

## **GUIDANCE ON APPLICATIONS FOR ASSISTANCE WITH CHALLENGING UN/UK DESIGNATIONS**

### **Introduction**

The Policy & Resources Committee cannot revoke or vary designations made by the UN or the UK. Any person who wishes to challenge such a designation is advised to contact the UN or the UK as the case may be, using the mechanisms and contact points on the States of Guernsey website (available here [Sanctions - States of Guernsey](#)).

The Policy & Resources Committee will consider requests for assistance from designated persons in applying for a review of a UN designation or the variation or revocation of an autonomous UK designation. This guidance sets out the procedure that applies to such requests.

### **UN designations**

The Policy & Resources Committee cannot contact the UN directly in relation to the review of a designation, but it has arrangements in place with the UK Foreign, Commonwealth and Development Office (FCDO) to deal with this. Under these arrangements, which are set out in a Memorandum of Understanding (the MoU), the Policy & Resources Committee can request the FCDO to make a de-listing request to the UN on its behalf. However, the Policy & Resources Committee will only do so if it considers that the grounds put forward by or on behalf of the designated person are sufficient. Where there has already been a de-listing request to the Policy & Resources Committee or the FCDO by or on behalf of the designated person, the Policy & Resources Committee will not consider any further request unless the grounds put forward include a significant matter that has not previously been considered by the FCDO.

### **UK designations**

The MoU also governs the transmission to the FCDO or requests for variation or revocation of an autonomous UK designation. The points made above about the need for sufficient grounds and the effect of previous de-listing requests in relation to UN designations are equally applicable to autonomous UK designations.

### **Procedure**

#### *Applications*

Applications may be made by designated persons or by persons acting on their behalf. Applications should be made by completing a Sanctions Review Request Form (available here [Sanctions Review Request Form](#)) and sending it to the Policy & Resources Committee by email or post at the address below.

The application should be supported by all relevant evidence. As far as possible this should be evidence from independent and reliable sources, evidence that can be verified and corroborating evidence. Applications which are not supported by evidence of this kind are unlikely to succeed.

Where evidence is not in English, an official translation must be provided before the evidence can be considered. This must include a signed declaration by the translator that the translation is an accurate translation of the evidence, the date of the translation and the full name and contact details of the translator.

The Policy & Resources Committee may request additional information from an applicant before making a decision on whether to refer the matter to the FCDO. The Policy & Resources Committee will also ordinarily obtain legal advice and consult other authorities within the jurisdiction, the authorities in the United Kingdom and, exceptionally, the authorities in other jurisdictions in order to assist it in making a decision. This will be done on a confidential basis.

The Policy & Resources Committee will take all reasonable steps to make a determination on a request as soon as possible after receiving all necessary information and documents, either from the applicant or from any third party. Priority will be given to cases of particular urgency.

#### *Submission to UK*

If the Policy & Resources Committee considers it appropriate to refer the matter to the FCDO, it will do so via a nominated point of contact as required by the MoU. The FCDO may request additional information from the Policy & Resources Committee at any time.

The MoU specifies that the FCDO will deal with a request for de-listing from the Policy & Resources Committee FSU under the same procedures that it uses for dealing with requests for de-listing from persons within the UK. The UK ensures that a delisting proposal meets legal thresholds, which can take a number of weeks depending on the level of complexity.

With regard to UN designations, once the UK, or any other UN Member State makes a proposal to the relevant Sanctions Committee, there is typically a five day no-objections procedure. Any member of the sanctions committee can place a hold or block on a proposal.

#### *Notification*

The FCDO will inform the applicant for de-listing of the progress of the request when it considers it appropriate and will notify the applicant of the outcome of the request at the earliest opportunity. The Policy & Resources Committee will jointly decide with the FCDO what information is passed, as part of the update, to the applicant.

## Queries

Any queries should be sent to:

Financial Crime Policy Office  
Sir Charles Frossard House  
La Charroterie,  
St Peter Port,  
Guernsey,  
GY1 1FH,  
Channel Islands

Tel: +44 1481 227000

Email: [sanctions@gov.gg](mailto:sanctions@gov.gg)