

## [ESMA amends guidelines on the application of C6 and C7 under MiFIDII](#)

The European Securities and Markets Authority (ESMA) has today published amended [guidelines](#) on the application of C6 and C7 of Annex 1 of MiFID II. The amended guidelines, which are an update to the guidelines originally adopted under MiFID I, will be adapted to the new MiFID II regulatory framework without any change to the substance.

ESMA originally adopted a set of guidelines in October 2015 in order to ensure a common, uniform and consistent application of MiFID I in relation to commodity derivatives defined in the C6 and C7 sections of the MiFID Annex. The application start date of MiFID II and its supplementing regulation means that these guidelines formally require updating while their substance is maintained.

### **Next Steps**

Following the approval of the amended version of the guidelines, they will be sent for translation at the beginning of 2019. Within two months of the date of publication of the guidelines on ESMA's website in all EU official languages, competent authorities to which these guidelines apply must notify ESMA whether they intend to comply or not with the guidelines.

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## [Myanmar/Burma: EU adds 7 military and border guard police officials responsible for human rights violations to sanctions list](#)

### [Virginie Battu](#)

Press officer  
+32 2 281 53 16  
+32 470 18 24 05

The Council added 7 individuals to the list of those subject to restrictive measures in light of the situation in Myanmar/Burma. These sanctions consist of an asset freeze and a travel ban.

The individuals subject to sanctions are part of the Myanmar army (Tatmadaw) and the border guard police. They are listed for **serious human rights violations committed against the Rohingya population, ethnic minority villagers or civilians**. These sanctions follow the findings of the independent international fact-finding mission of the UN Human Rights Council and of other reports which concluded that gross human rights violations were committed in Rakhine, Kachin, and Shan States. This brings the total number of persons subject to sanctions for serious human rights violations in Myanmar/Burma to 14.

As stated in its conclusions of 10 December 2018, the Council calls upon the government of Myanmar/Burma to take, without further delay, meaningful action and to make progress in all areas of concern set out in its previous conclusions of 26 February 2018. In particular, the Council invites Myanmar/Burma to **address the issues of accountability, access for the UN and humanitarian agencies** to Rakhine, Kachin, and Shan States, and to create conditions for voluntary, safe and dignified return of displaced persons to their places of origin.

On 26 April 2018, the Council extended and strengthened the EU **embargo** on Myanmar/Burma **on arms and equipment that can be used for internal repression**. It also adopted a framework for targeted measures against officials responsible for serious human rights violations and prohibited the provision of military training to and military cooperation with the Myanmar/Burma army. On 25 June 2018, the Council adopted sanctions against 7 senior military, border guard and police officials responsible for or associated with serious human rights violations against the Rohingya population.

The legal acts adopted today, including the names of the individuals concerned by the sanctions, are published in the Official Journal of 21 December 2018.

The decision was adopted by written procedure.

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