



Observatoire ARGA

INTERNATIONAL ANALYTICAL REPORT

D-13. Sanctions Delisting

United States, United Kingdom and European Union

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Executive summary

Sanctions delisting requires work on a specific legal basis, the evidence and the competent authority. It is not simply a statement of innocence, hardship or the public value of a business. Many regimes do not require a criminal conviction for designation. A strategy must therefore explain why the criterion applied was not met, is no longer met, or was applied through a decision that failed to comply with relevant requirements.

In the United States, OFAC conducts administrative reconsideration. In the United Kingdom, review of most foreign-policy designations proceeds through the FCDO, while OFSI performs financial sanctions implementation and licensing functions. In the European Union, reconsideration is requested from the Council, and judicial challenges are brought before the General Court where the relevant conditions are satisfied. Multiple regimes require separate proceedings: a favourable decision by one authority does not remove the others.

This report distinguishes four outcomes: variation or revocation of a designation, judicial annulment of a particular act, authorisation of a transaction and correction of mistaken identity. Their effects differ. A licence is not delisting; annulment of an earlier act does not necessarily remove a later one; removal of an entry does not guarantee immediate restoration of banking services.

A strong case connects the criterion, alleged fact, evidence and response in a structured matrix. Every independent ground must be addressed. Changed circumstances are assessed through their practical effect, not merely their form. Resignation, disposal of a shareholding and cessation of funding require examination of continuing powers, benefits and relationships.

Observatoire ARGAs treats delisting as a sequence of connected tasks: identify the decision challenged, obtain the available grounds, assemble a verifiable file, preserve procedural deadlines, maintain lawful access to necessary expenditure and implement the result achieved. The quality of that work matters more than the volume of correspondence or the number of parallel submissions.

1. Defining the target and mapping restrictions

The first task is to establish precisely what must be removed. A person may appear on several lists, one regime may impose several types of restriction, and one entry may cite several independent grounds. Restrictions may also affect a company through ownership or control without its name being separately listed. That situation should not automatically be treated as an ordinary request to remove an entry.

The working map should record the official name, entry identifier, authority, original designation date, applicable measures and statement of reasons. Later amendments, renewals, corrections and court proceedings are then added. Commercial databases help locate information, but the legal assessment relies on official sources. The retrieval date matters because an outdated list can distort the subject of the application before substantive work begins.

Consequences should be recorded separately: asset freezes, prohibitions on making funds available, entry restrictions, transport measures and other controls. Removal of one restriction does not always remove another. For a company, the map should identify subsidiaries' own designations and

restrictions arising from their owners. This establishes which outcome would actually restore the activity required.

Name confusion requires particular care. If a bank has mistaken the customer for someone else, the issue concerns identification and implementation, rather than removal of a valid entry concerning a third party. OFAC expressly distinguishes such cases from administrative reconsideration. [4] Directing a false match into a delisting procedure can delay correction and create the inaccurate impression that the customer accepts that the listing concerns them.

The initial map should also identify the client's immediate objective. Being able to pay legal fees, obtain release of a particular asset and remove a designation entirely are different goals. Recording them separately makes it possible to pursue urgent, limited relief without losing sight of the wider challenge.

2. Three grounds of challenge and independent criteria

It is useful to separate original error, subsequent change and procedural failure. Original error concerns the law and facts at the decision date: the person did not hold the stated position, ownership was incorrectly identified or the evidence failed to establish the relevant criterion. Changed circumstances concern a later period: powers ended, an activity ceased or the relationship underpinning the decision was severed.

These arguments can coexist but must be distinguished. A person who says that they never controlled a company and then describes ending control after designation creates an apparent contradiction. It may be explicable: formal powers may have existed without actual control. That distinction must be stated expressly and supported by a consistent chronology.

A procedural objection needs its own substance. Calling a decision opaque is insufficient. The submission should establish what reasons, notice or opportunity to respond were required, what failed and how that affected the defence. Correcting a procedural defect may also lead to a new decision with the same outcome. Procedural and substantive arguments should therefore be developed together where appropriate.

A central risk is the existence of several independently sufficient grounds. Successfully rebutting one publication does not remove a documented role in another organisation. An OFAC petition must address the applicable authorities and criteria. Under EU law, the survival of an adequately substantiated independent ground can likewise matter. [3; 14] The criteria map should therefore precede the narrative memorandum, rather than be constructed after a lengthy general account has been written.

