



firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

contacts

Jamie M. Wilks
416.865.7804

international economic and trade sanctions

overview

International economic and trade sanctions are directed against countries, organizations and individuals that engage in money laundering, military activity, terrorism, the development and proliferation of weapons of mass destruction, human rights abuses and other unacceptable activities.

Sanctions can take the form of restrictions on trade or other economic activity, as well as the seizure or freezing of property. There are also extensive anti-money laundering laws that attempt to restrict cross-border flows of the profits from criminal activities.

To maximize effectiveness, these regimes generally need to be coordinated and implemented on a multinational scale. As a United Nations (UN) member, Canada fulfills its international obligations to incorporate UN Security Council Resolutions into Canada's domestic laws. In addition, Canada maintains the flexibility to impose additional sanctions unilaterally or in concert with certain other nations.

To impede other countries from effectively imposing extraterritorial laws that effect Canadian commerce, Canada has so-called "blocking" legislation under the Foreign Extraterritorial Measures Act (FEMA). Under FEMA, Canada has blocking measures against the extraterritorial aspects of the USA's legislative sanctions and boycott against Cuba.

McMillan's International Trade Group assists companies to navigate the restrictions posed by international economic and trade sanctions.

McMillan professionals help clients lead by:

- Creating and implementing processes and governance models to ensure compliance with Canadian and other economic and trade sanctions as well as money laundering laws
- Assisting them to obtain government permits and rulings to authorize otherwise prohibited transactions
- Advising importers and exporters on making voluntary disclosures to avoid Administrative Monetary Penalties, detentions, seizures or ascertained forfeitures of goods and related criminal charges
- Providing representation in proceedings and appeals before governmental bodies, tribunals and courts
- Assisting in obtaining releases from property freezes directed against them by the Canadian government



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- Preparing and submitting notifications of communications to the Attorney General of Canada under FEMA