

## DEPARTMENT OF THE TREASURY WASHINGTON, D.C.

# OFFICE OF FOREIGN ASSETS CONTROL

# Fact Sheet: Provision of Humanitarian Assistance and Trade to Combat COVID-19

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The United States is committed to ensuring that humanitarian assistance continues to reach atrisk populations through legitimate and transparent channels as countries across the globe fight the Coronavirus Disease 2019 (COVID-19). The sanctions programs administered by the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) generally allow for legitimate humanitarian-related trade, assistance, or activity under existing laws and regulations. OFAC encourages those interested in providing such COVID-19 related assistance to avail themselves of longstanding exemptions, exceptions, and authorizations pertaining to humanitarian assistance and trade available in many U.S. sanctions programs. In the event that individuals, governments, or entities facing sanctions-related challenges have questions related to the provision of humanitarian assistance to sanctioned countries, or believe additional authorizations are needed, OFAC stands ready to provide guidance and respond to applications for specific licenses.<sup>1</sup>

This Fact Sheet provides consolidated guidance highlighting the most relevant exemptions, exceptions, and authorizations for humanitarian assistance and trade under the OFAC-administered Iran, Venezuela, North Korea, Syria, Cuba, and Russia-related sanctions programs. The information below is current and operative as of the date of publication of this Fact Sheet, unless or until modified.<sup>2</sup> For additional information, including the latest updates on the programs listed below, or for information on other sanctions programs, please refer to OFAC's website.

Please note that persons interested in exporting Personal Protective Equipment (PPE) from the United States should review all relevant U.S. regulations, guidance, and rules, including the temporary rule issued by the Federal Emergency Management Agency (FEMA) on April 10, 2020, which prohibits the export from the United States of five types of PPE without explicit FEMA approval. The temporary rule was effective from April 7, 2020 to June 30, 2021 and is now expired. All previous FEMA-related export restrictions announced under the temporary final rule are no longer in place.

<sup>&</sup>lt;sup>1</sup> Under certain sanctions programs, separate authorization may be required from other U.S. Government agencies, including the U.S. Department of Commerce's <u>Bureau of Industry and Security (BIS)</u>, which maintains similar authorizations intended to support the people of sanctioned countries.

<sup>&</sup>lt;sup>2</sup> This Fact Sheet is informational, does not have the force of law, and does not supersede the actual legal provisions cited.

#### Iran

The Iran sanctions program is focused on changing the destabilizing behavior of the Iranian government and is not intended to harm the Iranian people. To ensure that humanitarian goods can reach the people of Iran, the United States maintains broad exemptions, exceptions, and authorizations that allow for the provision of humanitarian assistance and the commercial sale and export of agricultural commodities, food, medicine, and medical devices, to Iran from the United States or by U.S. persons or U.S.-owned or -controlled foreign entities. For COVID-19 related support, Treasury continues to stress that U.S. and non-U.S. persons may provide such humanitarian goods — including medicine and medical devices — to Iran under existing exemptions, exceptions, and authorizations in U.S. sanctions laws and regulations. For example, most medicine and medical devices, including certain personal protective equipment and other items used for COVID-19- related treatment such as medical gowns, medical eyeshields and goggles, surgical gloves, face shields, certain respirators and masks such as N95, N99, and N100 masks, and certain ventilators, already qualify for export and reexport to Iran under general licenses, without the need for further authorization from OFAC. There are certain limited categories of items that may also be helpful for COVID-19-related assistance (e.g., oxygen generators, full face mask respirators including Powered Air Purifying Respirators, certain diagnostic medical imaging equipment, and certain decontamination equipment), for which OFAC's regulations set forth a specific licensing policy for review of license applications on a case-by-case basis due to concerns about potential end use of these specific items. OFAC is prioritizing and expediting review of these license requests.

*Frequently Asked Questions (FAQs)*: The following OFAC FAQs provide information on the provision of humanitarian assistance to and trade of humanitarian goods with Iran.

- FAQs <u>97</u>, <u>98</u>, <u>100</u>, and <u>101</u> Explanation of Licensing Procedures for the Trade Sanctions Reform and Export Enhancement Act of 2000 (TSRA) Program.
- FAQs <u>482</u>, <u>483</u>, and <u>484</u> General Licenses for the Exportation or Reexportation of Agricultural Commodities, Medicine, and Medical Devices to Iran.
- FAQ <u>549</u> Guidance Related to Humanitarian Assistance with Regard to the November 12, 2019 Earthquake in Iran.
- FAQ <u>637</u> Guidance Related to Non-U.S. Persons Engaging in Transactions Related to the Provision of Humanitarian and Consumer Goods to Iran.
- FAQs <u>821</u>, <u>822</u>, and <u>823</u> Guidance Related to Humanitarian-Related Transactions and Activities involving the Central Bank of Iran (CBI) Authorized by General License 8.
- FAQs <u>824</u> and <u>825</u> Guidance Related to the Swiss Humanitarian Trade Arrangement with Iran.
- FAQ <u>826</u> Guidance Related to Additional Options for Exporting Humanitarian Goods to Iran.
- FAQs <u>828</u>, <u>906</u>, <u>907</u>, <u>908</u>, <u>910</u>, and <u>911</u> Guidance Related to Humanitarian Assistance with Regard to the COVID-19 outbreak in Iran.