This approach helps distinguish decisive evidence from background. A document may improve the overall account without changing the legal result. Conversely, a short historical record establishing that a role ended before designation may affect the central premise. Resources should follow that distinction.

3. Evidence that answers the criterion

A strong file begins by identifying the fact to be established. A registry extract evidences particular registered information, but not necessarily practical control. A resignation letter records an expressed intention, but may not establish when powers ended. A share sale agreement records contractual terms, but does not by itself prove payment, transfer of title and the buyer's independence.

For each material fact, the file should identify the primary document, effective date, source and legal significance. Evidence of implementation may also be needed: the payment trail, registration of transferred rights, changed signatories, revoked powers of attorney and actual transfer of management. If the application relies on completed change, the documents should establish completion.

Open sources require scrutiny of provenance. Reprints of one report are not independent corroboration. An old website biography may conflict with an updated register; the conflict should be explained rather than concealed. Where adverse reporting combines accurate and inaccurate information, a precise rebuttal is more persuasive than demanding rejection of the entire source.

Translation must preserve legal distinctions. Roles, forms of participation and procedural status should not be converted into convenient but inaccurate equivalents. The original and translation can share an exhibit number, with the cited page identified. An extensive attachment without a reference to the relevant passage shifts the work of proving the proposition to the authority and makes the submission less clear.

Limits of knowledge should be recorded. If a document is unavailable, the file should explain efforts to obtain it and identify independent alternatives. An assumption should not become a categorical statement merely because it assists the argument. Inaccurate information can damage the entire petition, including otherwise reliable and legally significant points.

4. United States: OFAC reconsideration

The principal procedural provision is 31 CFR § 501.807. It permits arguments that the basis is insufficient or that the circumstances giving rise to sanctions no longer apply, as well as proposed remedial steps. OFAC may request further information; a meeting is not mandatory; reconsideration concludes with a written decision. [1]

On 29 June 2026, OFAC announced its Reconsideration Portal for petitions and requests for available supporting material. It encourages use of that channel. An old template built solely around email submission should therefore not be used without checking current instructions. The portal guidance and regulatory text should be read together; the earlier channel should not be declared legally nonexistent without a basis for that conclusion. [2]

The petition starts with correct identification of the entry and the representative's authority. Names and aliases must be connected to the same subject. A company should establish who can authorise the filing: a former director or minority shareholder does not necessarily represent the entity. Incomplete authority documents can delay consideration before the merits are reached.

The substantive account should distinguish original insufficiency from later change. Each argument should be connected to the executive order and criterion identified in the designation. Charitable activity, long residence abroad or general reputation may supply context, but do not replace an answer to the legal ground.

Filing does not remove restrictions. Until the relevant decision takes effect, the applicant and service providers must continue to examine applicable prohibitions and authorisations. The administrative strategy should therefore account for essential expenditure, lawful access to representation and preservation of records concerning continuing obligations.

Where several entities are involved, the petition should make clear whose designation is under review. The interests of an owner, parent and subsidiary may overlap, but their entries and grounds can differ. A common factual appendix may assist, while the requested outcome for each listed subject remains explicit.

5. United States: records, questionnaires and progress

A press release rarely supplies the complete evidential record. The OFAC process permits a request for a courtesy document reflecting available unclassified, non-privileged material; protected information may be withheld. A separate FOIA route also exists. Incomplete disclosure does not justify assuming that the authority's entire case consists of a known newspaper article. [2; 3]

Material received should be organised by allegation, date, source, connection to the criterion and proposed response. Sometimes the dispute concerns an inference rather than a document's authenticity. Attendance at a meeting is not necessarily acting on instructions; a minority interest does not invariably establish control; a former role does not automatically describe the present position. Those distinctions need factual explanation.

OFAC describes an initial completeness-review target of seven to ten business days and subsequent questionnaire stages. This is not a merits-decision deadline. Full review is case-specific, and a Petition ID signifies administrative progress rather than a favourable assessment of prospects. [3]

Questionnaires should be answered in their own order, retaining question numbers. A direction to see the attachments is inadequate without the document and page. Where an answer cannot be provided, the reason and efforts to obtain information should be explained. Requests for additional time should be made before the deadline, with a concrete explanation and realistic proposed date.

