

CAYMAN ISLANDS



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NOTICE

**THE SOMALIA (SANCTIONS) (OVERSEAS TERRITORIES) ORDER
2012, S.I. 2012 NO. 3065**

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NOTICE is hereby given that the Somalia (Sanctions) (Overseas Territories) Order 2012, S.I. 2012 No. 3065, was made on 12 December 2012, was laid before Parliament on 19 December 2012 and came into force on 9 January 2013.

The Somalia (Sanctions) (Overseas Territories) Order 2012, S.I. 2012 No. 3065 extends to specified Overseas Territories, including the Cayman Islands, by virtue of Article 1(3) of the Order.

The full text of the Order can be viewed via the following link:
<http://legislation.data.gov.uk/uksi/2012/3065/made/data.htm?wrap=true>

The Explanatory Note of the Somalia (Sanctions) (Overseas Territories) Order 2012 is as follows:

“EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect in specified Overseas Territories to sanctions in respect of Somalia contained in United Nations Security Council resolutions (UNSCR) 733 (1992), 1356 (2001), 1425 (2002), 1772 (2007), 1844 (2008), 1851 (2008), 2036 (2012) and 2060 (2012). The Order also reflects the implementation of these sanctions by the European Union in Council Decision 2010/231 CFSP (as amended) and Council Regulations 147/2003 (as amended) and 356/2010 (as amended). The Order revokes and replaces the Somalia (United Nations Sanctions) (Overseas Territories) Order 2002.

The main provisions of the sanctions in respect of Somalia as reflected in this Order are: a prohibition in respect of the direct or indirect sale, supply or transfer to Somalia of arms and related materiel; a prohibition on the supply to Somalia of technical assistance, training, financial and other specified forms of assistance related to military activities; a freezing of funds and economic resources owned or controlled by persons or entities designated by the United Nations Security Council Committee established pursuant to UNSCR 751 (1992) and 1907 (2009) concerning Somalia and Eritrea; a prohibition on making funds and economic resources available to such designated persons or entities; and a prohibition in respect of the sale, supply or transfer of weapons and military equipment and the supply of technical assistance or training, financial or other assistance to such designated persons or entities. The criteria for designating individuals and entities (as specified in UNSCR 2002 (2012)) are:

- (i) as engaging in or providing support for acts that threaten the peace, security or stability of Somalia, including acts that threaten the Djibouti Agreement of 18 August 2008 or the political process, or threaten the Transitional Federal Institutions or AMISOM by force;
- (ii) as having acted in violation of the general and complete arms embargo;
- (iii) as obstructing the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia;
- (iv) as being political or military leaders recruiting or using children in armed conflicts in Somalia in violation of applicable international law; or
- (v) as being responsible for violations of applicable international law in Somalia involving the targeting of civilians including children and women in situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals and abduction and forced displacement.

The sanctions regime also includes a prohibition on the import, purchase or transport of charcoal from Somalia.

The Order makes provision for the Governor to license certain activities in line with exemptions under the sanctions regime.”.