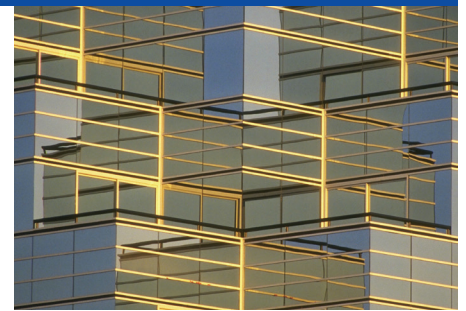


# ClientAlert

## International Trade

December 2014

### US Issues Executive Order Prohibiting Crimea-Related Transactions and General License No. 4 Authorizing Humanitarian Exports to the Crimea Region, and Expands Ukraine-Related Designations



On December 19, 2014, President Obama signed an Executive Order (EO) prohibiting a broad range of transactions related to the Crimea region of Ukraine and authorizing the United States to impose sanctions on certain persons if they are found to operate in the Crimea region. The United States also issued General License No. 4, which authorizes the exportation of certain agricultural commodities, medicine, medical supplies, and replacement parts for medical supplies to the Crimea region. Finally, the United States added new individuals and entities to the List of Specially Designated Nationals and Blocked Persons (SDN List) administered by the US Department of the Treasury's Office of Foreign Assets Control (OFAC) pursuant to existing Executive Order 13660.

#### Executive Order

The EO prohibits the following transactions:

- New investment in the Crimea region of Ukraine by a US person, wherever located;<sup>1</sup>
- The importation into the United States, directly or indirectly, of any goods, services, or technology from the Crimea region of Ukraine;
- The exportation, reexportation, sale, or supply, directly or indirectly, from the United States, or by a US person, wherever located, of any goods, services, or technology to the Crimea region of Ukraine; and
- Any approval, financing, facilitation, or guarantee by a US person, wherever located, of a transaction by a foreign person that would be prohibited by the EO if performed by a US person.

This EO, like the previous Ukraine-related EOs, also prohibits transactions that evade or avoid, have the purpose of evading or avoiding, cause a violation of, or attempt to violate any of the prohibitions set forth in the Executive Order, including any conspiracy to violate any of the prohibitions. The sanctions authorized by the EO include blocking as well as a prohibition on US persons from doing business with entities or individuals designated under the EO or that are 50 percent or greater owned in the aggregate, directly or indirectly, by one or more blocked parties.

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<sup>1</sup> A US Person is defined to include any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

The EO also authorizes blocking the property and interests in property of any person who is determined:

- To operate in the Crimea region of Ukraine;
- To be a leader of an entity operating in the Crimea region of Ukraine;
- To be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the EO; or
- To have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person whose property and interests in property are blocked pursuant to the EO.

As with the previous Ukraine-related EOs, this EO authorizes the US State Department to deny visas to those individuals whose property and interests in property are blocked pursuant to the EO. The US State Department also may revoke visas that already have been issued.

### General License 4: Authorizing the Exportation or Reexportation of Agricultural Commodities, Medicine, Medical Supplies, and Replacement Parts

New General License 4 authorizes the exportation or reexportation from the United States or by US persons, wherever located, of certain agricultural commodities, medicine, medical supplies, and replacement parts for medical supplies to Crimea, or to persons in third countries purchasing for resale to Crimea.<sup>2</sup> It also authorizes the conduct of related transactions, including the making of shipping and cargo inspection arrangements, the obtaining of insurance, the arrangement of financing and payment, shipping of the goods, receipt of payment, and entry into contracts (including executory contracts). General License 4 does not authorize the exportation or reexportation of such items to military or law enforcement purchasers or importers, or to persons whose property and interests in property are blocked under programs administered by OFAC. Certain agricultural commodities and medicines are excluded from the authorization provided under

General License 4.<sup>3</sup> In addition, items that are not designated as EAR99 (or would not be designated as EAR99 if they were located in the United States) are not authorized for exportation under the general license.

