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Mr. Donald Tusk,
President of the European Council

Mr. Jean-Claude Juncker
President of the European Commission

Ms. Federica Mogherini,
High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of
the Commission

Mr. Dimitris Avramoupolos,
Commissioner for Migration, Home Affairs and Citizenship

Mr. Pierre Moscovici,
Commissioner for Economic and Financial Affairs, Taxation and Customs

Ms. Věra Jourová,
Commissioner for Justice, Consumers and Gender Equality

Brussels, 10 May 2019

Ref: EU visa waiver program with St. Kitts and Nevis

We, Members of the European Parliament, are writing to express our concern about the visa waiver program that the EU currently has with St. Kitts and Nevis.

We recently became aware that one of the principle figures in the persecution of Sergei Magnitsky - Andrei Pavlov - applied for a St. Kitts and Nevis passport in 2014, around the time our Parliament was considering adding him to the European Parliament's Magnitsky Sanction List.

As you are probably aware, on the 2nd April 2014 the European Parliament¹ unanimously called for EU sanctions against 32 Russian individuals responsible for the false arrest, torture and murder of Sergei Magnitsky, including Andrei Pavlov. He was placed on this list due to his

¹ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P7-TA-2014-0258+0+DOC+PDF+V0//EN>



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central role in the Klyuev Organised Crime Group who was responsible for organising the financial crime that Sergei Magnitsky uncovered and was consequently killed over.

Since being added to the European Parliament's Magnitsky Sanctions List, Andrei Pavlov has also been sanctioned under Magnitsky Acts in the United States², Lithuania³, Latvia⁴ and Estonia⁵.

It has recently come to our attention through emails from Mr. Pavlov that he engaged with several law firms - including Daniel Brantley - to obtain citizenship of St. Kitts and Nevis. In his correspondence they advertised the benefit of having visa free travel to the European Union.

It has also come to our attention that between 2015 and 2019 Andrei Pavlov has made over 70 trips to the European Union from Russia.

He is not the only questionable individual to use St. Kitts and Nevis' Citizenship-by-Investment program. Iranian born Hasheminejad Ali Sadr, the owner of Pilatus Bank now forced to close in Malta, got his banking licence there in 2013, on the basis of a St. Kitts and Nevis passport procured through Henley & Partners, the firm which operates the sale of passports/Golden Visa scheme under a contract with the government of Malta. Jho Low, the principle in the multi-billion dollar 1MBD scandal in Malaysia, was granted a passport through St. Kitts and Nevis in 2011, it has since been revoked. Additionally, several Iranian nationals designated by the US Office of Foreign Assets Control (OFAC) have managed to obtain passports issued through St. Kitts and Nevis. The situation got so bad that in 2014 Canada revoked visa-free access for citizens of St. Kitts and Nevis.

The US Financial Crimes Enforcement Network (FinCEN) has also publicly stated that it believes that many foreign individuals have abused the Citizenship-by-Investment program sponsored by St. Kitts and Nevis.

² <https://home.treasury.gov/news/press-releases/sm0240>

³ https://www.baltictimes.com/lithuania_bans_entry_to_49_russians_under_magnitsky_act/

⁴ <http://www.saeima.lv/en/news/saeima-news/26575-saeima-approves-proposed-sanctions-against-the-officials-connected-to-the-sergei-magnitsky-case>

⁵ <https://news.err.ee/693542/magnitsky-list-to-take-effect-in-estonia-on-tuesday>



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As you know, the EU Commission is very concerned about golden visa programs in the EU from Malta, Cyprus and various other Member States. And the European Parliament has called for the termination of this dangerous and schemes to the EU security and financial integrity. This raises even greater concern that non-EU countries, such as St.Kitts and Nevis, have visa-free travel and bypass sanctions, allowing undesirable individuals from entering the European Union and misusing it for money laundering and other criminal purposes.

We urge you to consider terminating the visa free status program with St. Kitts and Nevis unless their authorities can provide full confidence that individuals, such as Mr. Pavlov, are not slipping through the cracks, allowing them access to the European Union.

Kind regards,

Ana Gomes (S&D, Portugal)

Marietje Schaake (ALDE, Netherlands)