
CHAPTER 16

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

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CHAPTER 16

INTERNATIONAL OBLIGATIONS (ECONOMIC AND
ANCILLARY MEASURES)

**INTERNATIONAL OBLIGATIONS
(ECONOMIC AND ANCILLARY MEASURES)
(COTE D’IVOIRE) ORDER**

S.I. 59/2005

(SECTION 3)

[Commencement 5th July, 2005]

1. This Order may be cited as the International Obligations (Economic and Ancillary Measures) (Cote d’Ivoire) Order.

Citation.

2. Subject to paragraph 3, no person in The Bahamas and no Bahamian outside The Bahamas shall, directly or indirectly —

Prohibition on sale, supply, training, etc., to Cote d’Ivoire.

- (a) supply, sell or transfer, to Cote d’Ivoire by way of a Bahamian registered vessel or aircraft, arms or any related material, in particular military aircraft and equipment;
- (b) provide assistance, advice or training relating to military activities to any person in Cote d’Ivoire; and
- (c) import rough diamonds from Cote d’Ivoire to The Bahamas.

S.I. 76/2008.

2A. 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.
*S.I. 76/2008.
Schedule.*

- (a) that are owned or controlled, directly or indirectly, by the persons listed in the Schedule or any additional person designated pursuant to paragraph 11 of Resolution 1572 (2004) by the Committee established by paragraph 14 of Resolution 1572 (2004), or any person acting on their behalf or at their direction, shall be made available to such persons on the commencement of this Order; and

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- (b) shall be made available to any person within The Bahamas, to or for the benefit of, any person mentioned in subparagraph (a).

Exemptions.

- 3.** This Order does not prohibit —
 - (a) supplies and technical assistance by UNOCI and the French forces who support them;
 - (b) supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training, as approved in advance by the Committee established under paragraph 14 of Resolution 1572 (2004);
 - (c) supplies of protective clothing, including flak jackets and military helmets, by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;
 - (d) supplies temporarily exported to Cote d'Ivoire to the forces of a State which is taking action in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Cote d'Ivoire, as notified in advance to the Committee established by paragraph 14 of Resolution 1572 (2004);
 - (e) supplies of arms and related material and technical training and assistance intended solely for support of or use in the process of restructuring defence and security forces pursuant to paragraph 3, subparagraph (f) of the Linaus-Marcoussis Agreement, as approved in advance by the Committee established by paragraph 14 of Resolution 1572 (2004).

SCHEDULE (paragraph 2A)

S.I. 76/2008.

NAME	ALIAS	DATE OF BIRTH! PLACE OF BIRTH! NATIONALITY	PASSPORT/ IDENTIFYING INFORMATION	DESIGNATION/JUSTIFICATION
BLE GOUDE, Charles	General; Genie de kpo; Gbape Zadi	01.01.1972 Ivorian Place of Birth: Guiberoua (Gagnoa) or Niagbrahio/ Guiberoua or Guiberou8 Address known in 2001: Yopougon Selmer, Bloc P 170; also at Hotel Ivoire Address declared in travel document n.C231 0421 issued by Switzerland on 15.11.05 and valid until 31.12.05: Abidjan, Cocody	P.: 04LE66241 Republique de Cote d' Ivoire Issued on: 10.11.2005 Valid until: 09.11.2008PD.: AE/088 011 12 Republique de Cote d' Ivoire Issued on: 20.12.2002 Valid until 11.12.05P.: 98LC39292 Republique de Cote d' Ivoire Issued on: 24.11.2000 Valid until: 23.11.2003	Leader of COJEP ("Young Patriots"), repeated public statements advocating violence against United Nations installations and personnel, and against foreigners; direction of and participation in acts of violence by street militias, including beatings, rapes and extra-judicial killings; intimidation of the United Nations, the International Working Group (IWG), the political opposition and independent press; sabotage of international radio stations; obstacles to the action of the IWG, the United Nations Operation in Cote d' Ivoire, (UNOCI), the French Forces and to the peace process as defined by resolution 1643 (2005).
DJUE, Eugene N'goran Kouadio		01.01.1966 or 20.12.1969 Ivorian	P.: 04 LE 01752 I issued on 10 February 2005 and valid until 10 February 2008	Leader of the Union des Patriotes pour la Liberation Totale de la Cote d' Ivoire (UPLTCI). Repeated public statements advocating violence against United Nations installations and personnel, and against foreigners; direction of and participation in acts of violence by street militias, including beatings, rapes and extra-judicial killings; obstacle to the action of IWG, UNOCI, the French Forces and to the peace process as defined by resolution 1643 (2005).
FOFIE, Martin Kouakou		01.01.1968 Ivorian	No passport or J.D. in possession	Chief Corporal New Force Commandant, Korhogo Sector. Forces under his command engaged in recruitment of child soldiers, abductions, imposition of forced labour, sexual abuse of women, arbitrary arrests and extra-judicial killings, contrary to human rights conventions and to international humanitarian law; obstacle to the action of the IWG, UNOCI, French Forces and to the peace process as defined by resolution 1643 (2005).