*General Licenses, Specific Licensing, and Exemptions*: The following are general licenses, specific licensing policies, and exemptions implemented by OFAC related to humanitarian assistance and trade with Iran.

- <u>General License N-2</u>, issued pursuant to the Iranian Transactions and Sanctions Regulations (ITSR) and Global Terrorism Sanctions Regulations (GTSR), authorizes transactions and activities related to the prevention, diagnosis, or treatment of COVID-19.
- <u>§ 560.210</u> of the ITSR exempts from export sanctions donations of food and medicine to the Iranian people intended to be used to ease human suffering.
- <u>General License E</u>, issued pursuant to the ITSR, authorizes non-governmental organizations (NGOs) to export or reexport services to or related to Iran in support of certain not-for-profit activities designed to directly benefit the Iranian people, including:
  - Humanitarian projects that meet basic human needs;
  - Non-commercial development projects;
  - Environmental and wildlife conservation projects; and
  - Human rights and democracy-building.
  - The transfer of funds by a single NGO may not exceed USD\$500,000 over a 12month period.
- <u>§ 560.508</u> of the ITSR generally authorizes transactions with respect to the receipt and transmission of telecommunications involving Iran, as well as transactions incident to the receipt or transmission of mail between the United States and Iran, subject to certain limitations.
- § 560.530 of the ITSR includes general licenses authorizing, with certain exceptions and limitations, the exportation or reexportation of certain food, agricultural commodities, medicine, and medical devices to Iran, and the provision of certain related software and services; this section also sets forth a specific licensing policy for exports of such items not authorized by the general licenses. § 560.532 of the ITSR authorizes payment and financing terms related to exports and reexports to Iran authorized pursuant to § 560.530, and § 560.533 authorizes the brokering of sales for these types of items.
- <u>§ 560.539</u> of the ITSR authorizes all transactions otherwise prohibited by the ITSR that are for the official business of the United Nations, the World Bank, the International Monetary Fund, the International Atomic Energy Agency, the International Labor Organization, or the World Health Organization by employees, contractors, or grantees thereof.
- <u>§ 560.540</u> of the ITSR and <u>General License D-2</u> generally authorize the export or reexport to Iran of certain services, software, and hardware incident to the exchange of personal communications over the internet, subject to certain limitations.
- <u>General License 8A</u>, issued pursuant to the GTSR and the ITSR, authorizes certain humanitarian-related transactions and activities involving the CBI prohibited by the GTSR or by the ITSR as a result of the CBI's designation under Executive Order (E.O.) <u>13224</u>, as amended by <u>E.O. 13886</u>, that otherwise would have been authorized under the ITSR prior to the CBI's designation. Please note that General License 8 does not authorize humanitarian-related transactions involving Iranian financial institutions designated under E.O. 13224, as amended, other than the CBI.
- <u>§560.545</u> of the ITSR describes a specific licensing policy to authorize non-governmental organizations and other entities to engage in certain projects or activities in or related to Iran that are designed to directly benefit the Iranian people.

- <u>§560.550</u> of the ITSR authorizes certain noncommercial, personal remittances to or from Iran that are processed by U.S. depository institutions or U.S. registered brokers or dealers in securities or that are carried to Iran.
- *Specific Licensing*: For transactions not otherwise exempt from sanctions, authorized by general licenses, or covered by a specific licensing policy, OFAC considers license requests on a case-by-case basis and prioritizes applications, compliance questions, and other requests related to humanitarian support for the people of Iran.

*Advisories or Other Guidance*: The following are advisories or other guidance issued by OFAC related to humanitarian assistance and trade with Iran.

- "<u>Guidance on the Sale of Food, Agricultural Commodities, Medicine, and Medical</u> <u>Devices by Non-U.S. Persons to Iran</u>" (July 2013)
- "<u>Clarifying Guidance on Humanitarian Assistance and Related Exports to the Iranian</u> <u>People</u>" (February 2013)

*Additional Items*: Below is additional information that could be valuable to those seeking to provide humanitarian assistance or conduct humanitarian trade with Iran.

