

OFAC Removes Sanctions on Turkish Ministries and Ministers; U.S. Executive Order Providing a Basis for Sanctions on Turkey Remains in Place

October 24, 2019

Key Points

- On October 23, 2019, the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) **removed** the two Turkish government ministries and three ministers that it added to its Specially Designated Nationals and Blocked Persons (SDN) List on October 14, 2019.
- Although the sanctions designations previously imposed on the Turkish ministries and ministers are no longer in effect, **Executive Order 13894**, the authority used to impose these sanctions, remains in effect.
- Given changing conditions on the ground in Syria and the administration's actions to ease sanctions on Turkey on October 23, it remains to be seen how four proposed sanctions bills in Congress will progress.

On October 23, 2019, the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) **removed** the two Turkish government ministries and three ministers that it added to its Specially Designated Nationals and Blocked Persons (SDN) List on October 14, 2019. The de-listed Turkish parties are:

- The Republic of Turkey Ministry of National Defence.
- The Republic of Turkey Ministry of Energy and Natural Resources.
- Hulusi Akar, the Turkish Minister of National Defence.
- Fatih Donmez, the Turkish Minister of Energy and Natural Resources.
- Suleyman Soyly, the Turkish Minister of Interior.

For more information on the initial imposition of those sanctions on October 14, 2019, please see our recent client alert [here](#). Notwithstanding this action by the Trump administration, the Executive Order issued by the White House on October 14 that provides legal authority for such actions against Turkey remains in effect. Separately, a number of bills providing for tougher sanctions on Turkey are still pending in the U.S. Congress.

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These sanctions de-listings occurred soon after the government of Turkey [informed](#) the U.S. government that it “would be stopping combat and their offensive in Syria.” This action follows the conclusion of an agreement with U.S. officials announcing an initial pause in Turkey’s military campaign against Kurdish YPG forces and then a subsequent agreement between the presidents of Turkey and Russia for an extended ceasefire and security arrangements establishing a 30 kilometer buffer zone in northern Syria.

The SDN List removals were specifically implemented in reference to the [Joint U.S.-Turkey Statement on Northeast Syria](#) issued on Thursday, October 17, which indicated that the U.S. would lift the above sanctions after a 120-hour “ceasefire” or “pause” of Turkish operations in northeast Syria, with the stated purpose of allowing Kurdish YPG forces to withdraw from the “safe zone” in the border region between Turkey and Syria. In announcing that U.S. sanctions would be lifted, President Trump stated that the 120-hour ceasefire “held” and is now “permanent.”

Importantly, although the sanctions designations previously imposed on the Turkish ministries and ministers are no longer in effect, [Executive Order 13894](#), the authority used to impose these sanctions, remains in effect. This provides established legal authority that the Trump administration can use to quickly re-impose these sanctions listings and to designate additional Turkish parties if it determines that Turkey has resumed military operations or otherwise finds cause to subject the country to further sanctions as a matter of U.S. interest.

Additionally, over the last two weeks, members of Congress have introduced a number of bills proposing legislation to require the imposition of sanctions against Turkey in connection with its military incursion and actions in northern Syria, as well as its procurement of weapons systems from Russia. At this time, the four sanctions bills pending in Congress are:

1. Countering Turkish Aggression Act of 2019 ([S. 2644](#)), sponsored by Sen. Lindsay Graham (R-SC) and Sen. Chris Van Hollen (D-MD).
2. A Bill to Promote United States National Security and Prevent the Resurgence of ISIS, and For Other Purposes, ([S. 2641](#)) ([summary](#)), sponsored by Senate Foreign Relations Committee Chairman Sen. Jim Risch (R-ID) and Ranking Member Sen. Bob Menendez (D-NJ).
3. Protect Against Conflict by Turkey “PACT” Act ([H.R. 4695](#)) ([text](#)), sponsored by House Foreign Affairs Committee Chairman Rep. Eliot Engel (D-NY) and Ranking Member Rep. Michael McCaul (R-TX).
4. Countering Turkish Aggression Act of 2019 ([H.R. 4692](#)) ([text](#)), sponsored by Rep. Liz Cheney (R-WY).

While these legislative initiatives have had strong initial bipartisan support, Republican leaders have backed away from their initial calls for tougher sanctions in recent days. With changing conditions on the ground in Syria and the administration’s action on October 23 to de-list Turkish ministries and ministers from the SDN List, it remains to be seen how views on and support to advance the proposed sanctions bills will evolve in the House and the Senate.

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