**INTERNATIONAL OBLIGATIONS (ECONOMIC
AND ANCILLARY MEASURES) (SIERRA LEONE)
ORDER***S.I. 18/2008**[Commencement 31st March, 2008]*

Citation.

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

Prohibition on
supply or sale of
military
equipment.

2. Subject to paragraph 3, no person in The Bahamas and no Bahamian outside The Bahamas shall directly or indirectly, supply or sell to nongovernmental forces in Sierra Leone, by way of a Bahamian registered vessel or aircraft, arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts pursuant to paragraph 2 of resolution 1171 (1998).

Exemption.

- 3.** This Order does not —
- (a) prohibit the supply or sale of arms and related materiel to the Government of Sierra Leone through points of entry stipulated on a list to be supplied by that Government to the United Nations Secretary-General;
 - (b) apply to the supply or sale of arms and related materiel for the sole use in Sierra Leone of the Military Observer Group of the Economic Community of West Africa States (ECOMOG) or the United Nations.

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

[Commencement 31st March, 2008] S.I. 20/2008

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

2. Subject to paragraph 3, 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 Somalia, by way of a Bahamian registered vessel or aircraft, weapons and military equipment pursuant to paragraph 5 of resolution 733 (1992), paragraph 1 of resolution 1587 (2005) and paragraph 1 of resolution 1676 (2006); and

(b) provide technical advice, financial and other assistance and training relating to military activities to any person in Somalia pursuant to paragraph 2 of resolution 1425 (2002).

3. This Order does not prohibit — Exemption.

(a) supplies of protective clothing, including flak jackets and military helmets temporarily exported to Somalia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

(b) supplies of non-lethal military equipment intended solely for humanitarian or protective use as approved in advance by the Committee established pursuant to paragraph 11 of resolution 751 (1992) (“the Committee”);

(c) supplies of weapons and military equipment, technical training and assistance intended solely for the support of or use by the mission of the member States of the African Union referred to in paragraph 9 of resolution 1772 (2007);

(d) supplies and technical assistance by States intended solely for the purpose of helping develop

security sector institutions, consistent with the political process set out in paragraphs 1 to 5 of resolution 1772 (2007) and in the absence of a negative decision by the Committee, within five working days of receiving the notification described in paragraph 12 of resolution 1772 (2007).

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**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.

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

S.I. 78/2008
S.I. 53/2010

[Commencement 22nd September, 2008]

Citation.

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

Prohibition on supply or sale etc., of arms and related materiel.

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

- (a) supply or sell to Liberia, by way of a Bahamian registered vessel or aircraft, arms and related materiel, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts of such arms and related materiel; and
- (b) provide to Liberia any technical training or assistance related to the provision, manufacture, maintenance or use of the items in subparagraph (a).

Freezing of funds, other financial assets and economic resources.

3. No funds, other financial assets and economic resources held in banks or financial institutions licensed in The Bahamas that are owned or controlled, directly or indirectly by —

- (a) Charles Taylor, the former President of Liberia, his immediate family members, in particular Jewell Howard Taylor and Charles Taylor, Jr.;
- (b) persons and entities listed in the Schedule or any additional person or entity designated by the Committee established pursuant to paragraph 21 of Security Council Resolution 1521 (2003) (“the Committee”),

Schedule.

shall be made available to a person or entity mentioned in subparagraphs (a) and (b), or to a person or entity acting on behalf of, or at the direction of a person or entity mentioned in subparagraphs (a) and (b).