- <u>E.O. 13902</u> For the purposes of evaluating sanctions pursuant to E.O. 13902, persons in Iran manufacturing medicines, medical devices, or products used for sanitation, hygiene, medical care, medical safety, and manufacturing safety, including soap, hand sanitizer, ventilators, respirators, personal hygiene products, diapers, infant and childcare items, personal protective equipment, and manufacturing safety systems, for use in Iran and not for export from Iran, will not be considered to be operating in the manufacturing sector of the Iranian economy. Note that persons conducting or facilitating transactions for the provision, including any sale, of agricultural commodities, food, medicine, or medical devices to Iran will not be subject to sanctions under E.O. 13902.
- <u>Swiss Humanitarian Trade Arrangement (SHTA)</u> The SHTA is the first operational channel to be established under this <u>humanitarian framework</u>, in partnership with the Swiss government. Initial pilot transactions were successfully conducted in late January 2020, and the SHTA was formally established on February 27, 2020. Under the SHTA, participating financial institutions commit to conducting enhanced due diligence to ensure that humanitarian goods reach the people of Iran and related financial transactions are not misused by the government of Iran. See OFAC FAQs <u>824</u>, <u>825</u>, and <u>826</u> for more information.

### Venezuela

The Venezuela sanctions program is designed to limit the illegitimate former Maduro regime's sources of revenue and hold accountable those who stand in the way of restoring democracy in Venezuela, while also seeking to ensure the flow of humanitarian goods and services to the Venezuelan people. U.S. persons are not generally prohibited from engaging in transactions involving the country or people of Venezuela, provided that the Government of Venezuela, other blocked persons, or proscribed conduct are not involved. To help ensure that humanitarian goods can reach the people of Venezuela despite a nexus to the Government of Venezuela, the United States maintains broad exemptions and authorizations that allow for the provision of

humanitarian assistance and the commercial sale and export of agricultural commodities, food, medicine, and medical devices, to Venezuela.

*FAQs*: The following OFAC FAQs provide information on the provision of humanitarian assistance to Venezuela.

- FAQ 519 Guidance related to helping the Venezuelan people.
- FAQ <u>520</u> Guidance related to sending U.S. origin food or medicine to Venezuela.
- FAQ <u>521</u> Guidance related to long-term financing to the Government of Venezuela to help with the export or re-export of food, medicine, medical devices, and related items to Venezuela.
- FAQ <u>665</u> Guidance related to supporting humanitarian efforts following the blocking of the Government of Venezuela.
- FAQs <u>906</u>, <u>909</u>, <u>910</u>, and <u>911</u> Guidance Related to Humanitarian Assistance with Regard to the COVID-19 outbreak in Venezuela.

*General Licenses and Specific Licensing*: The following are general licenses issued by OFAC related to humanitarian assistance and trade with Venezuela.

- <u>General License 39B</u> authorizes certain transactions and activities related to the prevention, diagnosis, or treatment of COVID-19.
- <u>General License 4C</u> authorizes certain transactions ordinarily incident and necessary to the exportation or reexportation of agricultural commodities, medicine, medical devices, replacement parts and components for medical devices, or software updates for medical devices to Venezuela, or to persons in third countries purchasing specifically for resale to Venezuela. This authorization includes testing kits, respiratory devices, personal protective equipment, and medicine used in the prevention, diagnosis, treatment, and recovery from COVID-19.
- <u>General License 16C</u> authorizes certain transactions and activities ordinarily incident and necessary to processing noncommercial, personal remittances involving certain financial institutions, including Banco de Venezuela, S.A. Banco Universal (Banco de Venezuela), Banco Bicentenario del Pueblo, de la Clase Obrera, Mujer y Comunas, Banco Universal C.A. (Banco Bicentario del Pueblo), Banco del Tesoro, C.A. Banco Universal (Banco del Tesoro), and Banco Central de Venezuela (BCV). In addition, remittances with non-blocked Venezuelan financial institutions are not prohibited.
- <u>§ 591.510</u> of the Venezuela Sanctions Regulations (VSR) generally authorizes official activities of certain international organizations, such as the United Nations, including its Programmes and Funds, and its Specialized Agencies and Related Organizations, as well as the International Committee of the Red Cross, among others, to engage in transactions involving BCV, or involving other Government of Venezuela persons to the extent the transactions are subject to U.S. jurisdiction.
- <u>General License 24</u> generally authorizes transactions involving the Government of Venezuela incident to the receipt and transmission of telecommunications, as well as transactions of common carriers involving the Government of Venezuela incident to the receipt or transmission of mail and packages between the United States and Venezuela.
- <u>General License 25</u> generally authorizes transactions involving the Government of Venezuela related to the export or reexport of certain services, software, hardware, and technology incident to the exchange of communications over the internet.

- <u>General License 26</u> generally authorizes the provision and receipt of nonscheduled emergency medical services and the provision of other medical services involving the Government of Venezuela.
- <u>General License 29</u> generally authorizes non-governmental organizations to engage in transactions involving the Government of Venezuela in support of humanitarian projects, democracy building, education, non-commercial development projects directly benefiting the Venezuelan people, and environmental protection in Venezuela.
- <u>General License 30A</u> generally authorizes activities involving the Government of Venezuela that are ordinarily incident and necessary to operations or use of ports and airports in Venezuela.
- <u>General License 33</u> generally authorizes, among other activity, all transactions involving the Government of Venezuela necessary to provide air ambulance and related medical services, including medical evacuation from Venezuela, for individuals in Venezuela.
- *Specific Licensing*: For transactions not otherwise authorized by OFAC general licenses, OFAC considers specific license requests on a case-by-case basis and prioritizes license applications, compliance questions, and other requests related to humanitarian support for the Venezuelan people.

