

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. 19) 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 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.

Designated persons and entities, and declared persons, 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). The Minister is able to revoke a designation or declaration under paragraphs 10(3)(a) and (b) of the Regulations.

Details of the Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 19) Instrument 2022 (the Instrument) which amends the 2014 List to revoke the designation and declaration of Alexander Grigoryevich Abramov are set out at **Attachment A**. As this instrument revokes Mr Abramov's designation and declaration, it does not limit or adversely affect Mr Abramov or any other persons' human rights. This Instrument does not engage any of the applicable human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

The legal framework for the imposition of autonomous sanctions by Australia, of which the Regulations and the 2014 List are part, was the subject of extensive consultation with governmental and non-governmental stakeholders when introduced. The revocation was made following an application under regulation 11 by Alexander Grigoryevich Abramov and after receiving submissions from him as the affected party. Regulation 11 provides that a designated and/or declared person may apply to the Minister to revoke their designation and/or declaration.

The Office of Best Practice Regulation (OBPR) has advised that a Regulation Impact Statement is not required for listing instruments of this nature (OBPR reference: OBPR22-02078).

Autonomous Sanctions (Designated Persons and Entities and Declared Persons—
Russia and Ukraine) Amendment (No. 19) 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. 19) Instrument 2022 (the Instrument).

Section 2

Subsection 2(1) provides that the instrument commences the day after it is registered.

Subsection 2(2) is a technical provision that makes clear that any information inserted in column 3 of the table about the specific date of commencement is not part of the instrument and can be inserted or edited at a later date.

Section 3

The Instrument is made under subregulation 10(3) of the *Autonomous Sanctions Regulations 2011*.

Section 4

Part 1 of Schedule 2 of the *Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Russia and Ukraine) List 2014 (the List)* sets out persons that the Minister has designated for targeted financial sanctions under paragraph 6(a) of the Regulations and declared for the purposes of a travel ban under paragraph 6(b) of the Regulations.

This item revokes the designation and declaration of Alexander Grigoryevich Abramov.

Section 5

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.

Section 6

This item repeals the Instrument on the day after the last day on which this instrument or a provision of this instrument may be disallowed in a House of the Parliament.

Schedule 1

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

Item 1

Part 1 of Schedule 2 of the List sets out persons that the Minister has designated for targeted financial sanctions under paragraph 6(a) of the Regulations and declared for the purposes of a travel ban under paragraph 6(b) of the Regulations.

This item removes the name Alexander Grigoryevich Abramov, which appeared at item 103 of the table in Part 1 of Schedule 2 of the List, from the List.