

OFAC

Office of Foreign Assets Control

SYRIA SANCTIONS PROGRAM

This document is explanatory only and does not have the force of law. Executive Orders 13338, 13399, 13460, 13572, 13573, 13582, 13606, and 13608, applicable laws, and the implementing regulations pertaining to Syria (31 C.F.R. part 542) contain the legally binding provisions governing these sanctions. This document does not supplement or modify the Executive orders, applicable laws, or regulations.



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SANCTIONS AGAINST SYRIA

I. INTRODUCTION

The Syria sanctions program implemented by the Office of Foreign Assets Control (“OFAC”) began in 2004 when Executive Order (“E.O.”) 13338 was issued to deal with the Government of Syria’s policies in supporting terrorism, continuing its occupation of Lebanon, pursuing weapons of mass destruction and missile programs, and undermining U.S. and international efforts to stabilize Iraq. Following events in Syria beginning in March 2011, subsequent Executive orders have been issued in response to the ongoing violence and human rights abuses taking place in Syria. The Syria sanctions program is one of the most comprehensive sanctions programs currently implemented by OFAC. Most recently, additional actions have been taken to ease certain aspects of the sanctions program to support the Syrian opposition and the people of Syria.

II. OVERVIEW OF AUTHORITIES

On May 11, 2004, the President issued E.O. [13338](#), declaring a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the actions of the Government of Syria in supporting terrorism, continuing its occupation of Lebanon, pursuing weapons of mass destruction and missile programs, and undermining United States and international efforts with respect to the stabilization and reconstruction of Iraq. E.O. 13338 was issued under the authority of, inter alia, the International Emergency Economic Powers Act (50 U.S.C. §§ 1701 *et seq.*) (“IEEPA”), the National Emergencies Act (50 U.S.C. §§ 1601 *et seq.*) (“NEA”), and the Syria Accountability and Lebanese Sovereignty Act of 2003 (Pub. L. 108-175).

On April 5, 2005, OFAC issued a set of regulations to implement E.O. 13338 (70 Fed. Reg. 17203, April 5, 2005). [See 31 C.F.R. Part 542, Syrian Sanctions Regulations \(“SSR”\)](#) for details.

On April 25, 2006, the President issued E.O. [13399](#) pursuant to, inter alia, IEEPA, the NEA, and section 5 of the United Nations Participation Act, as amended (22 U.S.C. § 287c) (“UNPA”), determining, among other things, that it is in the interests of the United States to assist the Government of Lebanon in identifying and holding accountable those persons who were involved in planning, sponsoring, organizing, or perpetrating the terrorist act that resulted in the assassination of former Prime Minister of Lebanon Rafiq Hariri and the deaths of 22 others, and taking additional steps with respect to the national emergency declared in E.O. 13338.

On February 13, 2008, the President issued E.O. [13460](#) pursuant to, inter alia, IEEPA and the NEA, finding that the Government of Syria continues to engage in certain conduct that formed the basis for the national emergency declared in E.O. 13338 and that the conduct of certain members of the Government of Syria and other persons contributing to public corruption related to Syria enables the Government of Syria to continue to engage in certain conduct that formed the basis for the national emergency declared in E.O. 13338. E.O. 13460 took additional steps with respect to the national emergency declared in E.O. 13338.

On April 29, 2011, the President issued E.O. [13572](#) pursuant to, inter alia, IEEPA and the NEA, expanding the scope of the national emergency declared in E.O. 13338, finding that the Government of Syria’s human rights abuses constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

On May 18, 2011, the President issued E.O. [13573](#) pursuant to, inter alia, IEEPA and the NEA, taking additional steps with respect to the Government of Syria’s continuing escalation of violence against the people of Syria and with respect to the national emergency declared in E.O. 13338 and expanded in scope in E.O. 13572.

On August 17, 2011, the President issued E.O. [13582](#) pursuant to, inter alia, IEEPA and the NEA, taking additional steps with respect to the Government of Syria’s continuing escalation of violence against the people of Syria and with respect to the national emergency declared in E.O. 13338 and expanded in scope in E.O. 13572.

