

OFAC

Office of Foreign Assets Control

ZIMBABWE SANCTIONS PROGRAM

This document is explanatory only and does not have the force of law. Executive Orders 13288, 13391, 13469, applicable laws and the implementing regulations pertaining to Zimbabwe (31 C.F.R. Part 541) contain the legally binding provisions governing the sanctions. This document does not supplement or modify the Executive orders or the regulations.



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SANCTIONS AGAINST PERSONS CONTRIBUTING TO THE CONFLICT IN ZIMBABWE

I. INTRODUCTION

The Zimbabwe sanctions program implemented by the Office of Foreign Assets Control (“OFAC”) began on March 7, 2003, when the President issued Executive Order (“E.O.”) 13288. E.O. 13288 imposed sanctions against specifically identified individuals and entities in Zimbabwe, as a result of the actions and policies of certain members of the Government of Zimbabwe and other persons undermining democratic institutions or processes in Zimbabwe. Following E.O. 13288, in response to the continued undermining of democratic institutions, the President issued two subsequent Executive orders that expanded the list of sanctions targets to include immediate family members of any person whose property and interests in property are blocked as well as those persons providing assistance to any such individual.

II. OVERVIEW OF AUTHORITIES

On March 6, 2003, the President signed E.O. [E.O. 13288](#), declaring a national emergency to deal with the unusual and extraordinary threat to U.S. foreign policy posed by the situation in or in relation to Zimbabwe, which included widespread violence that threatened regional stability. E.O. 13288 was issued pursuant to, inter alia, the [International Emergency Economic Powers Act](#) (50 U.S.C. §§ 1701 *et seq.*) (“IEEPA”) and the [National Emergencies Act](#) (50 U.S.C. §§ 1601 *et seq.*) (“NEA”). This E.O. included an annex designating approximately 80 individuals.

On July 29, 2004, OFAC issued the Zimbabwe Sanctions Regulations (the “Regulations”) to implement E.O. 13288. [See 31 C.F.R. Part 541](#).

On November 22, 2005, the President signed [E.O. 13391](#) pursuant to, inter alia, IEEPA and the NEA to take additional steps with respect to the continued actions and policies of certain persons who were undermining democratic processes in Zimbabwe. E.O. 13391 significantly expanded the designation criteria. It also replaced and superseded the annex to E.O. 13288 in its entirety and added approximately 80 new annex names. The new E.O. targets persons undermining Zimbabwe’s democratic processes or institutions, as well as material supporters and immediate family members of Special Designated Nationals (“SDNs”) under the Zimbabwe program.

On July 25, 2008, the President issued [E.O. 13469](#) pursuant to, inter alia, IEEPA and the NEA, in response to the continued actions and policies by the Government of Zimbabwe and others to undermine Zimbabwe’s democratic processes or institutions, as manifested in the fundamentally undemocratic election held on June 27, 2008, and acts of violence and other human rights abuses against political opponents. E.O. 13469 added new designation criteria to target senior officials of the Government of Zimbabwe, entities owned or controlled by the Government of Zimbabwe, human rights abuses related to political repression and public corruption by senior officials of the Government.

Current Zimbabwe sanctions block the property and interests in property of individuals and entities listed in the Annex to E.O. 13391 or that are determined by the Secretary of the Treasury in consultation with the Secretary of State to:

- Be a senior official of the Government of Zimbabwe;
- Be owned or controlled by, directly or indirectly, the Government of Zimbabwe or an official or officials of the Government of Zimbabwe;
- Have engaged in actions or policies to undermine Zimbabwe’s democratic processes or institutions;
- Be responsible for, or have participated in, human rights abuses related to political repression in Zimbabwe;
- Be engaged in, or have engaged in, activities facilitating public corruption by senior officials of the Government of Zimbabwe;

- Be a spouse or dependent child of any person whose property and interests in property are blocked pursuant to E.O.s 13288, 13391, or 13469, or an immediate family member of any person whose property and interests in property are blocked pursuant to E.O. 13391;
- Have materially assisted, sponsored, or provided financial, material, logistical, or technological support to the Government of Zimbabwe, any senior official or any person blocked pursuant to E.O.s 13288, 13391, or 13469; or
- Be owned, controlled, or acting on behalf of any person blocked pursuant to E.O.s 13288, 13391, or 13469.

