



5 May 2022

Minister of Foreign Affairs

For approval by

12 May 2022

## Russia Sanctions – Belarus Political and Military Leaders

BRIEFING Decision Submission

**PURPOSE** To seek approval to authorise the drafting of regulations to amend the Russia Sanctions Regulations 2022 to: implement proposed designations of Belarusian individuals and entities, for their role in supporting Russia's invasion of Ukraine; and attend to minor administrative amendments.

## Tukunga tūtohua – Recommended referrals

Prime Minister	For concurrence by	12 May 2022
Deputy Prime Minister	For concurrence by	12 May 2022
Minister Responsible for the GCSB	For concurrence by	12 May 2022
Attorney General	For concurrence by	12 May 2022
Minister for Trade and Export Growth	For concurrence by	12 May 2022
Minister of Immigration	For concurrence by	12 May 2022
Minister of Defence	For concurrence by	12 May 2022

## Taipitopito whakapā – Contact details

NAME	ROLE	DIVISION	WORK PHONE
Andrea Smith s9(2)(g)(ii)	Deputy Secretary Divisional Manager	Russia Sanctions Taskforce Russia Sanctions Taskforce	s9(2)(a)

## Mā te Tari Minita e whakakī – Minister's Office to complete

- |  |   |                                    |
|--|---|------------------------------------|
| <input type="checkbox"/> Approved            | <input type="checkbox"/> Noted                | <input type="checkbox"/> Referred  |
| <input type="checkbox"/> Needs amendment     | <input type="checkbox"/> Declined             | <input type="checkbox"/> Withdrawn |
| <input type="checkbox"/> Overtaken by events | <input type="checkbox"/> See Minister's notes |                                    |

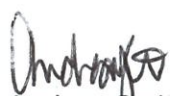
**Comments**

## Russia Sanctions – Belarus Political and Military Leaders

### Pito matua – Key points

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- The Russia Sanctions Act allows for the imposition of sanctions on other countries that are assisting Russia.
- Belarus has assisted Putin's invasion of Ukraine by actively enabling Russian forces to use its territory to: (i) enter Ukraine, (ii) launch missile attacks into Ukraine, (iii) refuel and store Russian military equipment and (iv) by allowing Russian military aircraft to use its airspace. Belarus' assistance to Russia has facilitated the devastation seen in Ukraine to date, drawing global condemnation as well as the punitive sanctions imposed on Belarusian leaders and entities by partners.
- To date we have placed travel bans on Belarusian leaders, imposed prohibitions on Belarusian government and military aircraft or ships from entering New Zealand, and included Belarus in trade measures taken in response to the invasion of Ukraine.
- This proposed tranche will expand our sanctions list to include up to 30 additional Belarusian political and military leaders, as well as any Belarusian defence entities for which we are able to establish links to Russian military. Belarusian President Lukashenko is currently subject to a travel ban under the Immigration Act, relating to election integrity and human rights issues in Belarus in 2021. We will seek to designate him under the Russia Sanctions Act. We will also propose to extend prohibitions to those Belarusians already designated with only travel bans applied.
- Advice will be provided to the Minister of Foreign Affairs proposing the specific actors to be considered for designation, and proposing amendments to the substantive text of the Regulations to:
  - provide for the inclusion of the Kiwisaver Act 2006 and the Fisheries Act 1996 to the list of Acts in section 31 of the Russia Sanctions Act 2022 in order to bolster the effectiveness of the Russia Sanctions Act and Regulations.
  - to remove reference to the now revoked HS code 8903.92 in Schedule 3.
- Approval is sought to authorise the drafting of regulations to amend the Russia Sanctions Regulations in order to implement both the proposed designations and refinements to the Regulations.
- We propose the following timeline for action:
  - 11 May: Advice on proposed designations and draft regulations to the Minister of Foreign Affairs; with agreement to those recommendations contingent on receipt of policy approval from Ministers with Power to Act
  - 12 May: Policy approval from Ministers with Power to Act to proceed with drafting regulations;
  - 16 May: Executive Council;
  - 19 May: Gazetting and public notification;
  - 20 May: Entry into force of regulations.



Andrea Smith  
for Secretary of Foreign Affairs and Trade



## Russia Sanctions – Belarus Political and Military Leaders

### Tūtohu – Recommendations

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It is recommended that you:

- |   |   |          |
|---|---|----------|
| 1 | <b>Note</b> that officials propose Belarusian leaders and entities as the next area of focus for designations by Aotearoa New Zealand;  | Yes / No |
| 2 | <b>Note</b> that officials will provide advice to the Minister of Foreign Affairs proposing designation of a number of key Belarusian targets involved in the invasion of Ukraine for her consideration;                                    | Yes / No |
| 3 | <b>Note</b> that officials will also provide advice proposing amendments to the the Russia Sanctions Regulations to attend to minor administrative amendments;  | Yes / No |
| 4 | <b>Agree</b> to authorise the Minister of Foreign Affairs to issue drafting instructions to give effect to the above;   | Yes / No |
| 5 | <b>Note</b> that a that a waiver of the 28-day rule is sought for the regulations (once approved) to come into force, on the basis that Russia's invasion of Ukraine constitutes an international emergency that requires a swift response; | Yes / No |
| 6 | <b>Agree</b> to waive the 28-day rule so that the regulations can come into force on 20 May 2022;   | Yes / No |
| 7 | <b>Authorise</b> the submission to the Executive Council of Russia Sanctions Amendment Regulations (no. 5) 2022 on 16 May 2022.   | Yes / No |

Hon Nanaia Mahuta  
Minister of Foreign Affairs / Minita Take Aorere

Date:        /        /

Rt Hon Jacinda Ardern  
Prime Minister

Date:        /        /

## Russia Sanctions – Belarus Political and Military Leaders

Hon Grant Robertson  
Deputy Prime Minister

Date:        /        /

Hon Andrew Little  
Minister Responsible for the GCSB

Date:        /        /

Hon David Parker  
Attorney General

Date:        /        /

Hon Damien O'Connor  
Minister for Trade and Export Growth

Date:        /        /

Hon Kris Faafoi  
Minister of Immigration

Date:        /        /

Hon Peeni Henare  
Minister of Defence

Date:        /        /