

BANKING (FOREIGN EXCHANGE) REGULATIONS 1959
SANCTIONS AGAINST SYRIA

EXPLANATORY STATEMENT

The Australian Government has directed the Reserve Bank of Australia, under the *Banking (Foreign Exchange) Regulations 1959*, to implement autonomous targeted financial sanctions against certain key persons and entities involved in human rights abuses in Syria. Details of these persons are contained in Attachment A.

The following instruments have been used to implement these financial sanctions:

- (i) Direction relating to foreign currency transactions and to Syria (dated 16 June 2011), pursuant to regulation 5 of the *Banking (Foreign Exchange) Regulations 1959*.
- (ii) Variation of Exemption (dated 16 June 2011), which varies the Exemption (dated 29 June 1990) relating to sub-regulation 6(1) of the *Banking (Foreign Exchange) Regulations 1959*, pursuant to sub-regulation 38(2) of the *Banking (Foreign Exchange) Regulations 1959*.
- (iii) Variation of Exemption (dated 16 June 2011), which varies the Exemption (dated 29 June 1990) relating to sub-regulation 8(1)(a) of the *Banking (Foreign Exchange) Regulations 1959*, pursuant to sub-regulation 38(2) of the *Banking (Foreign Exchange) Regulations 1959*.

These instruments each come into operation on 22 June 2011.

The Reserve Bank has been advised by the Department of Foreign Affairs and Trade that these instruments are required as a matter of urgency. As such, in accordance with Section 18 of the *Legislative Instruments Act 2003*, the Reserve Bank is satisfied that consultation beyond that already undertaken by Treasury and the Department of Foreign Affairs and Trade is unnecessary.

ATTACHMENT A

This Attachment relates to the Direction pursuant to Regulation 5, and the Variations of Exemption pursuant to sub-regulations 6(1) and 8(1)(a) of the *Banking (Foreign Exchange) Regulations 1959*, each dated 16 June 2011.

| PERSON/ENTITY | DESCRIPTION |
|-----------------------------------|--|
| Al-Abbas, Amjad | Head of Political Security in Baniyas, has been involved in violence against demonstrators in Baida. |
| Al-Assad, Bashar | Born 11 September 1965 in Damascus; diplomatic passport No. D1903. President of the Syrian Arab Republic, responsible for violence against demonstrators. |
| Al-Assad, Fawwaz | Involved in repression against the civilian population as part of the Shabiha militia. |
| Al-Asad, Mahir | aka Maher Al-Assad Born 8 December 1967, diplomatic passport No. 4138 Brother of Syrian President Bashar Al-Asad and brigade commander in the Syrian Army's 4 th Armoured Division. |
| Al-Assad, Mundir | Involved in repression against the civilian population as part of the Shabiha militia. |
| Al-Chaar, Mohammad Ibrahim | Syria's Minister for Interior, has been involved in violence against demonstrators. |
| Al-Shara, Farouk | aka Faruq Al Shar' Born 10 December 1938. Vice President of the Syrian Arab Republic, responsible for violence against demonstrators. |
| Ghazali, Rustum | Head of Syrian Military Intelligence, and involved in repression against the civilian population. |
| Hassan, Jamil | Head of Syrian Airforce Intelligence, has been involved in the repression against the civilian population. |
| al Kuzbari, Nabil Rafik | Nabil Rafik al Kuzbari is the Chairman of Chan Holding and acts on behalf of Rami Makhlof. Chan Holding is tied to public corruption in Syria and is owned by Rami Makhlof, a designated individual. |
| Mahmoud, Ali Habib | Minister of Defence of the Syrian Arab Republic, responsible for violence against demonstrators. |
| Makhlof, Hafez | Born 2 April 1971 in Damascus; diplomatic passport number 2246. Colonel and Head of Unit in General Intelligence Directorate, Damascus Branch. Close to Mahir Al-Assad has been involved in violence against demonstrators. |

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| Makhlouf, Rami | Born 10 July 1969 in Damascus; passport number 454224. Syrian businessman and associate of Mahir Al-Assad, bankrolls the regime allowing violence against protestors. |
| Mamluk, Ali | aka Ali Mamlouk Born 19 February 1946, Damascus, diplomatic passport No. 983 Director of Syria's General Intelligence Directorate (GID) |
| Najib, Atif | aka Atef Najib Cousin of Syrian President Bashar Al-Asad and head of Syria's Political Security Directorate for Dar'a Province during March 2011. |
| Safar, Adel | Prime Minister of the Syrian Arab Republic, responsible for violence against demonstrators. |
| Qudsiyah, Abd Al-Fatah | Head of Syrian Military Intelligence, has been involved in the repression against the civilian population. |
| Zeitoun, Mohammed Dib | Head of Political Security, has been involved in violence against demonstrators. |
| Al Mashreq Investment Fund | Al Mashreq Investment Fund is tied to public corruption in Syria and is owned by Rami Makhlouf, a designated individual. |
| Bena Properties | Bena Properties is tied to public corruption in Syria and is owned by Rami Makhlouf, a designated individual. |
| Chan Holding | Chan Holding is tied to public corruption in Syria and is owned by Rami Makhlouf, a designated individual. |
| Syrian Air Force Intelligence (SAFI) | In late April 2011, security forces including personnel from SAFI fired tear gas and live ammunition to disperse crowds of demonstrators who took to the streets in Damascus and other cities after noon prayers, killing at least 43 people. |
| Syrian General Intelligence Directorate (GID) | |
| Syrian Military Intelligence (SMI) | The Syrian Military Intelligence is one of the four major branches of Syria's security forces and has used force against and arrested demonstrators participating in the unrest. |
| Syrian National Security Bureau (NSB) | The Syrian National Security Bureau is an element of the Syrian Ba'ath Party and directed Syrian security forces to use extreme force against demonstrators. |