On April 22, 2012, the President issued E.O. [13606](#) pursuant to, inter alia, IEEPA and the NEA, determining that the commission of serious human rights abuses against the people of Syria and Iran by their governments, facilitated by

computer and network disruption, monitoring, and tracking by those governments, threatens the national security and foreign policy of the United States. E.O. 13606 is designed primarily to address the need to prevent entities located in whole or in part in Syria and Iran from facilitating or committing serious human rights abuses and takes additional steps with respect to the national emergencies declared in E.O. 13338 and E.O. [12957](#), while recognizing the vital importance of providing technology that enables the Syrian and Iranian people to communicate with each other and the outside world, and of the preservation of global telecommunications supply chains to enable the free flow of information.

On May 1, 2012, the President issued E.O. [13608](#) pursuant to, inter alia, IEEPA and the NEA, finding that efforts by foreign persons to engage in activities intended to evade U.S. economic and financial sanctions with respect to Syria and Iran undermine United States efforts to address the national emergencies declared in E.O. 13338, E.O. 12957, E.O. [12938](#), and E.O. [13224](#), and taking additional steps pursuant to those national emergencies.

This fact sheet is a broad summary of the sanctions imposed pursuant to the national emergency declared in E.O. 13338 that are currently in place. Please note that the SSR have not yet been amended to incorporate all of the E.O.s described above. Certain general licenses that are not incorporated into the SSR at this time are available on OFAC's Web site. See www.treasury.gov/resource-center/sanctions/programs/pages/syria.aspx for details.

III. PROHIBITED TRANSACTIONS

Current Syria sanctions (1) block the property and interests in property of the Government of Syria pursuant to E.O. 13582, (2) block the property and interests in property of persons listed in an Annex to, or that are determined by the Secretary of the Treasury in consultation with the Secretary of State, to meet the criteria described in, E.O. 13338, E.O. 13399, E.O. 13460, E.O. 13572, E.O. 13573, E.O. 13582, or E.O. 13606, (3) prohibit transactions or dealings with foreign persons that are determined by the Secretary of the Treasury, in consultation with the Secretary of State, to meet the criteria described in E.O. 13608, and (4) prohibit certain transactions with respect to Syria pursuant to E.O. 13582.

Under E.O. 13582, all property and interests in property of the Government of Syria, which includes its agencies, instrumentalities, and controlled entities, which are in the United States or within the possession or control of U.S. persons, are blocked.

E.O. 13582 also prohibits the following:

- New investment in Syria by a U.S. person, wherever located;
- The direct or indirect exportation, reexportation, sale, or supply of any services to Syria from the United States or by a U.S. person, wherever located;
- The importation into the United States of petroleum or petroleum products of Syrian origin;
- Any transaction or dealing by a U.S. person, wherever located, in or related to petroleum or petroleum products of Syrian origin; and
- Any approval, financing, facilitation, or guarantee by a U.S. person, wherever located, of a transaction by a foreign person where the transaction by that foreign person would be prohibited if performed by a U.S. person or within the United States.

The names of persons listed in an Annex or designated pursuant to E.O. 13338, E.O. 13399, E.O. 13460, E.O. 13572, E.O. 13573, or E.O. 13582, whose property and interests in property are therefore blocked, are published in the *Federal Register* and incorporated into OFAC's Specially Designated Nationals and Blocked Persons List ("SDN List") with the identifier "[SYRIA]." The names of persons listed in an Annex or designated pursuant to E.O. 13606, whose property and interests in property are therefore blocked, are published in the *Federal Register* and incorporated into OFAC's SDN List with the identifier "[HRIT-SY]." The names of foreign persons identified pursuant to E.O. 13608 are published in the *Federal Register* and incorporated into OFAC's SDN List with the identifier "[FSE-SY]." The SDN List is available through the following page on OFAC's Web site: www.treasury.gov/sdn.

With certain exceptions and notwithstanding any contract entered into or any license or permit granted prior to its effective date, E.O. 13338, E.O. 13399, E.O. 13460, E.O. 13572, E.O. 13573, E.O. 13582, and E.O. 13606 prohibit any transaction or dealing in the property and interests in property of an entity or individual listed in an Annex or designated pursuant to one of those E.O.s. The property and interests in property of an entity that is 50% or more owned, directly or indirectly, by such a person are also blocked, regardless of whether the entity itself is listed in an Annex or designated pursuant to the relevant E.O.s. In addition, E. O. 13608 prohibits all transactions or dealings, involving persons identified pursuant to that order, in or related to (i) any goods, services, or technology in or intended for the United States, or (ii) any goods, services, or technology provided by or to United States persons, wherever located.