The names of those persons and entities listed in the Annexes to, or designated pursuant to, E.O.s 13288, 13391, and 13469, 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 Person List ("SDN List") with the OFAC program tag "[ZIMBABWE]." The SDN List is available on OFAC's Web site at <http://www.treasury.gov/sdn>.

Note: Certain persons have been targeted for sanctions on the basis of their connection to the Government of Zimbabwe. However, U.S. sanctions do not block the Government of Zimbabwe as a whole, nor do they prohibit all business with the country of Zimbabwe or transactions involving that jurisdiction.

This fact sheet is a broad summary of the sanctions currently in place. For an updated list of authorities and sanctions please refer to the OFAC's Web site at:

<http://www.treasury.gov/resource-center/sanctions/Programs/pages/zimb.aspx>.

III. PROHIBITED TRANSACTIONS

Unless otherwise authorized or exempt, transactions by U.S. persons, or in or involving the United States are prohibited if they involve transferring, paying, exporting, withdrawing, or otherwise dealing in the property or interests in property of an entity or individual listed on the SDN List. The property and interests in property of an entity that is 50% or more owned, directly or indirectly, by a person on the SDN List are also blocked, regardless of whether the entity itself is listed. For details please see:

http://www.treasury.gov/resource-center/sanctions/Documents/licensing_guidance.pdf

III. AUTHORIZED AND EXEMPT TRANSACTIONS

EXEMPT TRANSACTIONS

Certain types of activities and transactions may be exempt from the prohibitions of the Regulations and the Executive orders. For example, personal communications, information or informational materials and transactions ordinarily incident to travel to or from any country are exempt. Please see [31 C.F.R. § 541.206](#) for details.

GENERAL LICENSES

OFAC may authorize certain types or categories of activities and transactions, which would otherwise be prohibited with respect to Zimbabwe, by issuing a general license. General licenses may be published in the Regulations, on OFAC's website, or both. For example, the provision of certain legal services to or on behalf of persons whose property and interests in property are blocked pursuant to 31 C.F.R. § 541.201(a) is authorized, provided that all receipts of payment of professional fees and reimbursement of incurred expenses must be specifically licensed. See [31 C.F.R. § 541.507](#).

Also, on April 24, 2013, OFAC issued a [general license](#) authorizing all transactions involving Agricultural Development Bank of Zimbabwe and Infrastructure Development Bank of Zimbabwe.

For a current list of all general licenses relating to the Zimbabwe sanctions program, please see 31 C.F.R. Part 541 subpart E or visit: <http://www.treasury.gov/resource-center/sanctions/Programs/pages/zimb.aspx>.

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 specific license must be submitted to OFAC's Licensing Division. License requests may be submitted using any of the below 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

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 E.O.s 13288, 13391, and 13469 or the Regulations. Upon conviction, criminal penalties 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 Regulations.

This document is explanatory only and does not have the force of law. Please see particularly E.O.s 13288, 13391, and 13469, and the implementing regulations pertaining to Zimbabwe (31 C.F.R. Part 541) among other applicable laws for legally binding provisions governing the sanctions. This document does not supplement or modify the Executive orders or the Regulations.

The Treasury Department's Office of Foreign Assets Control also administers sanctions programs involving the Balkans, Belarus, Burma (Myanmar), Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Rough Diamond Trading (Kimberley Process), Iran, Iraq, Lebanon, Liberia, Libya, North Korea, Somalia, Sudan, Syria, and Yemen 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 their supporters. For additional information about these programs or about sanctions involving Zimbabwe, please contact:

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