

**EXPLANATORY MEMORANDUM TO**  
**THE LIBERIA (SANCTIONS) (OVERSEAS TERRITORIES) ORDER 2015**  
**2015 No. 1899**

1. This Explanatory Memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instrument**

2.1 This Order gives effect in specified Overseas Territories to sanctions measures imposed on Liberia by the United Nations Security Council, most recently renewed by resolution 2237 (2015) of 2nd September 2015. This Order also reflects the implementation of these sanctions by the European Union in Council Decision (CFSP) 2015/1782 and Council Regulation (EU) 2015/1776, both adopted on 5th October 2015.

2.2 The sanctions renew the imposition of an arms embargo against non-governmental persons in Liberia for a further period of 9 months from the date of adoption of United Nations Security Council resolution 2237 (2015) on 2nd September 2015 and terminate the travel ban and asset freeze measures previously imposed. This Order revokes and replaces those previous Orders which implemented these now terminated measures.

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

None.

**4. Legislative Context**

4.1 This Order is made in exercise of statutory powers under the United Nations Act 1946, the Saint Helena Act 1833, the British Settlements Acts 1887 and 1945 and the legislative power of the Royal Prerogative.

4.2 The statutory and prerogative powers to legislate for the Overseas Territories, to implement sanctions measures, are applicable to the Overseas Territories as follows:

- (i) the United Nations Act 1946 applies to all Overseas Territories;
- (ii) the Saint Helena Act 1833 applies to St Helena;

(iii) the British Settlements Acts 1887 and 1945 are applicable to Ascension and Tristan da Cunha, British Antarctic Territory, the Falkland Islands, Pitcairn (including Henderson, Ducie and Oeno Islands), and South Georgia and the South Sandwich islands);

(iv) the prerogative legislative power is applicable to Anguilla, British Indian Ocean Territory, Cayman Islands, Montserrat, the Sovereign Base Areas of Akrotiri and Dhekelia, Turks and Caicos Islands, and the Virgin Islands.

## **5. Territorial Extent and Application**

This Order applies to the following territories: Anguilla, British Antarctic Territory, British Indian Ocean Territory, Cayman Islands, the Falkland Islands, Montserrat, Pitcairn (including Henderson, Ducie and Oeno Islands), St Helena, Ascension and Tristan da Cunha, South Georgia and the South Sandwich Islands, the Sovereign Base Areas of Akrotiri and Dhekelia, the Turks and Caicos Islands and the Virgin Islands. Bermuda legislates separately to apply the EU sanctions. These measures are implemented in Gibraltar by Council Regulation (EU) 2015/1776 as amended and local legislation.

## **6. European Convention on Human Rights**

As this Order is not subject to Parliamentary procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

Liberia has suffered two protracted civil wars in its recent history. Controlling the supply of arms is crucial to its peace-building efforts. The UK supports the UN sanctions regime which imposes an arms embargo against non-governmental persons in Liberia. The arms embargo has been a useful interim measure while the Liberian authorities implement important arms control legislation. It is not a permanent solution and its continued relevance will be reviewed in June 2016. The UK and other likeminded partners have successfully lobbied the Government of Liberia to pass its Firearms Bill before the arms embargo comes up for renewal. The Bill was passed by the Liberian legislature on 13 October 2015, clearing the way for a complete lifting of the sanctions regime. Liberia will now have time to put all the necessary administrative arrangements in place for firearms control before the sanctions regime is lifted.

**8. Consultation Outcome**

The Overseas Territories have been consulted on the Order in draft.

**9. Guidance**

No guidance will be issued.

**10. Impact**

10.1 There is no impact on business, charities or the voluntary sector in the United Kingdom.

10.2 There is no impact on the public sector in the United Kingdom.

10.3 An Impact Assessment has therefore not been prepared for this instrument.

**11. Regulating small business**

The legislation does not apply to small business in the United Kingdom.

**12. Monitoring and Review**

12.1 UN sanctions are monitored and reviewed by the UN Security Council and by a Sanctions Committee.

12.2 If the UN sanctions are suspended or lifted by the Security Council, this Order will be reviewed and suspended or revoked as necessary.

**13. Contact**

Christopher Stephen at the Foreign and Commonwealth Office can answer any queries regarding the instrument. Telephone: 020 7008 2740. Email:

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