Later submissions must remain consistent with the initial position. An error is better corrected openly: identify what was inaccurate, explain why and supply the supporting record. Silently replacing an earlier account creates credibility problems. OFAC's practical guides emphasise complete and truthful submissions. [5; 6]

A correspondence log should separate delivery, acknowledgment, requests for information and substantive determinations. This avoids treating an automated receipt as confirmation that the file is complete. It also helps the representative identify which questions remain outstanding before sending another status request.

6. United States: judicial review and its limits

Judicial challenge requires a separate procedural assessment: the agency action being challenged, its reviewability, standing, jurisdiction and the applicable standard. An administrative petition and a court claim are not the same document sent to different addresses. Finality, admissibility and timing cannot be replaced by an assumption that every OFAC communication opens an identical judicial route.

The administrative case should be prepared with possible later review in mind. Material evidence not presented to the authority may be harder to use in a challenge to its decision. Exhibits should therefore be selected for their probative value, rather than withheld as a decisive argument for a later stage.

In *Deripaska v Yellen*, No. 21-5157, on 29 March 2022, the DC Circuit affirmed dismissal of the challenge. It distinguished OFAC's evidentiary justification from the broader language of a press release. The disposition was unpublished under the court's rules and should not be presented as resolving every future sanctions dispute. [7]

The practical lesson concerns the target of the challenge. Rebutting political language in a press release may leave the factual basis in the administrative materials untouched. The applicable criterion and the evidence supporting it must be identified. Strategy should also account for protected material and disclosure limits, rather than promise a fully public contest over every part of the record.

Even a favourable judgment must be read through its operative effect. Remand for reconsideration, a finding that reasons are inadequate and final removal of a measure are different outcomes. A demand for immediate release of all assets should not rely only on favourable wording in the reasoning.

7. United Kingdom: FCDO, ministers and OFSI

For most foreign-policy designations, administrative review concerns the appropriate minister and the FCDO. Section 23 of the Sanctions and Anti-Money Laundering Act 2018 provides for requests to vary or revoke a designation. Section 25 addresses a different request for UN-listed persons: use of best endeavours to secure removal from the relevant UN list. The routes should not be conflated. [8; 9]

OFSI is part of HM Treasury and implements financial sanctions, including licensing within its powers. A request to permit particular expenditure and a request to revoke designation therefore usually follow different procedures. The competent authority must be checked for particular regimes, including certain counter-terrorism measures. Describing every case as delisting through OFSI is insufficiently precise.

The FCDO publishes a Sanctions Review Request Form and instructions concerning identity, representation and supporting material. A further request after refusal requires a significant matter not previously considered. Decisions are to be made as soon as reasonably practicable after receipt of the necessary information; the guidance does not promise a single timetable for all cases. [9]

The current statement of reasons should be answered point by point. If it has changed, the submission should identify the version challenged and explain the relationship between earlier and later grounds. Reliance on an old entry may leave the current criterion unanswered.

For an entity, the signatory's authority is only one issue. The file should explain actual governance after the changes relied upon. If revocation is sought following a change of ownership, the evidence should establish more than a registry amendment and address any continuing rights to income, instructions or appointment of managers.

8. United Kingdom: court review and Shvidler

Following the statutory administrative review, a judicial route may arise under section 38. Judicial review principles apply; in England and Wales, CPR Part 79 contains the special procedure. A generic administrative litigation template should not be transferred mechanically. The decision, court, procedural conditions and supporting documents must be identified. [8-10]

CPR 79.6 requires identification of the decision, its effect on the claimant and the grounds for setting it aside, together with the relevant notice and evidence. The interval between issuing proceedings and a directions hearing is not the deadline for bringing the claim. The procedural calendar must distinguish those concepts. Filing time should be checked against the particular route and circumstances, rather than inferred from an isolated number. [10]

In *Shvidler and Dalston Projects*, [2025] UKSC 30, decided on 29 July 2025, the Supreme Court dismissed *Shvidler's* appeal by a majority and *Dalston Projects'* appeal unanimously. Lord Leggatt dissented on *Shvidler*. The proceedings addressed proportionality, among other questions; serious personal consequences did not alone establish unlawfulness. [11]

Consequences should be evidenced and connected to the legal test. Inability to work, family circumstances, duration and less burdensome alternatives require supporting material. The submission must also address the regime's public objective and the person's connection with the criterion. An account confined to personal loss leaves the other side of the balance unexplored.

