14024](#), [RuHSR](#));
- be **owned or controlled by or acting on behalf of** the Russian government ([E.O. 14024](#), [RuHSR](#)) or a senior Russian government official ([E.O. 13661](#));
- have **materially assisted or provided support for** a senior official of the Russian Government ([E.O. 13661](#)).

#### Ukraine-Specific Criteria

The USG can also designate any person determined to be responsible for or involved in:

- actions or policies **undermining “democratic processes or institutions in Ukraine;” or threatening its “peace, security, stability, sovereignty, or territorial integrity”** ([E.O. 13660](#));
- “significant acts of violence or **gross human rights abuses**” in Ukraine against persons associated with antigovernment protests in November 2013 ([SSIDES Act, as amended](#));
- “serious human rights abuses in any territory forcibly occupied or...controlled” by Russia ([CAATSA-Russia](#));
- **certain forms of corruption in Ukraine**, i.e., “misappropriation of state assets of Ukraine or of an economically significant entity in Ukraine” ([E.O. 13660](#)).

The USG can also designate any person who is determined to:

- “have asserted **governmental authority** over any part or region of Ukraine **without the authorization of the Government of Ukraine**” ([E.O. 13660](#));
- “**operate in the Crimea region of Ukraine**” or to operate or have operated in the Donetsk and Luhansk regions ([E.O.13685](#); [E.O. 14065](#));
- be leaders of entities operating in Crimea and the Donetsk and Luhansk regions, or an official, senior executive officer, or member of the board of directors of an entity in the Donetsk and Luhansk regions ([E.O.13685](#); [E.O. 14065](#)).

## Other Human Rights Abuses (not already cited above)

The USG can designate any person responsible for or involved in:

- “**serious human rights abuse**” anywhere in the world, which in practice involves physical violence against victims, including arbitrary detention ([Global Magnitsky](#));
- “**gross violations of internationally recognized human rights**,” including “extrajudicial killings, [and] torture,” against individuals seeking:
  - “to **expose illegal activity** carried out” by **Russian officials**;
  - “to **obtain, exercise, defend, or promote internationally recognized human rights and freedoms**” in Russia ([Russia Magnitsky](#));
- “the **detention, abuse, or death of Sergei Magnitsky**,” as well as efforts to **conceal or benefit financially from his death** ([Russia Magnitsky](#));
- the **assassination, murder, or injury of a citizen of the United States** or of a **U.S. partner country**, for the Russian government ([E.O. 14024](#), [RuHSR](#)).

## Corruption (not already cited above)

The USG can designate any person responsible for or involved in:

- “**corruption**,” which is broadly defined but must be financial in nature and involve a nexus to government actors or entities ([Global Magnitsky](#));
- **transnational corruption** conducted for, on behalf of, or **for the benefit of the Russian government** ([E.O. 14024](#), [RuHSR](#));
- “the **criminal conspiracy uncovered by Sergei Magnitsky**,” which involved acts of corruption ([Russia Magnitsky](#)).

While implementation has arguably been limited, by law the USG must designate any Russian government official or close associate or family member of such an official, that the President determines is, on or after August 2, 2017, responsible for:

- “**acts of significant corruption** in Ukraine,” Russia, or “elsewhere” ([SSIDES Act, as amended](#)).
  - Illustrative examples include: “the **expropriation of private or public assets for personal gain**”; “**corruption** related to government contracts or the extraction of natural resources”; “bribery”; or “the facilitation or transfer of the proceeds of corruption to foreign jurisdictions” ([SSIDES Act, as amended](#)).

## Additional Assorted Criteria

USG sanctions against Russian persons cover a diversity of other activities as well. These include persons determined to:

- be responsible for or involved in:

- for or on behalf of the Russian government, “activities that undermine the **peace, security, political stability, or territorial integrity of the United States**, its allies, or its partners” [E.O. 14024, RuHSR](#);
- for or on behalf of the Russian government, “**malicious cyber-enabled activities**” ([E.O. 14024, RuHSR](#)) or knowingly engage in “significant activities **undermining cybersecurity** of any person, including a democratic institution, or government” ([CAATSA-Russia](#));
- “**foreign interference in a United States election**” ([E.O. 13848](#); [E.O. 14024, RuHSR](#)), or “other foreign government election” for or on behalf of the Russian government ([E.O. 14024, RuHSR](#));
- for or on behalf of the Russian government, “deceptive or structured **transactions or dealings to circumvent any United States sanctions**” [E.O. 14024, RuHSR](#);
- have engaged or attempted to engage in **activities or transactions** that pose a risk of contributing to “**the proliferation of weapons of mass destruction** or their means of delivery” ([E.O. 13382](#));
- operate in:
  - **sectors of the Russian Federation economy** as may be determined, including financial services, energy, metals and mining, and engineering ([E.O. 13662](#));
  - the “**arms or related materiel sector** in the Russian Federation” ([E.O. 13661](#); [E.O. 13662](#));
  - the “**technology sector** or the **defense and related materiel sector** of the Russian Federation economy, or any other sector of the Russian Federation economy as may be determined” ([E.O. 14024, RuHSR](#)).