Exemptions.

- 4.** This Order does not apply to —
- (a) supplies of arms and related materiel and technical training and assistance intended solely

for support of or use by United Nations Mission in Liberia (UNMIL);

- (b) supplies of arms and related materiel and technical training and assistance intended solely for support of or use in an international training reform programme for the Liberian armed forces and police, as approved in advance by the Committee;
- (c) supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee;
- (d) protective clothing, including flak jackets and military helmets, temporarily exported, for personal use, to Liberia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel;
- (e) weapons and ammunition provided to members of the Special Security Service (SSS) for training purposes pursuant to advance approval by the Committee and provided that those weapons and ammunition remain in the custody of the SSS for unencumbered operational use;
- (f) limited supplies of weapons and ammunition, as approved in advance on a case-by-case basis by the Committee, intended for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the UNMIL; and
- (g) non-lethal military equipment,

excluding non-lethal weapons and ammunition, as notified in advance to the Committee, intended for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the UNMIL.

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

**INTERNATIONAL OBLIGATIONS (ECONOMIC
AND ANCILLARY MEASURES) (DEMOCRATIC
REPUBLIC OF THE CONGO) ORDER**

S.I. 99/2008

[Commencement 18th November, 2008]

Citation.

1. This Order may be cited as the International Obligations (Economic and Ancillary Measures) (Democratic Republic of the Congo) Order.

Prohibition on supply, sale or transfer of military equipment.

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

- (a) supply, sell or transfer to nongovernmental persons and entities in the Democratic Republic of the Congo, by way of a Bahamian registered vessel or aircraft, arms or related materiel; and
- (b) provide to non-governmental persons and entities in the Democratic Republic of the Congo, any assistance, advice or training related to military activities, including financial assistance.

Freezing of funds, other financial assets and economic resources.

Schedule.

3. No funds, other financial assets and economic resources held in banks or financial institutions licensed in The Bahamas that are owned or controlled, directly or indirectly, by persons or entities listed in the Schedule or any additional person or entity designated by the Committee established by paragraph 8 of Security Council Resolution 1533 (2004) (“the Committee”) shall be made available to such persons or entities or any person or entity acting on their behalf or at their direction.

Exemption.

- 4.** This Order does not —
- (a) prohibit the supply, sale or transfer of arms and related materiel to the Government of the Democratic Republic of the Congo;
 - (b) prohibit the provision of assistance, advice or training related to military activities to the Government of the Democratic Republic of the Congo;
 - (c) apply to the supplies of arms and related materiel and technical training and assistance intended solely for the support of or use by the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC);

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- (d) apply to protective clothing, including flack jackets and military helmets, temporarily exported into the Democratic Republic of the Congo by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use; and
 - (e) apply to other supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training, as notified in advance to the Committee, pursuant to paragraph 5 of Security Council Resolution 1807 (2008).

5. The International Obligations (Economic and Ancillary Measures) (Democratic Republic of Congo) Order, 2004 is hereby revoked.

Revocation of
S.I. 91/2004.

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

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S.I. 105/2008
S.I. 135/2010

**INTERNATIONAL OBLIGATIONS
(ECONOMIC AND ANCILLIARY MEASURES)
(IRAN) ORDER**

Citation.

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

Prohibition on supply, sale or transfer of nuclear weapon delivery systems and equipment.

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

First Schedule.

(a) supply, sell or transfer to, or for the use in or benefit of, Iran, by way of a Bahamian registered vessel or aircraft, items, materials, equipment, goods and technology which could contribute to Iran’s enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems set out in the First Schedule as follows –

S.I. 135/2010,
s. 2.

(i) those set out in sections B.2, B.3, B.4, B.5, B.6, and B.7 of document INFCIRC/254/Rev.9/Part I;

S.I. 135/2010,
s. 2.

(ii) those set out in sections A.1 and B.1 of document INFCIRC/254/Rev.9/Part I, except the supply, sale or transfer of –

(aa) equipment covered by B.1 when such equipment is for light water reactors,

(bb) low-enriched uranium covered by A.1.2 when it is incorporated in assembled nuclear fuel elements for such reactors;

S.I. 135/2010,
s. 2.