A dissent can illuminate contested issues but must not be presented as the majority's holding. Assessing prospects requires separation of the court's decision, arguments advanced unsuccessfully and possible future developments. The distinction matters both in legal advice and in public descriptions of the case.

9. European Union: Council review and access to grounds

The Council provides for requests to reconsider a listing supported by relevant documents. This administrative route differs from an action before the General Court. A national bank, supervisor or competent authority of a member state cannot replace the Council in removing an entry from an EU measure. [12]

The initial request should identify the acts, dates and grounds concerned. It can also seek available material supporting the listing or its maintenance. The correspondence should establish the applicant and representative without requiring the recipient to reconstruct identity from different spellings. A company should provide registration details and material changes in its name.

The material received should be compared with the statement of reasons. One item may establish a role, another a shareholding and a third alleged support. If they concern different periods, the gap becomes a separate issue. Saying that all information is outdated is less useful than explaining precisely why a particular source fails to establish the position at the date of the contested act.

Correspondence should distinguish new information from repetition. Evidence of a completed transaction, terminated powers or changed relationships should explain its significance for the criterion. A substantial new attachment does not necessarily contain a new legally material circumstance.

An administrative request should not be assumed to preserve the judicial time limit. Where that limit is running, preparation of proceedings must be addressed in parallel. Obtaining documents and awaiting the Council's reply are part of procedural planning, but do not replace independent examination of admissibility and time calculation.

The file should retain the complete notice and the means by which it was received. A forwarded extract can omit the date or information needed to assess the next step. Preserving the original communication avoids an unnecessary evidential dispute about what was notified and when.

10. European Union: proceedings, renewals and interim relief

Article 263 TFEU provides a two-month period for bringing proceedings, linked to the relevant triggering event. The precise expiry date depends on notification, publication and procedural rules; simply adding sixty days is unreliable. A sanctions case needs a calendar for every contested act, rather than one general date on which sanctions began. [13]

Initial listing and later maintenance may be contained in different acts. When a new measure appears, counsel must promptly assess modification of the application under Article 86 of the General Court's Rules of Procedure or another necessary procedural step. The 2024 amendments make reliance on unchecked older templates particularly undesirable. [15]

The application should connect each alleged infringement to a particular decision. Inadequate reasons, breach of defence rights, error of assessment and disproportionality are distinct pleas. Each requires a factual basis, applicable rule and explanation of the remedy sought. Combining every objection into a general account of injustice obstructs both adjudication and implementation.

Bringing proceedings does not itself suspend the act. Interim protection requires a separate application satisfying the applicable conditions, including urgency. [13] The file should identify concrete prospective harm and explain why ordinary proceedings would not provide effective protection. The possibility of later financial compensation may also affect the assessment.

The interim measure sought should be workable and proportionate. If the problem concerns one essential transaction, a request to remove every restriction may be too broad. At the same time, national authorisation of expenditure does not resolve the legality of the listing. Those routes can complement one another while retaining separate grounds and objectives.

Renewal monitoring should continue while litigation is pending. A successful argument against the original record may not address additional material supporting a later measure. Each renewal

requires comparison of the reasons, evidence and period concerned before deciding whether the existing litigation strategy remains sufficient.

11. European case law: evidence and relevant periods

Kadi II: substantive examination of the grounds

In Joined Cases C-584/10 P, C-593/10 P and C-595/10 P, decided on 18 July 2013, the Court of Justice developed the approach to the factual basis of restrictive measures and effective judicial protection. The issue is not merely whether reasons exist, but whether a legally material ground is sufficiently substantiated. An independently sufficient, substantiated ground can sustain a decision. [14]

The practical consequence is to address every decisive point. Rebutting ten secondary inaccuracies may not change the outcome if the central criterion remains unanswered. Arguments can be ranked by whether they remove an entire ground, weaken a source or merely correct a peripheral detail. That directs resources towards documents capable of changing the assessment.

Mazepin: family connection and changed facts

In T-743/22, on 20 March 2024, the General Court annulled the maintenance acts concerning Nikita Mazepin that were before it. Under the association criterion applied, a link through common interests beyond kinship alone was required. The Court assessed the particular circumstances and their relevance at the material time. [16]

The judgment does not provide universal immunity to relatives of designated persons. Its practical significance is the need to establish the relationship existing during the relevant period. Ended sponsorship, independent income and the absence of shared assets must be evidenced separately. Another regime or criterion may treat family relationships differently. The reasoning transfers through the rule and facts, not simply a similar personal situation.