*Advisories or Other Guidance*: The following are advisories or other guidance issued by OFAC related to humanitarian assistance for Venezuela.

• <u>"Guidance Related to the Provision of Humanitarian Assistance and Support to the Venezuelan People"</u> (August 2019)

*E.O.s*: The following are E.O.s related to humanitarian assistance for Venezuela.

• <u>E.O. 13884</u> of August 5, 2019, which blocks the property and interests in property of the Government of Venezuela, includes Section 5, which exempts transactions involving the Government of Venezuela that relate to the provision of articles such as food, clothing, and medicine intended to be used to relieve human suffering.

### North Korea

Among other objectives, OFAC's North Korea sanctions are intended to stop the Government of North Korea from further developing its WMD programs by restricting its access to the international financial system and global supply chain. OFAC generally licenses NGOs to provide services related to certain humanitarian activities. Such support may include providing items to the civilians of North Korea, to include but not limited to testing kits, respiratory devices, personal protective equipment, and medicine used in the prevention, diagnosis, treatment, and recovery from COVID-19. OFAC authorizes limited transactions involving the Government of North Korea, including payment of reasonable fees, taxes and import duties, and purchase of permits, licenses, and bills related to public utility consumption. Partnerships, agreements, and most other working relationships between NGOs and the Government of North Korea that are necessary for the NGO to provide services to vulnerable populations located in North Korea are prohibited without a specific license.

*General Licenses and Specific Licensing*: The following are general licenses within the <u>North</u> <u>Korea Sanctions Regulations</u> (NKSR) related to humanitarian assistance and trade with North Korea. Separately, the exceptions below are also captured in title LXXI of the National Defense Authorization Act for Fiscal Year 2020, titled the "Otto Warmbier North Korea Sanctions and Enforcement Act of 2019."

- <u>§ 510.509</u> of the NKSR authorizes the provision and receipt of nonscheduled emergency medical services.
- <u>§ 510.511</u> of the NKSR authorizes noncommercial, personal remittances to or from North Korea up to a maximum of USD\$5,000 per year.
- <u>§ 510.512</u> of the NKSR authorizes U.S. NGOs to export or reexport services to North Korea for humanitarian purposes, including:
  - Projects to support basic human needs in North Korea, including the distribution of food, medicine, and clothing intended to be used to relieve human suffering; the provision of shelter; the provision of clean water, sanitation, and hygiene assistance; and the provision of health-related services;
  - Activities to support non-commercial development projects to directly benefit the North Korean people, including preventing infectious diseases.
- <u>§ 510.514</u> of the NKSR authorizes official activities of the United Nations and its Specialized Agencies, Programmes, Funds, and Related Organizations by employees, contractors, or grantees.
- <u>§ 510.516</u> of the NKSR generally authorizes transactions necessary for the receipt and transmission of telecommunications involving North Korea, as well as transactions of common carriers incident to the receipt or transmission of mail and packages between the United States and North Korea, subject to certain limitations.
- Additionally, there are no exemptions for persons designated pursuant to <u>E.O. 13382</u>, which includes, but is not limited to, North Korea's Foreign Trade Bank.
- *Specific Licensing*: For transactions not otherwise authorized by OFAC general licenses, OFAC considers specific license requests on a case-by-case basis and prioritizes license applications, compliance questions, and other requests related to humanitarian support for the North Korean people.

# Syria

OFAC's Syria sanctions are designed to constrain Bashar al-Assad, his cronies, foreign enablers, and the Government of Syria from accessing the international financial system and global supply chain. In addition, there are many illicit actors that operate in Syria, such as those related to Specially Designated Global Terrorists, Iran, or Russia, which may trigger additional sanctions prohibitions. OFAC remains committed to ensuring that these sanctions do not limit the ability of the Syrian people to receive humanitarian support from the international community. Such support may incorporate providing items to the people of Syria, to include testing kits, respiratory devices, personal protective equipment, and medicine used in the prevention, diagnosis, treatment, and recovery from COVID-19. The United States government aims to work closely with international organizations and the humanitarian assistance community to address any obstacles.

*FAQs*: The following OFAC FAQs provide information on the provision of humanitarian assistance to Syria.

- FAQs <u>205</u>, <u>226</u>, <u>230</u>, <u>231</u>, <u>867</u>, <u>937</u>, and <u>938</u> Guidance Related to certain NGO activities.
- FAQs <u>884</u> and <u>885</u> Guidance related to non-U.S. persons engaging in Transactions Related to the Provision of Humanitarian Assistance to Syria.
- FAQs <u>906</u>, <u>908</u>, <u>910</u>, and <u>911</u> Guidance Related to Humanitarian Assistance with Regard to the COVID-19 outbreak in Syria.