(iii) those set out in document S/2010/263;

(iv) any additional items, materials, equipment, goods and technology, determined by the Committee established pursuant to paragraph 18 of resolution 1737 (2006) (“the Committee”), which could contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems;

S.I. 135/2010,
s. 2.

(v) those set out in INFCIRC/254/Rev.9/Part 1; INFCIRC/254/Rev.7/Part 2 and S/2010/263, except the supply, sale or transfer in

accordance with the requirements of paragraph 5 of resolution 1737 (2006), of items, materials, equipment, goods and technology in sections 1 and 2 of the Annex to that document, and sections 3 through 6 as notified in advance to the Committee, only when for exclusive use in light water reactors, and where such supply, sale or transfer is necessary for technical cooperation provided to Iran by the International Atomic Energy Agency (IAEA) or under its auspices pursuant to paragraph 16 of resolution 1737 (2006);

- (vi) any other items not listed in documents INFCIRC/254/Rev.9/Part 1, INFCIRC/254/Rev.7/Part 2 and S/2010/263 if the Minister determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems; and *S.I. 135/2010, s. 2.*
 - (vii) any additional items that the Minister determines would contribute to the pursuit of activities related to other topics about which the International Atomic Energy Agency has expressed concerns or identified as outstanding;
 - (viii) battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms, or related materiel, including spare parts, or items as determined by the Committee; *S.I. 135/2010, s. 2.*
- (b) supply, sell, or transfer to Iran, by way of a Bahamian registered vessel or aircraft, battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms;

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- First Schedule.
- (c) procure from Iran, by way of a Bahamian registered vessel or aircraft, items, materials, equipment, goods and technology set out in the First Schedule;
- (d) provide to Iranian nationals, specialised teaching or training, of disciplines which would contribute to Iran's proliferation sensitive nuclear activities and to the development of nuclear weapon delivery systems;
- S.I. 135/2010, s. 2.*
- First Schedule.
- (e) provide to Iran any technical assistance or training, financial assistance, investment, brokering or other services that are related to the supply, sale, transfer, manufacture or use of the prohibited items, materials, equipment, goods and technology set out in the First Schedule;
- S.I. 135/2010, s. 2.*
- First Schedule.
- (f) transfer to Iran financial resources or services related to the supply, sale, transfer, manufacture, or use of the prohibited items, materials, equipment, goods and technology set out in the First Schedule;
- S.I. 135/2010, s. 2.*
- First Schedule.
- (g) provide bunkering services such as provision of fuel or supplies, or other servicing of vessels, to Iranian-owned or contracted vessels, including chartered vessels, if there is reasonable grounds to believe that the vessels are carrying items specified in the First Schedule, unless provision of such services is necessary for humanitarian purposes, or until such time as the cargo has been inspected, seized and disposed of, if necessary.
- Freezing of Funds, etc. of designated persons and entities.
- Second Schedule.
- 3.** Subject to paragraph 4(b), no funds, other financial assets and economic resources held in banks or financial institutions licensed in The Bahamas that are owned or controlled, directly or indirectly, by —
- (a) persons or entities listed in the Second Schedule; and
- (b) any additional person or entity designated by the Committee, shall be made available to a person or entity mentioned in subparagraphs (a) and (b), or to a person or entity acting on behalf of, or at the direction of a person or entity mentioned in subparagraphs (a) and (b).
- Exemptions.
- 4.** This Order does not prohibit —
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- (a) the supply, sale, transfer, manufacture or use of the prohibited items, materials, equipment, goods and technology set out in the First Schedule, where the Committee determines in advance and on a case-by-case basis that such supply, sale or transfer or provision of such items or assistance would clearly not contribute to the development of Iran’s technology in support of its proliferation sensitive nuclear activities and of the development of weapon delivery systems including where such items or assistance as for good, agricultural, medical or other humanitarian purposes: First Schedule.
- Provided that —
- (i) contracts for delivery of such items or assistance include appropriate end-user guarantees; and
 - (ii) Iran has committed not to use such items in proliferation of sensitive nuclear activities or for the development of nuclear weapon delivery systems; and
- (b) persons or entities listed in the Second Schedule — Second Schedule.
- (i) from accessing funds, other financial assets and economic resources that are determined by the Minister, based on the conditions specified in paragraph 13 of Security Resolution 1737 (2006), to be —
 - (aa) necessary for basic expenses, extraordinary expenses and activities directly related to the items specified in subparagraph (a) (i) and (a) (ii) of paragraph 2; or
 - (bb) the subject of judicial, administrative, or arbitral lien or judgment; and
 - (ii) from making payments due under a contract entered into prior to the listing of that person or entity by the Committee, if the Minister, after notifying the Committee pursuant to paragraph 15 of Security Resolution 1737(2006), determines that —