In addition to the prohibited transactions described above, other U.S. Government agencies may prohibit other transactions with Syria. For example, the U.S. Department of Commerce regulates the exportation or reexportation to Syria of many items subject to the Export Administration Regulations.

IV. AUTHORIZED OR EXEMPT TRANSACTIONS

EXEMPT TRANSACTIONS

Certain types of activities and transactions may be exempt from the prohibitions of the SSR and the Executive orders. For example, nothing in sections 1 and 2 of E.O. 13582 prohibits transactions for the conduct of the official business of the Federal Government by employees, grantees, or contractors thereof.

GENERAL LICENSES

Certain types of activities and transactions which would otherwise be prohibited with respect to Syria have been authorized by general licenses, subject to certain conditions and limitations. Those licensed activities and transactions include:

- The exportation and reexportation of items to Syria from the United States. or by U.S. persons to any person, including the Government of Syria, whose property or interests in property are blocked, provided that the Department of Commerce has licensed or otherwise authorized the export of those items;
- Noncommercial, personal remittances to or from Syria or on behalf of individuals ordinarily resident in Syria, as long as the transfer is not by, to, or through the Government of Syria or any other person whose property and interests in property are blocked;
- Transactions related to U.S. persons residing in Syria;
- The export and reexport of services in support of humanitarian and other not-for-profit activities in Syria by U.S. and third-country non-governmental organizations; and
- Certain transactions related to intellectual property protection.

Please see 31 C.F.R. 542 subpart E and visit <http://www.treasury.gov/resource-center/sanctions/Programs/pages/syria.aspx> for additional information about these and other general licenses.

SPECIFIC LICENSES

On a case-by-case basis OFAC considers applications for specific licenses to authorize transactions that are neither exempt nor covered by a general license. Requests for a license must be submitted to OFAC's Licensing Division. License requests may be submitted using any of these three methods:

- Online: <http://www.treasury.gov/resource-center/sanctions/Pages/licensing.aspx>
- Fax: (202) 622-1657

- U.S. mail: Assistant Director for Licensing, Office of Foreign Assets Control, U.S. Department of the Treasury, 1500 Pennsylvania Avenue, NW, Washington, DC 20220

Note that, on June 12, 2013, OFAC issued a Statement of Licensing Policy (SLP) inviting U.S. persons to apply to OFAC for specific licenses that would enable them to participate in certain economic activities in Syria. The SLP specifically focuses on applications by U.S. persons seeking to engage in oil-related transactions that benefit the National Coalition of Syrian Revolutionary and Opposition Forces, or its supporters, and transactions involving Syria's agricultural and telecommunications sectors.

V. PENALTIES

Civil monetary penalties of up to the greater of \$250,000 or twice the amount of the underlying transaction may be imposed administratively against any person who violates, attempts to violate, conspires to violate, or causes a violation of the E.O.s or the SSR. Upon conviction, criminal fines of up to \$1,000,000, imprisonment for up to 20 years, or both, may be imposed on any person who willfully commits or attempts to commit, or willfully conspires to commit, or aids or abets in the commission of a violation of the E.O.s or the SSR. Under the UNPA, criminal violations of E.O. 13399 may result in fines of up to \$1,000,000, imprisonment for up to 20 years, or both.

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The Treasury Department's Office of Foreign Assets Control also administers sanctions programs involving the Balkans, Belarus, Burma (Myanmar), Cote d'Ivoire, Cuba, Democratic Republic of the Congo, Rough Diamond Trading (Kimberley Process), Iran, Iraq, Lebanon, Liberia, Libya, North Korea, Somalia, Sudan, Yemen and Zimbabwe, as well as highly enriched uranium, persons who commit, threaten to commit, or support terrorism, international narcotics traffickers, Foreign Terrorist Organizations, Terrorism List Governments, transnational criminal organizations, and weapons of mass destruction and missile proliferators and their supporters. For additional information about these programs or about sanctions involving Syria, please contact the:

OFFICE OF FOREIGN ASSETS CONTROL
U.S. Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Washington, D.C. 20220
www.treasury.gov/ofac
202/622-2490