### New Additions to the SDN List

The United States also announced additional designations of 17 individuals and 7 entities pursuant to Executive Order 13660.<sup>4</sup> OFAC has provided the following listing of individuals and entities:

- ANTYUFEYEV, Vladimir (a.k.a. ALEXANDROV, Vladimir Gheorghievici; a.k.a. ANTIUFEEV, Vladimir Iurievici; a.k.a. ANTIUFEYEV, Vladimir; a.k.a. ANTYUFEYEV, Vladimir Yuryevich; a.k.a. SHEVTSOV, Vadim; a.k.a. SHEVTSOV, Vadim Gheorghievici; a.k.a. SHEVTSOV, Vladimir); DOB 19 Feb 1951; POB Novosibirsk, Russia (individual) [UKRAINE-EO13660].
- BEREZIN, Fedor (a.k.a. BEREZIN, Fyodor; a.k.a. BEREZIN, Fyodor Dmitrievich); DOB 07 Feb 1960; POB Donetsk, Ukraine (individual) [UKRAINE-EO13660].
- BEZLER, Igor Nikolayevich (a.k.a. BEZLER, Igor; a.k.a. BEZLER, Igor Mykolaiovych; a.k.a. BEZLER, Ihor); DOB 1965 (individual) [UKRAINE-EO13660].
- GUBAREV, Pavel (a.k.a. HUBARYEV, Pavlo); DOB 10 Feb 1983; POB Sievierodonetsk, Ukraine (individual) [UKRAINE-EO13660].
- KARYAKIN, Alexei Vyacheslavovich (a.k.a. KARIAKIN, Aleksey; a.k.a. KARYAKIN, Aleksey; a.k.a. KARYAKIN, Alexei); DOB 07 Apr 1980; POB Stahanov, Luhansk Oblast, Ukraine (individual) [UKRAINE-EO13660].
- KHRYAKOV, Alexander (a.k.a. KHRYAKOV, Aleksandr Vitaliyovych; a.k.a. KHRYAKOV, Alexander Vitaliyovych; a.k.a. KHRYAKOV, Alexander; a.k.a. KHRYAKOV, Oleksandr; a.k.a. KHRYAKOV, Oleksandr Vitaliyovych), Donetsk, Ukraine; DOB 06 Nov 1958; POB Donetsk, Ukraine (individual) [UKRAINE-EO13660].
- KOZITSYN, Nikolai (a.k.a. KOZITSYN, Mykola; a.k.a. KOZITSYN, Mykola Ivanovych; a.k.a. KOZITSYN, Nikolay); DOB 20 Jun 1956; POB Donetsk Region; citizen Russia (individual) [UKRAINE-EO13660].

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<sup>2</sup> A copy of General License 4 is available [here](#).

<sup>3</sup> Excluded agricultural commodities include castor beans, castor bean seeds, certified pathogen-free eggs (unfertilized or fertilized), dried egg albumin, live animals (excluding live cattle), embryos (excluding cattle embryos), Rosary/Jequirity peas, non-food-grade gelatin powder, peptones and their derivatives, super absorbent polymers, western red cedar, and all fertilizers. Excluded medicines include non-NSAID analgesics, cholinergics, anticholinergics, opioids, narcotics, benzodiazepenes, and bioactive peptides.

<sup>4</sup> A discussion of Executive Order 13660 is available [here](#).