- (aa) the contract is not related to any of the prohibited items, materials, equipment, goods, technology, assistance, training, financial assistance, investment, brokering or services under paragraph 2;
- (bb) the payment is not, directly or indirectly, received by a person or entity designated by the Committee.

The Schedules originally Gazetted and mentioned in paragraphs 2, 3 and 4 are omitted in this revised edition.

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**INTERNATIONAL OBLIGATIONS
(ECONOMIC AND ANCILLIARY MEASURES)
(DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA)
ORDER**

S.I. 106/2008
S.I. 35/2010

1. This Order may be cited as the International Obligations (Economic and Ancillary Measures) (Democratic People’s Republic of Korea) 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, sale or transfer of equipment, goods and technology etc.

(a) supply, sell or transfer to the Democratic People’s Republic of Korea by way of a Bahamian registered vessel or aircraft —

S.I. 35/2010, s. 2.

(i) arms or related materiel,

(ii) items, materials, equipment, goods and technology in documents S/2006/814, S/2006/815, S/2006/853, S/2006/853/Corr.1, INFCIRC/254/Rev.9/Part 1, and S/2009/205 as set out in PART I and PART II of the Schedule, and

(iii) luxury goods;

(b) provide bunkering services such as provision of fuel or supplies, or other servicing of vessels, if there is reasonable grounds to believe that the vessels are carrying items prohibited by subparagraph (a), unless provision of such services is necessary for humanitarian purposes, or until such time as the cargo has been inspected, and seized and disposed of, if necessary;

S.I. 35/2010, s. 2.

(c) procure from the Democratic People’s Republic of Korea, by way of a Bahamian registered vessel or aircraft, items in subparagraph (a)(i) and (ii);

S.I. 35/2010, s. 2.

(d) provide to nationals of the Democratic People’s Republic of Korea, specialized teaching or training, of disciplines which would contribute to Democratic People’s Republic of Korea’s proliferation sensitive nuclear activities and to the development of nuclear weapon delivery systems;

S.I. 35/2010, s. 2.

S.I. 35/2010, s. 2. (e) provide to the Democratic People’s Republic of Korea any financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of the items in subparagraph (a)(i) and (ii);

S.I. 35/2010, s. 2. (f) provide public financial support for trade with the Democratic People’s Republic of Korea where such financial support would contribute to the Democratic People’s Republic of Korea’s nuclear-related or ballistic missile-related or other WMD-related programmes or activities.

Freezing of funds, etc. of designated persons and entities.

S.I. 35/2010, s. 3.

3. Subject to paragraph 4(b), no funds, other financial assets and economic resources held in banks or financial institutions licensed in The Bahamas that are owned or controlled, directly or indirectly, by —

- (a) persons or entities listed in PART III of the Schedule; and
- (b) any additional person or entity designated by the Committee established pursuant to paragraph 12 of Security Council Resolution 1718 (2006) (“the Committee”) or the Security Council,

shall be made available to a person or entity mentioned in subparagraphs (a) and (b), or to a person or entity acting on behalf of, or at the direction of a person or entity mentioned in subparagraphs (a) and (b).

Exemption.

S.I. 35/2010, s. 3.

4. This Order does not prohibit —

- (a) the supply, sale or transfer to the Democratic People’s Republic of Korea by way of a Bahamian registered vessel or aircraft of small arms and light weapons and their related materiel, upon giving the Committee a minimum of five days notice in advance; and
- (b) persons or entities listed in PART III of the Schedule from accessing funds, other financial assets and economic resources that are determined by the Minister, based on the conditions specified in paragraph 9 of Security Resolution 1718 (2006), to be —
 - (i) necessary for basic expenses and extraordinary expenses and activities, or
 - (ii) the subject of judicial, administrative, or arbitral lien or judgment.

