

Newsletter

Russian counter-sanctions update - Order No. 851 of the Russian Government re. List of Sanctioned Persons

May 12, 2022

Dear Ladies and Gentlemen,

In course of regular update on Russian counter-measures, we would like to inform you that on May 11, 2022, in compliance with the Presidential Decree No. 252 "On Application of Retaliatory Special Economic Measures in response to Unfriendly Acts by Certain Foreign States and International Organizations" dated March 3, 2022 ("**Decree No. 252**"), the Government of the Russian Federation has issued the Order No. 851 "On Measures to Implement the Decree No. 252 of the President of the Russian Federation dated May 3, 2022" ("**Order No. 851**"), which contains the list of sanctioned persons restricted from doing business and the transaction with anyone within the jurisdiction of the Russian Federation ("**Sanctioned Persons**").

The translated Order No. 851 with the list of Sanctioned Persons is attached thereto for your reference. As a preliminary conclusion, the list affects mainly the energy sector, certain subsidiaries of Gazprom, one Czech company involved in Yamal-Europe pipeline project and some other European gas trading and storing companies.

The following restrictions apply to all Sanctioned Persons in accordance with the Decree No. 252 and the Order No. 851:

1. All Russian state and municipal authorities, individuals, and legal entities within the jurisdiction of the Russian Federation are prohibited from:
 - i. entering into transactions (including foreign trade contracts) with any Sanctioned Persons;
 - ii. performing new or outstanding obligations (if any, including partial performance) towards any Sanctioned Person in existing transactions;
 - iii. performing financial transactions if their beneficiary is a Sanctioned Person.

2. Export of products and/or raw materials, produced or mined in the territory of the Russian Federation is prohibited if such products and/or raw materials are exported and/or supplied (i) to any Sanctioned Person; and/or (ii) by any Sanctioned Persons to any other party.

The Order No. 851 also clarifies that the transactions mentioned in clauses 1(i) and 1(ii) above are not allowed if only they meet any of the following requirements:

- transactions are made in favor of any Sanctioned Person;
- transactions involve the entry into ports of the Russian Federation of vessels owned and (or) chartered by any Sanctioned Person, for their benefit or on their behalf;
- transactions involve payments, operations with securities with and (or) for the benefit of any Sanctioned Person.

The restrictions under the Order No. 851 apply if the persons authorized for implementing special economic measures (including the Order No. 851) have the information that the action is performed in favor of Sanctioned Persons.

It is worth to mention that the Order No. 851 envisages the possibility for obtaining the permits for carrying out the restricted transactions and operations with the sanctioned persons. However, so far it is unclear what the procedure would be, since the Order No. 851 is silent about this issue just emphasizing that the Ministry of Finance of the Russian Federation is entitled to make proposals to the Russian Government on granting temporary permits to conduct certain transactions with Sanctioned Persons.

The Government's Order No. 851 also grants the Ministry of Finance of the Russian Federation with the right to make proposals on amendments to the list of the Sanctioned Persons.

The Order No. 851 has already entered into force (since the date of its official publication, i.e. May 11, 2022).

List of Sanctioned Persons

1. Gazprom Germania GmbH (Germany).
2. Gazprom NGV Europe GmbH (Germany).
3. Astora GmbH¹ (Germany).
4. ZGG - Zarubezhgazneftehim Trading GmbH (Austria).
5. GAZPROM Schweiz AG (Switzerland).
6. WIEE Hungary Kft.² (Hungary).
7. WIEE Bulgaria EOOD³ (Bulgaria).
8. IMUK AG (Switzerland).
9. WIBG GmbH (Germany).
10. WIEH GmbH⁴ (Germany).
11. WINGAS GmbH⁵ (Germany).
12. WINGAS UK Ltd.⁶ (The United Kingdom).
13. WINGAS Sales GmbH⁷ (Germany).
14. WINGAS Holding GmbH⁸ (Germany).
15. Industriekraftwerk Greifswald GmbH⁹ (Germany).
16. VEMEX ENERGO s.r.o.¹⁰ (Slovakia).
17. WINGAS Benelux s.r.l.¹¹ (Belgium).
18. Gazprom Marketing & Trading Ltd.
19. Gazprom Global LNG Ltd. (The United Kingdom).
20. Gazprom Marketing & Trading France SAS (France).
21. Gazprom Marketing & Trading USA Inc. (The USA).
22. Gazprom Marketing & Trading Switzerland AG (Switzerland).
23. Gazprom Marketing & Trading Singapore PTE. Ltd. (Singapore).
24. Gazprom Marketing & Trading Retail Ltd. (The United Kingdom).
25. Gazprom Mex (UK) 1 Ltd. (The United Kingdom).
26. Gazprom Mex (UK) 2 Ltd. (The United Kingdom).
27. PremiumGas S.p.A. (Italy).
28. VEMEX s.r.o.¹² (Czech Republic).
29. VEMEX ENERGIE a.s.¹³ (Czech Republic).
30. WIEE ROMANIA SRL¹⁴ (Romania).
31. EUROPOL GAZ S.A.¹⁵ (Poland).

¹ Subsidiary of Gazprom (<https://www.gazprom-germania.de/ru/kompanija/struktura.html>)

² Subsidiary of Gazprom (<https://www.wiee.hu/en/>)

³ Related to Gazprom <https://www.wiee.hu/en/contact>

⁴ Subsidiary of Gazprom (<https://www.gazprom-germania.de/ru/kompanija/struktura.html>).

⁵ Subsidiary of Gazprom (<https://www.wingas.com/en/index.html>)

⁶ Subsidiary of Gazprom (<https://www.wingas.com/en/index.html>)

⁷ Subsidiary of Gazprom (<https://www.wingas.com/en/index.html>)

⁸ Subsidiary of Gazprom (<https://www.wingas.com/en/index.html>)

⁹ JV company of WINGAS GmbH and E.ON Energy Projects established for the construction and operation of the plant ([link](#)).

¹⁰ Subsidiary of Gazprom (<https://www.gazprom-germania.de/ru/kompanija/struktura.html>).

¹¹ Subsidiary of Gazprom (<https://www.wingas.com/en/index.html>)

¹² Subsidiary of Gazprom (<https://www.gazprom-germania.de/ru/kompanija/struktura.html>)

¹³ Subsidiary of Gazprom (<https://www.gazprom-germania.de/ru/kompanija/struktura.html>)

¹⁴ Subsidiary of Gazprom (<https://www.wiee.ro/>)

¹⁵ Owner of the Polish part of the Yamal-Europe gas pipeline ([link](#))

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Sincerely,

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