

**EXPLANATORY MEMORANDUM TO**  
**THE SUDAN (SANCTIONS) (OVERSEAS TERRITORIES) ORDER 2014**  
**2014 No. 2707**

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 imposed on Sudan by United Nations Security Council resolutions (UNSCR) 1556 (2004) of 30 July 2004, 1591 (2005) of 29 March 2005 and 1945 (2010) of 14 October 2010. The Order also reflects the implementation of these sanctions by the European Union in Council Decision 2014/450/CFSP and Council Regulation 747/2014.

2.2 The sanctions imposed include an arms embargo and an asset freeze and travel ban against individuals designated under the regime. The criteria in the UNSCR under which individuals can be designated include impeding the peace process, constituting a threat to stability in Darfur and the region, committing violations of international humanitarian or human rights law or other atrocities, or acting in violation of the arms embargo.

**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 747/2014 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**

The UK supports the EU and UN sanctions regimes in Sudan which include an arms embargo and an asset freeze on designated individuals. All parties to the conflict in Darfur continue to impede the full implementation of the peace process. Targeted sanctions are aimed at stalling the proliferation of weapons and ending impunity for violations of international humanitarian or human rights law.

## **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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