Aven and Fridman: the scope of annulled acts

The judgments in T-301/22 and T-304/22 of 10 April 2024 concerned acts covering 28 February 2022 to 15 March 2023. The General Court found the relevant justification insufficient. The official announcement separately identified later acts and other proceedings. [17]

This illustrates the danger of the headline that sanctions have been lifted. Implementation requires examination of the acts annulled, later decisions and the appeal position. This report discusses the 2024 judgments; it does not assert that the individuals are currently absent from every list. The legal result is tied to the act, period and operative effect.

European case law supports evidence-based scrutiny but does not provide a universal success rate. Cases differ in criteria, evidence, dates and procedural posture. An authority is useful when the relevant reasoning and the differences limiting the analogy are both explained.

12. Changed circumstances: proving implementation

Resignation is a common argument, but its value depends on the designation ground. Where the criterion concerns a current office, termination of that office is directly relevant. Where the ground concerns past conduct, benefit or continuing influence, resignation alone may be insufficient. The temporal structure of the rule must be established first.

Evidence should connect the resignation, corporate decision, effective date and actual cessation of functions. Signing rights, powers of attorney, committee membership, consultancy arrangements and continuing remuneration should be examined. A consultancy does not automatically establish continuing control, but its content must be disclosed where material to the criterion.

Similarly, ending a company's activity is not proved by a website announcement alone. The liquidation stage, continuing contracts, assets and residual powers matter. An entity in liquidation may still exist and undertake legally permitted acts. Saying that the company is closed should be replaced by a precise account of its status and legal effect.

Chronology is critical. A document signed after designation does not automatically establish absence of the ground before designation. It may support a different argument against continued maintenance. Where change occurred in stages, a table can record the decision, registration, implementation and termination of practical links.

Change need not have been undertaken specifically for the petition. It may follow an ordinary departure, business sale or contract expiry. Explaining the economic reason helps assess whether the event is genuine, but the explanation should be supported. No assurance should be given that a formal step necessarily results in delisting: its relationship to the particular grounds remains for assessment.

The evidence should also address durability. A temporary delegation or short suspension of duties may have a different significance from an effective and continuing departure. The submission should identify any conditions under which powers return, rather than describe a reversible arrangement as permanent without qualification.

13. Corporate restructuring and continuing connections

A share sale, board change or independent governance arrangement requires examination on several levels. The transaction itself must be lawful under continuing restrictions; rights must actually transfer; and relevant mechanisms of continuing influence must be addressed. Corporate paperwork does not replace a sanctions authorisation where one is required.

Practical review covers the buyer's funding, payment, repurchase rights, security, options, voting agreements and profit distribution. Each feature may have an independent commercial explanation. Undisclosed terms inconsistent with the claimed independence can nevertheless undermine the entire changed-circumstances argument. OFAC warns about sham transactions and the need to coordinate proposed steps that may themselves engage sanctions prohibitions. [3; 5]

Reduced ownership must be distinguished from removal of every ground. Even where a change takes a company outside a particular ownership rule, it may remain independently listed.

Conversely, removal of an owner's personal designation does not necessarily eliminate the company's own entry. Each designation and derivative relationship should be considered separately.

A useful before-and-after package compares ownership, governing bodies, authorised signatories, key contracts and funding. It explains what changed, what remains and why any continuing features do not sustain the disputed criterion. Concealing an inconvenient link is worse than assessing it accurately.

Proposed measures also differ from completed ones. An intention to sell an asset or terminate a contract does not establish that change has occurred. A plan may sometimes be discussed with an authority, but the petition should not describe it as an accomplished fact. Conditions, sequencing and authorisation requirements should be recorded before implementation.

Where an external adviser verifies a restructuring, the scope of that work should be clear. Verification of a register is different from examination of financing or practical control. An expert report should explain the documents examined and the limits of its conclusion, rather than function as a broad certificate that no sanctions issue remains.

14. Licences and expenditure during review

Delisting and licensing address different questions. Delisting concerns the sanctions basis affecting a person or property. A licence permits conduct within its terms while other restrictions remain. Permission to pay legal fees, basic needs or a particular obligation does not remove the entry.

Case preparation should identify expenditure and transactions whose absence materially impedes the defence or ordinary life. Each should record payer, recipient, amount, currency, bank, purpose and relevant regimes. Permission to provide a service and permission to pay from a particular source must be checked separately. A legal retainer does not itself exempt a transfer from sanctions analysis.

