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BUREAU OF INDUSTRY AND SECURITY

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Commerce Adds Eleven to Entity List for Human Rights Abuses and Reaffirms Protection of Human Rights as Critical U.S. Foreign Policy Objective

WASHINGTON, D.C. – Today, the Commerce Department’s Bureau of Industry and Security (BIS) published a rule that adds eleven entities based in Burma, the People’s Republic of China (PRC), Nicaragua, and Russia to the Entity List for enabling or engaging in human rights abuses around the world. The rule also reaffirms BIS’s longstanding position that the protection of human rights throughout the world is a foreign policy interest that is a basis for adding parties to the Entity List.

The text of the rule that was released on March 28 and published today includes the full list of entities and is available on the Federal Register’s website [here](#). The effective date is March 28, 2023.

“The Biden-Harris Administration has put human rights at the center of U.S. foreign policy, and today’s actions reaffirm that critical commitment,” **said Deputy Secretary of Commerce Don Graves**. “I’m proud that the Commerce Department continues to actively use export controls to contribute to the protection of these cherished democratic values.”

“Our global and national security policies are most effective when they are driven by our bedrock democratic values—respect for the rule of law, advancement of human rights, and the pursuit of peace.” **said Under Secretary of Commerce for Industry and Security Alan F. Estevez**. “We are advancing our national security and foreign policy interests by acting to deny human rights violators access to U.S. technologies and other items that can be used to terrorize their own people.”

“Export controls can be a powerful tool to ensure U.S. technology is not misused by corporations or government agencies to support human rights abuses,” **said Assistant Secretary of Commerce for Export Administration Thea D. Rozman Kendler**. “BIS looks forward to continuing to work with our international allies and partners and U.S. exporting community to stand up for human rights and prevent diversion to prohibited end-uses or end-users.”

“Protecting human rights and respect for the rule of law are core tenets of democratic government, and values that undergird U.S. national security and foreign policy,” **said Assistant Secretary of Commerce for Export Enforcement Matthew S. Axelrod**. “Export Enforcement will continue to work vigorously to identify those who use U.S. technology to abuse human rights and will use all law enforcement tools at our disposal to hold them accountable.”

Under preexisting regulations, BIS takes into account human rights concerns when reviewing almost all license applications for items on the Commerce Control List (CCL), other than items controlled only for short supply reasons. Today's rule reaffirms the protection of human rights worldwide as a U.S. foreign policy interest that is a basis for adding parties to the Entity List. More information on BIS's actions to promote human rights and democracy are available online [here](#) and FAQs on BIS's human rights activities are available [here](#).

Additional Background on Today's Additions:

Commerce Department's action targets these entities' ability to access commodities, software, and technology subject to the Export Administration Regulations (EAR), recognizing the increasingly key role that technology plays in enabling campaigns of repression and other human rights abuses. The rule imposes a license requirement for all items subject to the EAR and license applications for the export, reexport, or transfer (in-country) of these items submitted to Commerce will be reviewed under a presumption of denial. Additional information on the entities is below:

- Two Russian and three entities based in Burma are being added to the Entity List for actions to support the sale, procurement, and service of military equipment that enables Burma's military regime to carry out human rights abuses, as well as brutal aerial attacks that have killed and injured civilians.
- The Nicaraguan National Police (NNP) are being added to the Entity List because the NNP is responsible for, or has directly or indirectly engaged in, serious human rights abuses in Nicaragua.
- Five entities based in the PRC are being added for being implicated in human rights violations and abuses in the implementation of China's campaign of repression, mass arbitrary detention, and high-technology surveillance against the Uyghur people and members of other Muslim minority groups in the Xinjiang Uyghur Autonomous Region (XUAR).

Additional Background on the Entity List Process

These BIS actions were taken under the authority of the Export Control Reform Act of 2018 and its implementing regulations, the EAR.

The Entity List ([supplement no. 4 to part 744 of the EAR](#)) identifies entities for which there is reasonable cause to believe, based on specific and articulable facts, that the entities—including businesses, research institutions, government and private organizations, individuals, and other types of legal persons—that have been involved, are involved, or pose a significant risk of being or becoming involved in activities contrary to the national security or foreign policy interests of the United States. Parties on the Entity List are subject to individual licensing requirements and policies supplemental to those found elsewhere in the EAR.

Entity List additions are determined by the interagency End-User Review Committee (ERC), comprised of the Departments of Commerce (Chair), Defense, State, Energy, and where appropriate, the Treasury.

The ERC makes decisions regarding additions to, removals from, or other modifications to the Entity List. The ERC makes all decisions to add an entity to the Entity List by majority vote and makes all decisions to remove or modify an entity by unanimous vote.

Additional information on the Entity List is available on BIS's website [here](#).

For more information, visit: www.bis.doc.gov.

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