*General Licenses and Specific Licensing*: The following are general licenses within the <u>Syrian</u> <u>Sanctions Regulations</u> (SySR) issued by OFAC related to humanitarian assistance and trade with Syria. Similarly, the exemptions below are also captured in title LXXI of the National Defense Authorization Act for Fiscal Year 2020, titled the "Caesar Syria Civilian Protection Act of 2019," which codifies the general license in § 542.516 of the SySR (discussed below) that authorizes certain services in support of NGOs, and includes a humanitarian waiver.

- <u>§ 542.510</u> of the SySR authorizes certain exports or reexports to Syria of items licensed or otherwise authorized by the Department of Commerce (Commerce) and certain related services. This general license also authorizes certain services that are ordinarily incident to the exportation or reexportation of items to Syria and certain other services to install, repair, or replace such items, provided the export of such items is licensed or otherwise authorized by Commerce. Additionally, export of U.S.-origin food and most medicines to Syria is not prohibited and does not require a Commerce or OFAC license (*see* Syria FAQ 229).
- To the extent that such transactions are not exempt from the prohibitions of the SySR, <u>§ 542.511</u> of the SySR generally authorizes certain exports to Syria of services incident to the exchange of personal communications over the internet, subject to certain limitations.
- <u>§ 542.512</u> of the SySR generally authorizes, subject to certain limitations, noncommercial personal remittances to or from Syria. OFAC also authorizes U.S. depository institutions, including banks and U.S.-registered money transmitters, to process noncommercial, personal remittances to or from Syria, or for or on behalf of an individual ordinarily resident in Syria, provided the funds transfer is not by, to, or through the Government of Syria or any person designated or otherwise blocked by OFAC.
- <u>§ 542.513</u> of the SySR authorizes activities of certain international organizations. Subject to certain narrow limitations, the general license authorizes transactions and activities that are for the conduct of the official business of the United Nations, including its specialized agencies, programmes, funds, and related organizations by employees, contractors, or grantees of those organizations.
- <u>§ 542.516</u> of the SySR authorizes, subject to certain limitations, NGOs to engage in certain transactions and provide certain services (such as new investment in Syria and the purchase of refined petroleum products of Syrian origin for use in Syria) in support of, and certain U.S. financial institutions to process transfers of funds in support of, the following not-for-profit activities in Syria:
  - Humanitarian projects that meet basic human needs;
  - Democracy-building;
  - Education;
  - Non-commercial development projects directly benefitting the Syrian people; and

- The preservation and protection of cultural heritage sites.
- <u>§ 542.519</u> of the SySR generally authorizes transactions with respect to the receipt and transmission of telecommunications involving Syria, as well as transactions of common carriers incident to the receipt or transmission of mail and packages between the United States and Syria, subject to certain limitations.
- <u>§ 542.525</u> of the SySR authorizes the exportation, reexportation, sale, or supply, directly or indirectly, from the United States or by a U.S. person, wherever located, to Syria, including the Government of Syria, of services that are ordinarily incident to the exportation or reexportation to Syria, including to the Government of Syria, of non-U.S.-origin food, medicine, and medical devices that would be designated as EAR99 under the Export Administration Regulations (EAR) if it were subject to the EAR.
- <u>§ 542.531</u> of the SySR authorizes the provision of nonscheduled emergency medical services in the United States to persons whose property and interests in property are blocked.
- <u>General License 21B</u> authorizes transactions and activities related to the prevention, diagnosis, or treatment of COVID-19.
- <u>General License 22</u> authorizes activities in certain economic sectors in non-Syrian regime held areas of northeast and northwest Syria described in the annex to the general license.
- <u>General License 23</u> issued on February 9, 2023, authorizes for 180 days all transactions related to earthquake relief that would be otherwise prohibited by the Syrian Sanctions Regulations.
- <u>Guidance on Authorized Transactions Related to Earthquake Relief Efforts in Syria</u> This guidance responds to specific questions OFAC received related to earthquake relief efforts in Syria and explains how to provide legitimate humanitarian assistance to the Syrian people in compliance with U.S. sanctions (February 21, 2023).
- *Specific Licensing*: For transactions not otherwise authorized by OFAC general licenses, OFAC considers specific license requests on a case-by-case basis and prioritizes license applications, compliance questions, and other requests related to humanitarian support for the Syrian people.

# Cuba

The Cuba embargo targets Cuba's Communist regime, which has for decades oppressed the Cuban people and failed to meet their most basic needs. Though the Cuba embargo remains in place, and most transactions between the United States, or persons subject to U.S. jurisdiction, and Cuba continue to be prohibited, OFAC maintains several general license authorizations designed to allow for humanitarian relief and assistance to the Cuban people.

*General Licenses and Specific Licensing*: The following general licenses are related to humanitarian travel, trade, and assistance with Cuba pursuant to the <u>Cuban Assets Control</u> <u>Regulations</u> (CACR).