OFSI requires the relevant licensing ground to be explained and information about the proposed transaction supplied. General and specific licences operate differently, and permission under one prohibition does not establish the lawfulness of the whole transaction. [18] The actual route and every participant should therefore be checked against the document, not merely the client's name.

A practical budget can distinguish recurring essentials, one-off court payments and commercial transactions. This supports targeted requests and avoids burdening an urgent application with unrelated issues. Urgency should be tied to a date and consequence: a payment deadline, scheduled hearing or threatened termination of an essential service.

Submitting an application does not authorise conduct pending the permission required. Reliance on a general licence requires examination of its duration, scope, conditions and reporting requirements at the transaction date. Each jurisdiction uses its own mechanism. European or British permission does not replace US authorisation where US restrictions also apply.

The implementation plan should identify who will make the authorised payment and what evidence the bank will need. A permission may be legally adequate but operationally unusable if the named route or participant no longer exists. Any necessary amendment should be obtained through the proper procedure, rather than assumed from the licence's general purpose.

15. Parallel regimes and a consistent factual account

A person may challenge listings in the United States, United Kingdom and European Union simultaneously. These do not form one international proceeding. Authorities use different criteria, evidence and powers. Each jurisdiction therefore needs its own legal argument built on a common truthful factual foundation.

A shared file can contain a general chronology and jurisdiction-specific sections. The date a role ended should be consistent throughout. Its legal significance may differ: in one regime it addresses a current criterion, in another continuing relationships require examination, and in a third it does not answer a ground concerning another activity. Different legal conclusions are possible; contradictory facts need explanation.

A foreign decision may be valuable evidence, but its meaning must be established. Policy-based delisting is not equivalent to acknowledgment of original error. A licence does not establish the absence of a listing ground. Annulment for inadequate reasons may not disprove every underlying allegation. Transferring the result without those distinctions overstates its evidential value.

External communications also require consistency. A press release, interview or letter to a bank may later be compared with the administrative account. Complete severance should not be announced where the documents establish only departure from one position. Public statements should describe the outcome as precisely as the legal submission.

Coordination does not mean waiting for one procedure to finish before doing anything elsewhere. An EU litigation deadline may require action before OFAC responds. The plan should use separate calendars, identify material suitable for common use and allocate questions requiring individual assessment by the relevant representative.

16. Refusal, renewed petitions and delay

A refusal should first be classified. The file may be incomplete, authority unproved, evidence insufficient or an independent ground inadequately challenged. Each requires a different response. Sending the original account again does not address the reason for the adverse result.

OFAC FAQ 1261 permits a new petition after denial but requires new arguments or evidence; otherwise the earlier determination may be relied upon. UK guidance refers to a significant matter not previously considered. Neither should be converted into a promise of unlimited identical applications. [4; 9]

A renewed submission should identify the earlier conclusion, the new circumstance, its supporting document and why the conclusion should change. A newly dated document repeating known information may be new only in form. Where an older material document is supplied for the first time, its previous unavailability or omission should be explained.

During a prolonged review, a status request should identify the filing date, reference, latest replies and outstanding questions. Repeated large additions can themselves increase the review burden. A status inquiry does not replace a timely questionnaire response or automatically preserve litigation deadlines.

Possible judicial relief for delay requires separate examination under the applicable law. Exceeding an arbitrarily selected period does not automatically entitle the applicant to delisting. The legal duty, nature of the delay, applicant's conduct and available procedural route must be established. A disciplined correspondence record helps prove those matters if a dispute arises.

The same analysis should inform expectations. A complete file can reduce avoidable delay without controlling inter-agency consultation or the authority's substantive assessment. The representative should distinguish controllable tasks from external dependencies and update the plan on the basis of actual events rather than promised completion dates unsupported by the procedure.

17. Implementing a favourable decision

The first step after success is to establish the precise legal effect. The operative part, effective date, acts covered and any temporary preservation of effects must be read. Later designations and the appeal position require separate checking. A media announcement does not replace that work.

Administrative delisting should be documented through the official notice and change to the entry. Judicial annulment requires the judgment, information about its effect and subsequent steps by the authority. These form the package for banks, registries, counterparties and data providers. Each recipient should be told the outcome relevant to its own actions.