## Support Criteria

- All of the relevant authorities authorize sanctions on those **assisting perpetrators** of sanctionable activity ([Global Magnitsky](#); [E.O. 13382](#); [E.O. 13660](#), [E.O. 13661](#), [E.O. 13685](#); [E.O. 13848](#); [E.O. 14024](#); [E.O. 14065](#); [Russia Magnitsky](#); [SSIDES Act, as amended](#); [CAATSA-Russia](#))
- All the above authorities except [Russia Magnitsky](#) also authorize sanctions on **entities owned or controlled by perpetrators**.
- [E.O. 14024, RuHSR](#) authorizes sanctions for any person determined to be a **spouse or adult child of certain sanctioned persons**.

## United Kingdom

As with the US, the UK Government has various sanctions regimes under which it might designate persons in connection with Russia’s invasion of Ukraine or certain other Russian persons.

Similarly to the US, for all UK sanctions regimes, the term “person” refers to both individuals and entities.

## Benefitting From or Supporting Russia

The UK is able to designate persons where there are reasonable grounds to suspect that the person is or has been involved in “obtaining a benefit from or supporting the Government of Russia” ([Russia \(Sanctions\) \(EU Exit\) Regulations 2019](#) (as amended in 2022, the “Russia Regulations”)). This includes:

- “carrying on **business** as a **Government of Russia-affiliated entity**”;
- “carrying on **business** of **economic significance to the Government of Russia**”;
- “carrying on **business** in a **sector of strategic significance to the Government of Russia**”;

- “owning or controlling directly or indirectly, or working as a **director** (whether executive or non-executive), **trustee, or equivalent**, of”:
  - a **Government of Russia-affiliated entity**;
  - a **person**, other than an individual, which carries on **business of economic or strategic significance to the Government of Russia**.

## Ukraine-Specific Criteria

The UK can also designate persons where there are reasonable grounds to suspect that the person is or has been involved in “destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine” ([Russia Regulations](#)). A person meets this requirement if:

- “the person is responsible for, engages in, provides support for, or promotes any policy or action which **destabilises Ukraine or undermines or threatens the territorial integrity, sovereignty or independence of Ukraine**”;
- “the person provides **financial services**, or **makes available funds, economic resources, goods or technology**, that could **contribute to destabilising Ukraine or undermining or threatening the territorial integrity, sovereignty or independence of Ukraine**”;
- “the person provides **financial services**, or **makes available funds, economic resources, goods or technology**, to” someone that meets the criteria in either of the preceding two bullets;
- “the person **obstructs** the work of **international organisations in Ukraine**”;
- “the person **conducts business** with a **separatist group in the Donbas region**”;
- “the person is a **relevant person trading or operating in Crimea**”; or
- “the person **assists the contravention or circumvention of a relevant provision**”.

## Other Human Rights Abuses (not already cited above)

The UK Government can designate persons where there are reasonable grounds to suspect that the person is or has been involved in a **serious violation** of one of the following **human rights** ([Global Human Rights Sanctions Regulations 2020](#)):

- the “**right to life**”;
- the “**right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment**”; or
- the “**right to be free from slavery, not to be held in servitude or required to perform forced or compulsory labour**”.

## Corruption (not already cited above)

The UK Government can designate persons where there are reasonable grounds to suspect that the person is or has been involved in “**serious corruption**” ([Global Anti-Corruption Sanctions Regulations 2021](#)). “Serious corruption” is defined as:

- “**bribery**” (for a detailed definition see Reg 4(3) of [Global Anti-Corruption Sanctions Regulations 2021](#)); or
- “**misappropriation of property**” (for a detailed definition see Reg 4(3) of [Global Anti-Corruption Sanctions Regulations 2021](#)).

## Additional Assorted Criteria

Under other UK sanctions regimes the UK government can designate persons where there are reasonable grounds to suspect that the person:

- “is or has been involved in a **prohibited activity related to chemical weapons**” (for a detailed definition see Regs 4 and 6 of the [Chemical Weapons \(Sanctions\) \(EU Exit\) Regulations 2019](#)): or
- “is or has been involved in **relevant cyber activity**” (for a detailed definition see Regs 4 and 6 of the [Cyber \(Sanctions\) \(EU Exit\) Regulations 2020](#)).

## Derivative Criteria

All of the sanctions regimes listed above also authorize derivative designations based on persons’ links to “involved persons” (i.e., those that meet the criteria listed above). Derivative designations can be imposed on a person that:

- is **owned or controlled** directly or indirectly **by an involved person**;
- is **acting on behalf of or at the direction of an involved person**, or;
- is **a member of, or associated with, an involved person**.