- § 515.533 of the CACR generally authorizes all transactions ordinarily incident to the export from the United States, or the reexport from a third country, to Cuba of items licensed or otherwise authorized by the Department of Commerce's (Commerce) subject to certain conditions. Please see the Commerce website for additional information related to medicines, medical devices, and agricultural commodities.
  - Persons providing carrier services for authorized travelers going from the United

States to Cuba may transport cargo and baggage accompanying an authorized traveler provided that the export of the cargo and baggage is authorized by Commerce, and other cargo or unaccompanied baggage whose export to Cuba is authorized by Commerce. (For more information, please see FAQ <u>730</u>.)

• <u>§ 515.542</u> of the CACR generally authorizes transactions, including payments, incident to the provision of telecommunications services related to the transmission or the receipt of

telecommunications involving Cuba, as well as certain transactions relating to the establishment of facilities to provide telecommunications services linking the United States or third countries and Cuba, including facilities to provide telecommunications services in Cuba. This GL also authorizes transactions, including payments, incident to the receipt or transmission of mail and parcels between the United States and Cuba, provided that the importation or exportation of such mail and parcels is exempt or authorized. (For more information, please see FAQ 784.)

- § 515.565(b) of the CACR generally authorizes, subject to certain restrictions, group people-to-people educational travel that takes place under the auspices of an organization that is subject to U.S. jurisdiction and that sponsors such exchanges to promote people-to-people contact. Such travelers must be accompanied by an employee, paid consultant, or agent of the sponsoring organization. Travel-related transactions authorized pursuant to § 515.565(b) must be for the purpose of engaging, while in Cuba, in a full-time schedule of activities that are intended to enhance contact with the Cuban people, support civil society in Cuba, or promote the Cuban people's independence from Cuban authorities; and will result in meaningful interactions with individuals in Cuba. (For more information, please see FAQ 1056.)
- <u>§ 515.570</u> of the CACR authorizes a number of categories of remittances from persons subject to U.S. jurisdiction to persons in Cuba, including family remittances, donative remittances, and remittances to certain individuals and independent NGOs in Cuba. (For more information, please see FAQ <u>732.</u>)
- § 515.572(a) of the CACR authorizes persons subject to U.S. jurisdiction to provide carrier services by vessel or aircraft to, from, or within Cuba, in connection with authorized travel, without the need for a specific license from OFAC. However, while no additional license is required from OFAC, the export or reexport of certain vessels or aircraft providing carrier services under § 515.572(a)(2) requires separate authorization from Commerce. (For more information, please see FAQ 723.)
- <u>§ 515.574</u> of the CACR authorizes, subject to conditions, travel-related transactions and other transactions that are intended to provide support for the Cuban people, which include activities of recognized human rights organizations; independent organizations designed to promote a rapid, peaceful transition to democracy; and individuals and NGOs that promote independent activity intended to strengthen civil society in Cuba. (For more information, please see FAQ <u>707.</u>)
- <u>§ 515.575</u> of the CACR authorizes, subject to conditions, transactions, including travelrelated transactions, that are related to humanitarian projects in or related to Cuba. These authorized humanitarian projects are: medical and health-related projects; construction projects intended to benefit legitimately independent civil society groups; disaster preparedness, relief, and response; historical preservation; environmental projects; projects involving formal or non-formal educational training, within Cuba or off-island, on various topics. (For more information, please see FAQ <u>708.</u>)
- $\frac{515.578}{515.578}$  of the CACR authorizes the provision of certain services incident to the

exchange of communications over the internet and services related to the exportation and reexportation of certain communications-related items. These authorizations cover the provision of certain fee-based internet communications services such as e-mail or other messaging platforms, social networking, VOIP, web hosting, and domain-name registration, among other services. (For more information, see FAQs <u>785</u> and <u>787</u>.)

- § 515.591 of the CACR authorizes persons subject to U.S. jurisdiction to provide Cuba or Cuban nationals (including the Cuban government and state-owned entities) with services related to developing, repairing, maintaining, and enhancing Cuban infrastructure that directly benefit the Cuban people, consistent with the export or reexport licensing policy of Commerce. "Infrastructure" in this case means systems and assets used to provide the Cuban people with goods and services produced by the public transportation, water management, waste management, non-nuclear electricity generation, and electricity distribution sectors, as well as hospitals, public housing, and primary and secondary schools. (For more information, please see FAQ 801.)
- *Specific Licensing*: For transactions not otherwise authorized by OFAC general licenses, OFAC considers specific license requests on a case-by-case basis and prioritizes license applications, compliance questions, and other requests related to humanitarian support for the Cuban people.