*(The Schedule originally Gazetted and mentioned in
paragraph 2(a)(ii) is omitted in this revised
edition.)*

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S.I. 97/2014

**INTERNATIONAL OBLIGATIONS
(ECONOMIC AND ANCILLIARY MEASURES)
(LIBYA) ORDER**

[Commencement 17th December, 2014]

Citation.

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

Interpretation.

2. In this Order —

“armed mercenary personnel” means any person who —

- (a) is specially recruited locally or abroad to use arms and related materiel in Libya;
- (b) uses arms and related materiel in Libya and is motivated essentially by the desire for private gain;
- (c) is not a member of the Libyan armed forces; and
- (d) has not been sent to Libya by a state on official duty as a member of that state’s armed forces;

“arms and related materiel” means any type of weapon, ammunition, military vehicle or military or paramilitary equipment, and the spare parts for those weapons and equipment;

“Committee” means the Committee established under paragraph 24 of Security Council Resolution 1970 (2011);

“Libya” means the Libyan Arab Jamahiriya; and

“technical assistance” means any form of assistance, such as providing instruction, training, consulting services or technical advice or transferring know-how or technical data.

Prohibition on supply, sale or transfer of equipment, goods and technology, etc.

3. Subject to paragraph 5, no person in The Bahamas and no Bahamian outside The Bahamas shall directly or indirectly —

- (a) supply, sell or transfer to Libya by way of a Bahamian registered vessel or aircraft —
 - (i) arms and related materiel, in particular man-portable surface-to-air missiles,

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- (ii) technical assistance, financial assistance or other assistance related to military activities, including the provision of armed mercenary personnel, or the provision, manufacture, maintenance or use of arms and related materiel; and
 - (b) import or procure from any person in Libya or any national of Libya, by way of a Bahamian registered vessel or aircraft, arms and related materiel.

4. (1) Subject to paragraph 5, no funds, other financial assets and economic resources held in banks or financial institutions licensed in The Bahamas that are owned or controlled, directly or indirectly, by —

Freezing of funds, etc. of designated persons and entities.

- (a) persons or entities listed in the Schedule; and
- (b) any additional person or entity designated by the Committee,

shall be made available to a person or entity mentioned in subparagraphs (a) and (b), or to a person or entity acting on behalf of, or at the direction of a person or entity mentioned in subparagraphs (a) and (b).

(2) Notwithstanding paragraph (1), funds, other financial assets and economic resources held in banks or financial institutions licensed in The Bahamas that are owned or controlled, directly or indirectly, by the Central Bank of Libya, the Libyan Arab Foreign Bank (LAFB), the Libyan Investment Authority (LIA), and the Libyan Africa Investment Portfolio (LAIP) frozen on the 16th day of September, 2011 pursuant to measures imposed in paragraph 17 of Security Council Resolution 1970 (2011) or paragraph 19 of Security Council Resolution 1973 (2011) shall remain frozen unless subject to an exemption as set out in paragraphs 19, 20 or 21 of Security Council Resolution 1970 (2011) or paragraph (5).

5. This Order does not prohibit —

Exemption.

- (a) the supply of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training;
- (b) protective clothing, including flak jackets and military helmets, temporarily exported to Libya by United Nations personnel, representatives of the media and humanitarian and development

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- workers and associated personnel, for their personal use only;
- (c) the supply, sale or transfer to Libya of—
 - (i) arms and related materiel of all types, including technical assistance, training, financial and other assistance, intended solely for security or disarmament assistance to the Libyan authorities,
 - (ii) small arms, light weapons and related materiel, temporarily exported to Libya for the sole use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, notified to the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification;
 - (d) other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee; or
 - (e) persons or entities listed in the Schedule from accessing funds, other financial assets and economic resources as may be determined by the Minister, based on the conditions specified —
 - (i) in paragraph 19 of Security Council Resolution 1970 (2011), to be —
 - (aa) necessary for basic and extraordinary expenses and activities,
 - (bb) the subject of judicial, administrative, or arbitral lien or judgment;
 - (ii) in paragraph 16 of Security Council Resolution 2009 (2011).

6. Repeals S.I. 41/2011.

(The Schedule originally Gazetted and mentioned in paragraph 4(1)(a) and 5(e) is omitted in this revised edition.)