Release of funds requires independent examination. An asset may remain restricted because of another person, another regime, a judicial attachment or another legal ground. Removal of one sanctions obstacle does not automatically displace those measures. If a transaction remains unavailable, the bank can be asked to identify the continuing ground to the extent disclosure is permitted.

A commercial bank may also continue AML/CFT checks or terminate the relationship under applicable contractual rules. Delisting does not guarantee restoration of every product. This connects with report D-12: after the sanctions ground is removed, the dispute may concern the quality of banking assessment, data correction and access to essential services.

Public wording should match the result. Annulment of acts covering a particular period should be described in those terms. Authorisation of a transaction should not be announced as lifting sanctions. Accuracy supports both reputation and implementation by helping counterparties process the documents without encountering a discrepancy between the announcement and the official measure.

18. Practical scenarios

The following scenarios are hypothetical. They explain a working method and do not describe Observatoire ARGA clients or guaranteed outcomes.

An executive left before designation

The reasons state that a person manages a company. The register records departure several months before listing. The file should establish the effective end of powers and any continuing role relevant to the criterion, rather than rely solely on the registration date. Evidence includes the resignation decision, revoked authorities, new management and the last related agreements.

The main argument concerns original factual error. Continuing consultancy should be disclosed and its scope explained. Other grounds must then be examined. Rebutting the executive role does not resolve an independent criterion concerning ownership, benefit or another activity.

A role ended after designation

The applicant accepts holding the relevant position at the decision date but later ceased all functions. The argument concerns changed circumstances and the legality of continued maintenance. Evidence should establish completed termination, rather than an undertaking to leave only after delisting.

Continuing payments require explanation: settlement of a previous obligation, compensation, dividends or ongoing remuneration. Those distinctions affect assessment of the remaining connection. The same transfer may support different conclusions depending on its contract and the period to which it relates.

A designated person's relative

An applicant listed under an association criterion asserts economic independence. Rather than deny kinship generally, the file maps alleged common interests: income, assets, companies, sponsorship, loans and management. Each connection is identified or rebutted with supporting evidence.

Mazepin may assist analysis of the relevant EU criterion, but does not replace proof or transfer automatically to another jurisdiction. A shared asset should be addressed directly. Selective disclosure of favourable circumstances can weaken an otherwise justified argument of independence.

A business sale and multiple grounds

A company expects removal after its designated owner sells to an independent buyer. The transaction's permissibility and any necessary authorisations are checked first. Funding, payment, management transfer and the absence of undisclosed retained rights are then documented.

The company is also independently listed for a particular activity. The sale therefore answers only part of the case. A second evidential section must address the activity, its cessation or its incorrect characterisation. Without that work, even a genuine ownership change may leave the company's own designation supported.

Success against an earlier EU act

The General Court annuls an act maintaining a name for an earlier period. A bank refuses release because a later act remains applicable. The first task is to compare the operative judgment, later measure and claims brought against it. The file should establish whether the new act was included through modification or separate proceedings.

The bank request must reflect the current restriction. If the later act remains in force, the earlier success does not justify demanding that the bank ignore it. The judgment may nevertheless be important to a further challenge where it identifies a recurring defect in the justification.

One regime ends while another remains

OFAC removes a person, but the UK designation continues. The applicant supplies the American notice to the FCDO and banks. The UK submission should explain why the US outcome bears on the British ground and provide available evidence of the reasons for that outcome.

A bank subject to UK duties should not be told that the notice authorises transactions worldwide. The restrictions actually removed and those continuing must be assessed separately. The practical result is an updated map of prohibitions, rather than an assumption that the most prominent list controls all the others.

19. The file, deadlines and outcome assessment

A working file contains a short summary, map of measures, chronology, grounds matrix, evidence for each material fact and correspondence log. Attachment volume is not a quality measure. The reader should be able to follow the path from rule to fact, fact to evidence and evidence to the requested conclusion.

Question	Evidence and review	Outcome sought
Original error	Historical registers, powers and primary records	Finding that the original basis was insufficient
Changed circumstances	Decision and implementation dates, terminated links	Reassessment of continued maintenance
Multiple criteria	Separate response to each independent ground	Removal of every sufficient basis
EU renewal	New act, notification and procedural calendar	Timely inclusion of the later decision in the challenge
Necessary expenditure	Parties, amount, purpose and licensing basis	A specific lawful transaction
Favourable decision	Operative terms, effective date and official entry	Implementation within the result achieved

The calendar should distinguish administrative filing, questionnaires, judicial challenge, new acts, licence expiry and essential payment dates. Waiting for one decision does not stop the other clocks. Each event should have a responsible person and evidence of completion.