### **Russia-related Sanctions Program**

OFAC administers and enforces multiple authorities under which sanctions have been imposed on Russia, including: (1) the Russian Harmful Foreign Activities Sanctions Regulations (RuHSR) and (2) the Ukraine-/Russia-Related Sanctions Regulations (URSR). As the United States continues to impose sanctions on Russia for its continued brutal war against Ukraine, atrocities against Ukrainian citizens, and continued violations of core principles of international law, we reiterate our commitment to supporting activities that benefit the Ukrainian and Russian people and to supporting food security globally. Humanitarian activities are not the target of our sanctions efforts. U.S. and non-U.S. persons can avail themselves of the authorizations, exemptions, and public guidance that Treasury has issued as they continue to engage in these activities in relation to Ukraine and Russia, including the provision of basic foodstuffs, agricultural commodities, medicine and medical devices; humanitarian and other assistance by NGOs; COVID-19 relief; and telecommunications and internet services to support the flow of information.

#### Russian Harmful Foreign Activities Sanctions Regulations

*FAQs*: The following OFAC FAQs provide information on the provision of humanitarian assistance to support the people of Ukraine and Russia.

- FAQ <u>978</u> Guidance on permissible funds transfers involving sanctioned foreign financial institutions.
- FAQ <u>979</u> Guidance on transactions that involve a person sanctioned pursuant to E.O. 14024 that are for official business of international organizations, certain humanitarian-related trade, or the response to the COVID-19 pandemic.
- FAQ <u>1025</u> Guidance on the impact of E.O. 14068 on General License 6C.
- FAQ <u>1028</u> Guidance on sending noncommercial, personal remittances denominated in U.S. dollar-denominated banknotes to the Russian Federation.

- FAQ <u>1040</u> Guidance on telecommunications and certain internet-based communications that involve Joint Stock Company Channel One Russia, Television Station Russia-1, Joint Stock Company NTV Broadcasting Company, Limited Liability Company Algoritm, New Eastern Outlook, or Oriental Review.
- FAQ <u>1122</u> Guidance on telecommunications and certain internet-based communications that involve certain designated entities and Tajikistan or Uzbekistan

*General Licenses, Specific Licensing, and Exemptions*: The following are general licenses and exemptions implemented by OFAC related to humanitarian assistance to support the people of Ukraine and Russia.

- <u>General License 6C</u> authorizes certain transactions prohibited by the RuHSR that are ordinarily incident and necessary to: (1) the exportation or reexportation of agricultural commodities, medicine, medical devices, replacement parts and components for medical devices, or software updates for medical devices to, from, or transiting the Russian Federation; (2) the prevention, diagnosis, or treatment of COVID-19 (including research or clinical studies relating to COVID-19); or (3) ongoing clinical trials and other medical research activities that were in effect prior to March 24, 2022.
- <u>General License 18</u> authorizes certain transactions prohibited by E.O. 14068 that are ordinarily incident and necessary to the transfer of U.S. dollar-denominated banknote noncommercial, personal remittances from: (1) the United States or a U.S. person, wherever located, to an individual located in the Russian Federation; or (2) a U.S. person who is an individual located in the Russian Federation.
- <u>General License 19</u> authorizes individuals who are U.S. persons located in the Russian Federation to engage in certain transactions prohibited by E.O. 14068 that are ordinarily incident and necessary to their personal maintenance within the Russian Federation, including payment of housing expenses, acquisition of goods or services for personal use, payment of taxes or fees, and purchase or receipt of permits, licenses, or public utility services, subject to certain conditions.
- <u>General License 25C</u> authorizes certain transactions prohibited by the RuHSR that are ordinarily incident and necessary to the receipt or transmission of telecommunications involving the Russian Federation, as well as the exportation or reexportation, sale, or supply, directly or indirectly, from the United States or by U.S. persons to the Russian Federation of services, software, hardware, or technology incident to the exchange of communications over the internet, such as instant messaging, videoconferencing, chat and email, social networking, sharing of photos, movies, and documents, web browsing, blogging, web hosting, and domain name registration services.
- <u>General License 27</u> authorizes transactions ordinarily incident and necessary to certain NGO activities that are prohibited by the RuHSR, provided that the only involvement of blocked persons is the processing of funds by financial institutions blocked pursuant to E.O. 14024.
- <u>§ 587.508</u> of the RuHSR authorizes the provision and receipt of nonscheduled emergency medical services.
- § 587.205(b) of the RuHSR exempts transactions that are for the conduct of the official business of the United Nations (including its specialized agencies, programs, funds, and related organizations) by employees, grantees, or contractors thereof.
- $\frac{587.510}{587.510}$  of the RuHSR authorizes transactions prohibited by the RuHSR that are for

the conduct of the official business of certain international organizations and other international entities by employees, grantees, or contractors thereof.

• *Specific Licensing*: For transactions not otherwise exempt from sanctions, authorized by general licenses, or covered by a specific licensing policy, OFAC considers license requests on a case-by-case basis and prioritizes applications, compliance questions, and other requests related to humanitarian support for the people of Ukraine and Russia.

#### Ukraine-/Russia-related Sanctions Regulations

*FAQs*: The following OFAC FAQs provide information on the provision of humanitarian assistance to support the people of Ukraine and Russia.

