
**INTERNATIONAL OBLIGATIONS (ECONOMIC
AND ANCILLARY MEASURES) (SUDAN) ORDER**

[Commencement 31st March, 2008] *S.I. 21/2008*

1. This Order may be cited as the International Obligations (Economic and Ancillary Measures) (Sudan) Order.

Citation.

2. Subject to paragraph 4, no person in The Bahamas and no Bahamian outside The Bahamas shall directly or indirectly —

Prohibition on supply or sale of military equipment.

- (a) supply or sell to non-governmental entities and individuals including the Janjaweed, all parties to the N'djamena Cease fire Agreement and any other belligerents operating in the States of North Darfur, South Darfur and West Darfur, by way of a Bahamian registered vessel or aircraft, arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts pursuant to paragraph 7 of resolution 1556 (2004); and
- (b) provide technical training or assistance relating to provision, manufacture, maintenance or use of arms and related materiel of all types to non-governmental entities and individuals identified in subparagraph (a), pursuant to paragraph 8 of resolution 1556 (2004).

3. No funds, other financial assets and economic resources held in banks or financial institutions licensed in The Bahamas —

Freezing of funds, other financial assets and economic resources.

- (a) that are owned or controlled directly or indirectly by the persons or entities listed in the Schedule or any additional person or entity designated by the Committee pursuant to paragraph 3(c) of resolution 1591 (2005), or any person or acting on their behalf or at their direction, shall be made available to such persons or entities on the commencement of this Order;
- (b) shall be available to any person or entity within The Bahamas, to or for the benefit of, any person or entity mentioned in subparagraph (a).

Schedule.

Exemption.

4. This Order does not prohibit —
- (a) supplies and related technical training and assistance to monitoring, verification or peace support operations, including such operations led by regional organisations, that are authorised by the United Nations or are operating with the consent of the relevant parties;
 - (b) supplies of non-lethal military equipment intended solely for humanitarian, human rights monitoring or protective use, and related technical training and assistance;
 - (c) supplies of protective clothing, including flak jackets and military helmets for the personal use of United Nations personnel, human rights monitors, representatives of the media and humanitarian and development workers and associated personnel;
 - (d) supplies and assistance provided in support of implementation of the Comprehensive Peace Agreement between the Government of Sudan and the Sudan Peoples' Liberation Movement/Army (2005);
 - (e) movements of military equipment and supplies into the Darfur region that are approved in advance by the Committee established pursuant to paragraph 3 (a) of resolution 1591 (2005) (“the Committee”) upon a request by the Government of Sudan;
 - (f) funds, other financial assets and economic resources that have been determined by the Minister of Finance (“the Minister”) —
 - (i) to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the Minister to the Committee of the intention to authorise where appropriate, access to such

funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within two working days of such notification;

- (ii) to be necessary for extraordinary expenses, provided that such determination has been notified by the Minister to the Committee and has been approved by the Committee;
- (iii) to be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, or other financial assets or economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered prior to the date of resolution 1591 (2005), is not for the benefit of a person or entity designated by the Committee, and has been notified by the Minister to the Committee.

The Schedule originally Gazetted and mentioned in paragraph 3(a) is omitted in this revised edition.

The next page is 12