The completion criterion should be defined early. Removal of a listing, release of an asset and restoration of banking may occur at different times. A goal described only as solving sanctions makes it difficult to assess progress or remaining tasks. A realistic plan identifies each stage separately.

The restrictions map and evidence matrix should be updated after material responses. A refusal identifies conclusions that remain; partial success identifies what has changed; a new measure may

change the criterion. This allows the case to proceed coherently rather than restart with a general narrative of the original designation after every development.

20. Adverse facts and incomplete disclosure

The file must withstand scrutiny of adverse as well as supporting circumstances. Before submission, an internal table can record the fact, the authority's possible inference, the truthful explanation and the document. This is a completeness check, not an attachment for automatic submission. Material information should not be omitted from a required answer merely because it complicates the argument.

For example, a person has left office but still receives money from the former company. The explanation depends on the payment basis. Settlement of an earlier debt, an ongoing services contract and income from a retained shareholding represent different relationships. Instead of denying every connection, the submission should accurately describe what remains and explain why it does not establish the disputed criterion, where that conclusion is justified.

A discrepancy between an official register and a corporate website cannot be resolved merely by choosing the convenient source. The file should establish when the information was updated, who controlled publication and which documents establish the true position. If the website changed after the dispute arose, the previous version and explanation should be preserved. Otherwise, correction may appear to rewrite history.

Where disclosure is incomplete, known allegations should be separated from assumed ones. Available factual grounds can be requested and evidence supplied on obviously material issues. The applicant cannot infer that no other information exists merely because it has not been received. Treatment of protected material in court depends on the procedure; an ordinary representative may not have the same access as special participants in a closed-material process. [10]

Incomplete information requires disciplined wording. Saying that the available material does not identify evidence is more accurate than saying that no evidence exists. Saying that a document establishes termination of registered powers is more reliable than claiming it proves the absence of any influence. Precision does not weaken the defence: it explains the reach of the evidence and isolates the issue genuinely in dispute.

Witness accounts should be reconciled with documents. Witnesses should explain personally known facts, the observation period and the source of knowledge. A manager may know who gave instructions without having access to every shareholder agreement. A finance employee may confirm payments without being able to establish the recipient's legal independence. Defining the witness's competence makes the account verifiable and reduces overbroad assurances.

Before filing, a substantive review should adopt a critical reader's perspective. Which strongest ground remains unanswered? Which document permits an opposing interpretation? Which claimed change rests only on assertion? The answers direct further collection and help distinguish a remediable evidence gap from a case in which the factual ground still exists.

21. Conclusions and proposals from Observatoire ARGA

A sound delisting strategy aligns the legal criterion, evidence and procedure. Common errors substitute one element for another: reputation replaces an answer to the criterion; a licence becomes supposed revocation; a registry amendment becomes proof of complete loss of control; and success for one period becomes an assertion that every restriction has ended.

Observatoire ARGA proposes an internal quality standard for the file. Each decisive fact should have a source and date; each independent criterion a separate answer; and each claimed change evidence of implementation. Unresolved issues should be identified and included in the document-collection plan. These are the author's organisational recommendations, not universal mandatory requirements imposed by every authority.

Institutional practice benefits from clear acknowledgment, an accessible indication of the review stage and identification of missing information within permissible limits. Such measures need not disclose protected material or prejudge the outcome. They enable cooperation and reduce repeated, poorly directed submissions.

Effectiveness should be assessed through the quality of correction and implementation, rather than the number of entries removed alone. A proper outcome may be revocation of an erroneous listing, refusal where a ground remains substantiated, or authorisation of essential expenditure during continuing review. Protection requires complete and verifiable examination of material circumstances, not a promised result fixed in advance.

Delisting is not complete simply because a letter contains favourable wording. Its actual consequences must be established. Legal analysis should therefore accompany the matter from initial entry verification through banking-data updates, implementation of permitted transactions and examination of remaining restrictions in the relevant jurisdictions.

Sources and references

Source cut-off: 28 September 2026. Legislation, judgments, official guidance and press releases have different legal status. Cases are analysed within the acts and periods concerned; they do not certify the current sanctions status of named persons. Section 18 is hypothetical, and section 21 contains the author's proposals.

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