



## SNAPSHOT MYANMAR SANCTIONS REGIME

### Why are sanctions imposed?

Australia imposed autonomous sanctions in relation to Myanmar in response to the Myanmar Government's failure to recognise the victory of the National League for Democracy in the 1990 Myanmar elections. After democratic reforms were initiated by the government of President Thein Sein, Australia lifted some sanctions measures in 2012 but retained an arms embargo due to concerns about ongoing armed conflict, weapons proliferation and human rights. In October 2018, the Minister for Foreign Affairs imposed new targeted financial sanctions and travel bans on members of the Myanmar military (Tatmadaw), in response to the release of the full report of the UN Fact-Finding Mission on Myanmar, which documented human rights abuses committed primarily by Myanmar's military against ethnic minorities.

### What is prohibited by the Myanmar sanctions regime?

The Myanmar sanctions regime imposes the following sanctions measures:

Measure	UNSC	Autonomous
restrictions on supplying arms or related matériel		✓
restrictions on the provision of certain services		✓
restrictions on providing assets to designated persons or entities		✓
restrictions on dealing with the assets of designated persons or entities		✓
travel bans on designated persons		✓

#### Restrictions on supplying arms or related matériel and related services

The Myanmar sanctions regime imposes an arms embargo. It is prohibited to:

- directly or indirectly supply, sell or transfer arms or related matériel to Myanmar
- provide a service if it relates to the supply of arms or related matériel to Myanmar
- provide a service to Myanmar, or for use in Myanmar, if it relates to the manufacture, maintenance or use of arms or related matériel.

Arms or related matériel is defined broadly and includes, but is not limited to, weapons, ammunition, military vehicles and equipment, and spare parts or accessories for any of those things. It also includes paramilitary equipment. While each case will be considered individually, goods on the [Defence and Strategic Goods List](#) are likely to be considered arms or related matériel. Depending on the context, end-user and end-use, other goods may also be considered arms or related matériel.

#### Restrictions on providing assets to designated persons or entities

The Myanmar sanctions regime also prohibits making an asset available directly or indirectly to, or for the benefit of, a 'designated person or entity' for Myanmar.

#### Restrictions on dealing with the assets of designated persons or entities (requirement to freeze assets)

It is also prohibited to use of or dealing with an asset that is owned or controlled by a 'designated person or entity' for Myanmar.

An 'asset' includes an asset or property of any kind, whether tangible or intangible, movable or immovable. The [Consolidated List](#) available on DFAT's website includes the names of all designated persons and entities.

## Relevant legislation

The relevant legislation for the Myanmar sanctions regime includes the following:

- *Autonomous Sanctions Act 2011*
- *Autonomous Sanctions Regulations 2011*
- *Autonomous Sanctions (Designated and Declared Persons – Myanmar) List 2018*
- *Customs (Prohibited Exports) Regulations 1958*
- *Migration Regulations 1994*

## Who must comply with sanctions?

Australian sanction laws apply to activities in Australia and to activities undertaken overseas by Australian citizens and Australian-registered bodies corporate.

In some circumstances, it may be possible to obtain a permit from the Minister for Foreign Affairs to engage in an activity that would otherwise be prohibited by a sanctions measure. Information on planning an activity and submitting an application for a sanctions permit is available on the DFAT website. Information on planning an activity and submitting an application for a sanctions permit is available on the [DFAT website](#).

It is a serious criminal offence to contravene a sanctions measure (or a condition of a sanctions permit). The penalties include up to ten years in prison and substantial fines.

## Where can I get more information?

More information on Australia's sanctions can be found on DFAT's website: <https://dfat.gov.au/international-relations/security/sanctions/Pages/sanctions.aspx>.

Enquiries can be made to DFAT by emailing [sanctions@dfat.gov.au](mailto:sanctions@dfat.gov.au).

DFAT maintains a mailing list for people interested in receiving updates on Australian sanctions laws. You can subscribe to this list via the [DFAT website](#).

*This document provides a summary only of relevant sanctions laws. It should not be relied upon as a substitute for legal advice. It is your responsibility to ensure you do not contravene sanctions law, including by obtaining your own legal advice.*