## Sanctions on the Basis of Designation by Other Country

The March 2022 [Economic Crime \(Transparency and Enforcement\) Act 2022](#) has amended the [Sanctions and Anti-Money Laundering Act 2018](#) to allow the UK Government to sanction persons using an “urgent procedure” where:

- the person has **been sanctioned by the United States, European Union, Australia or Canada** under a **provision that corresponds or is similar to an existing UK sanctions regime**; and
- it is **in the public interest** to make designations under the urgent procedure.

Designations under the urgent procedure do not require the UK Government to make substantive findings as to the designated person’s status or activities. Designations under the urgent procedure cease to have effect after 56 days.

## European Union

As with the US and the UK, the EU has various sanctions regimes under which it might designate persons in connection with Russia’s invasion of Ukraine.

The EU has a number of restrictive measures it has developed since 2014 following Russia’s annexation of Crimea and destabilisation of Ukraine. The EU definition of persons includes persons both natural and legal, such as entities, bodies and individuals. The EU can designate both state and non-state actors involved in, or associated with, involved persons or bodies.

## Targeted and Individual Sanctions (Territorial Integrity Sanctions)

The EU is able to designate persons and entities:

- **responsible for actions which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine**, including actions on the future status of any part of the territory which are contrary to the Ukrainian Constitution ([Council Regulation](#) (EU) No 269/2014, 17 March 2014);
- **natural or legal persons, entities or bodies associated with them** ([Council Regulation](#) (EU) No 269/2014, 17 March 2014);
- **supporting and benefitting and providing a substantial source of revenue to the Government of the Russian Federation, as well as natural or legal persons associated with listed persons or**

**entities** ([Council Regulation \(EU\) 2022/330 of 25 February 2022](#), amending Regulation (EU) No 269/2014).

This regulation has been the basis for subsequent individual designations regarding the territorial integrity of Ukraine. In response to the Russian invasion of Ukraine on 24 February 2022, the EU has updated this [regulation](#) with the additional listings.

- The regulation provides for travel bans, asset freezes, and prohibits allocating funds and economic resources to
  - “certain **persons responsible for actions which undermine or threaten** the territorial integrity, sovereignty and independence of Ukraine, including actions on the future status of any part of the territory which are contrary to the Ukrainian Constitution”;
  - “**natural or legal persons, entities or bodies associated with them.**”

## Destabilising Ukraine Sanctions

Following involvement of Belarus in the unacceptable and illegal Russian military aggression against Ukraine, which under international law qualifies as an act of aggression the [Council Regulation \(EU\) 2022/398](#) on 9 March 2022 designated high level military officials from Belarus because of their **involvement in the Russian Aggression against Ukraine.**

## Ukraine-Specific Criteria

[Council Regulation \(EU\) No 208/2014](#), in view of the situation in Ukraine, provides sanctions on those persons responsible for

- the **misappropriation of Ukrainian State funds;**
- **persons responsible for human rights violations.**

## Human Rights Abuses

None of the above-mentioned sanctions explicitly target those who commit human rights abuses.

- [EU Global Human Rights Sanctions Regime 2020](#) (the “EUGRHSR”) provides to sanction those who commit **serious human rights violations and abuses worldwide.**
- It applies to persons responsible for, providing support to or otherwise involved in serious human rights violations or abuses, as well as those associated with covered persons.
- This regulation applies to the following violations:
  - **genocide;**
  - **crimes against humanity;**
  - the following **serious human rights violations or abuses:**
    - **torture and other cruel, inhuman or degrading treatment or punishment;**
    - **slavery;**
    - **extrajudicial, summary or arbitrary executions and killings;**
    - **enforced disappearance of persons;**
    - **arbitrary arrests or detentions;**
  - **other human rights violations or abuses**, including but not limited to the following, in so far as those violations or abuses are widespread, systematic or are otherwise of serious concern:
    - **trafficking in human beings, as well as abuses of human rights by migrant smugglers as**

referred to in this Article;

- **sexual and gender-based violence;**
- **violations or abuses of freedom of peaceful assembly and of association;**
- **violations or abuses of freedom of opinion and expression;**
- **violations or abuses of freedom of religion or belief.**

## Additional Assorted Criteria

Other thematic regimes such as the [Restrictive measures against the proliferation and use of chemical weapons](#) (2018) could apply in the event of specific actions by Russian forces in Ukraine.

Under the [Restrictive measures against cyber-attacks threatening the Union or its Member States](#) the EU can designate natural or legal person, entity or body (or those who support or direct such actions) outside of the EU and who without authorization are responsible for cyber-attacks or attempted cyber-attacks, involving:

- **access to information systems; information system interference;**
- **data interference;**
- **data interception.**