- MALOFEYEV, Konstantin (a.k.a. MALOFEEV, Konstantin Valerevich; a.k.a. MALOFEEV, Konstantin Valerievich); DOB 03 Jul 1974; POB Pushchino, Moscow, Russia; Managing Partner of Marshall Capital Partners (individual) [UKRAINE-EO13660] (Linked To: MARSHALL CAPITAL PARTNERS).
- MOZGOVOY, Aleksey (a.k.a. MOZGOVOI, Aleksei; a.k.a. MOZGOVOI, Alexei; a.k.a. MOZGOVOI, Oleksiy; a.k.a. MOZGOVOY, Aleksei; a.k.a. MOZGOVOY, Alexei; a.k.a. MOZGOVOY, Oleksiy; a.k.a. MOZGOVOY, Aleksei; a.k.a. MOZGOVOY, Oleksiy; a.k.a. MOZHOVY, Oleksiy; a.k.a. MOZHOVY, Oleksiy; a.k.a. MOZHOVY, Aleksei; a.k.a. MOZHOVY, Oleksiy; a.k.a. MOZHOVYY, Aleksei), Luhansk, Ukraine; DOB 03 Apr 1975; POB Nyzhnya Duvanka, Ukraine (individual) [UKRAINE-EO13660].
- NEKLYUDOV, Dmitry Sergeyeovich (a.k.a. NEKLYUDOV, Dmitriy Sergeyeovich); DOB 17 Feb 1969; POB Simferopol, Ukraine (individual) [UKRAINE-EO13660].
- PLOTNITSKY, Igor Venediktovich (a.k.a. PLOTNITSKY, Igor); DOB 24 Jun 1964; POB Kelmentsi, Ukraine (individual) [UKRAINE-EO13660].
- POKLONSKAYA, Natalia Vladimirovna (a.k.a. POKLONSKA, Natalya; a.k.a. POKLONSKAYA, Natalia; a.k.a. POKLONSKAYA, Natalya); DOB 18 Mar 1980; POB Eupatoria, Ukraine; Prosecutor of Crimea (individual) [UKRAINE-EO13660].
- RUDENKO, Miroslav Vladimirovich (a.k.a. RUDENKO, Miroslav; a.k.a. RUDENKO, Myroslav), Donetsk, Ukraine; DOB 21 Jan 1983; alt. DOB 1983; POB Debaltsevo, Donetsk Region, Ukraine (individual) [UKRAINE-EO13660].
- SAVCHENKO, Petr (a.k.a. SAVCHENKO, Peter; a.k.a. SAVCHENKO, Peter A.; a.k.a. SAVCHENKO, Petro Oleksiiovych), Makeyevka, Ukraine; DOB 23 Feb 1968 (individual) [UKRAINE-EO13660] (Linked To: PROFAKTOR, TOV).
- TSARYOV, Oleh Anatolievich (a.k.a. TSAREV, Oleg; a.k.a. TSARIOV, Oleh; a.k.a. TSAROV, Oleg; a.k.a. TSARYOV, Oleh), Stari Kodaky, Dnepropetrovsk Oblast, Ukraine; DOB 02 Jun 1970; POB Dnepropetrovsk, Ukraine (individual) [UKRAINE-EO13660].
- ZAKHARCHENKO, Alexander; DOB 1976; POB Donetsk, Ukraine (individual) [UKRAINE-EO13660].
- ZALDOSTANOV, Aleksandr (a.k.a. ZALDASTANOV, Aleksandr Sergeevich; a.k.a. ZALDOSTANOV, Alexander; a.k.a. ZALDOSTANOV, Alexander Sergeyeovich; a.k.a. "Khirurg"; a.k.a. "The Surgeon"); DOB 19 Jan 1963; POB Kirovograd, Ukraine (individual) [UKRAINE-EO13660].
- DONBASS PEOPLE'S MILITIA (a.k.a. PEOPLE'S MILITIA OF DONBASS), Prospect Zasyadko.13, Donetsk, Ukraine; Email Address voenkom.dnr@mail.ru; alt. Email Address mobilisation@novorossia.co; alt. Email Address novoross24@mail.ru [UKRAINE-EO13660].
- MARSHALL CAPITAL PARTNERS (a.k.a. MARSHALL CAPITAL), 5th Floor, Novinsky Passage Business Center, 31 Novinsky Boulevard, Moscow 123242, Russia; Website www.marcap.ru; Email Address info@marcap.ru [UKRAINE-EO13660].
- NIGHT WOLVES (a.k.a. MOLODEZHNYAYA AVTONOMNAYA NEKOMMERCHESKAYA ORGANIZATSIYA NOCHNYE VOLKI; a.k.a. NOCHNIYE VOLKI; a.k.a. NOCHNYE VOLKI), Nizhniye Mnevniky, 110, "Bike Center", Moscow, Russia; 110 Nizhniye Mnevniky, Moscow, Russia; 110 Nizhnie Mnevniky Ul., Moscow 123423, Russia; Registration ID 1037717009846; Government Gazette Number 14188237 [UKRAINE-EO13660].
- NOVOROSSIYA PARTY (a.k.a. NEW RUSSIA PARTY), Ukraine [UKRAINE-EO13660].
- OPLOT, Donetsk, Ukraine; Kharkiv, Ukraine [UKRAINE-EO13660].
- PROFAKTOR, TOV (a.k.a. PROFAKTOR, LLC), Bud, 22/28, vul. Dzerzhynskogo, Makiivka 86100, Ukraine; Makeevka str., Donetsk Region 86157, Ukraine; Government Gazette Number 32084605 [UKRAINE-EO13660].
- SOUTH-EAST MOVEMENT (a.k.a. SOUTHEAST MOVEMENT; a.k.a. YUGO-VOSTOK MOVEMENT), Ukraine [UKRAINE-EO13660].

All property and interests in property of these individuals and entities located in the United States or within the possession or control of a US person, wherever located, are considered blocked and may not be dealt in. Any entity in which one or more blocked parties hold in the aggregate, directly or indirectly, a 50 percent or greater ownership interest is itself considered blocked by operation of law. US persons may not engage in any dealings, directly or indirectly, with blocked parties. Provision of goods, services or support for blocked parties is identified as a criterion for potential future designation.

Companies doing business in Russia and Ukraine should monitor closely any measures imposed pursuant to this EO and additional sanctions measures to ensure compliance. Penalties for noncompliance can be severe.

## Client Alert

### International Trade

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