- FAQ <u>453</u> Guidance on sending noncommercial, personal remittances to or from the Crimea region of Ukraine when there is no individual who is a U.S. person as either the remitter or beneficiary in the transaction.
- FAQ <u>454</u> Guidance on the export or reexport services or software with knowledge or reason to know that such services or software are intended for an individual or entity identified on the Sectoral Sanctions Identification List.
- FAQ <u>1007</u> Guidance on authorized activities with the so-called "Donetsk People's Republic" (DNR) and "Luhansk People's Republic" (LNR) regions of Ukraine.

*General Licenses, Specific Licensing, and Exemptions*: The following are general licenses and exemptions implemented by OFAC related to humanitarian assistance to support the people of Ukraine and Russia:

- <u>§ 589.513</u> of the URSR generally authorizes the exportation or reexportation from the United States, or by a U.S. person, wherever located, of certain agricultural commodities, medicine, and medical supplies, or their replacement parts, to the Crimea region of Ukraine, or to persons in third countries purchasing specifically for resale to the Crimea region of Ukraine, with certain exceptions as further described in 589.513.
- <u>§ 589.514</u> of the URSR authorizes U.S. persons to transfer funds to or from the Crimea region of Ukraine or for or on behalf of an individual ordinarily resident in the Crimea region of Ukraine in cases in which the transfer involves noncommercial, personal remittances, provided the transfer is not by, to, or through a person whose property and interests in property are blocked pursuant to E.O.s <u>13660</u>, <u>13661</u>, <u>13662</u>, or <u>13685</u>.
- <u>§ 589.516</u> of the URSR authorizes certain transactions with respect to the receipt and transmission of telecommunications involving the Crimea region of Ukraine, as well as certain transactions of common carriers incident to the receipt or transmission of mail and packages between the United States and the Crimea region of Ukraine.
- <u>§ 589.517</u> of the URSR authorizes the exportation or reexportation, directly or indirectly, from the United States or by U.S. persons, wherever located, to persons in the Crimea region of Ukraine, of certain services incident to the exchange of personal communications over the internet, such as instant messaging, chat and email, social networking, sharing of photos and movies, web browsing, and blogging, as well as the export of software to enable such services.
- <u>General License 18</u> authorizes transactions prohibited by E.O. 14065 that are ordinarily incident and necessary to: (1) the exportation or reexportation of agricultural commodities, medicane, medical devices, replacement parts and components for medical devices, or software updates for medical devices, to the so-called DNR or LNR regions

of Ukraine, or such other regions of Ukraine as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State, or to persons in third countries purchasing specifically for resale to the Covered Regions; or (2) the prevention, diagnosis, or treatment of COVID-19 (including research or clinical studies relating to COVID-19).

- <u>General License 20</u> authorizes transactions prohibited by E.O. 14065 for the conduct of the official business of certain international organizations and entities by employees, grantees, or contractors thereof.
- <u>General License 23</u> authorizes certain transactions prohibited by E.O. 14065 that are ordinarily incident and necessary to the support of specified NGO activities in the so-called DNR or LNR regions of Ukraine, including activities related to humanitarian projects to meet basic human needs, democracy building, education, non-commercial developments projects, and environmental and natural resource protection.
- *Specific Licensing*: For transactions not otherwise exempt from sanctions, authorized by general licenses, or covered by a specific licensing policy, OFAC considers license requests on a case-by-case basis and prioritizes applications, compliance questions, and other requests related to humanitarian support for the people of Ukraine and Russia.

*Advisories or Other Guidance*: OFAC issued a fact sheet related to humanitarian assistance and trade with Ukraine and Russia.

- "<u>OFAC Food Security Fact Sheet: Russia Sanctions and Agricultural Trade</u>" (July 14, 2022)
- <u>"Fact Sheet: Preserving Agricultural Trade, Access to Communication, and Other</u> <u>Support to Those Impacted by Russia's War Against Ukraine</u>" (April 19, 2022)

# **Other Cross-Programmatic Guidance**

- <u>"OFAC Licensing Process"</u> Provides guidance on the OFAC licensing process.
- <u>"Guidance Related to the Provision of Humanitarian Assistance by Not-For-Profit Non-Governmental Organizations</u>" Clarifies the reach of economic sanctions for the non-governmental organizations involved in the provision of humanitarian assistance (October 17, 2014).
- <u>"Supplemental Guidance for the Provision of Humanitarian Assistance"</u> Provides additional information for non-governmental involved in the provision of humanitarian assistance (February 27, 2023).
- <u>Fact Sheet: Provision of Humanitarian Assistance to Afghanistan and Support for the Afghan People</u> Provides consolidated guidance highlighting the most relevant authorizations and guidance for humanitarian and other assistance related to Afghanistan (April 14, 2022).

If you have additional questions regarding the scope of any sanctions programs' requirements, or the applicability or scope of any humanitarian-related authorizations, please contact OFAC's Sanction Compliance and Evaluation Division at (800) 540-6322 or (202) 622-2490, or by email at <u>OFAC\_Feedback@treasury.gov</u>.

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