

2024 No. 609

SANCTIONS

**The Somalia (Sanctions) (EU Exit) (Amendment) Regulations
2024**

<i>Made</i>	- - - -	<i>7th May 2024</i>
<i>Laid before Parliament</i>		<i>8th May 2024</i>
<i>Coming into force</i>	- -	<i>29th May 2024</i>

The Secretary of State^(a) in exercise of the powers conferred by sections 1(1)(a) and (c), (3), 11(2) to (5), 45(1)(b) and 54(2) of the Sanctions and Anti-Money Laundering Act 2018^(b), makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Somalia (Sanctions) (EU Exit) (Amendment) Regulations 2024.

(2) These Regulations come into force on 29th May 2024.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Somalia (Sanctions) (EU Exit) Regulations 2020

2.—(1) The Somalia (Sanctions) (EU Exit) Regulations 2020^(c) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) in the definition of “the Committee”, after “paragraph 11 of resolution 751” insert “and paragraph 31 of resolution 2713”^(d);

(b) at the appropriate place, insert—

““IED component goods” has the meaning given in regulation 19(1);

“IED components technology” has the meaning given in regulation 19(1);”;

(c) omit the definitions of “resolution 733”, “resolution 1425” and “resolution 2102”;

(d) after the definition of “resolution 2551”, insert—

““resolution 2713” means resolution 2713 (2023) adopted by the Security Council on 1 December 2023;”.

(3) In regulation 4 (purposes)—

(a) The power to make regulations under Part 1 of the Sanctions and Anti-Money Laundering Act 2018 (c. 13) is conferred on an “appropriate Minister”. Section 1(9)(a) of that Act defines an “appropriate Minister” as including the Secretary of State.

(b) 2018 c. 13. Sections 1, 11 and 45 are amended by the Economic Crime (Transparency and Enforcement) Act 2022 (c. 10). Section 1 is amended by the Economic Crime and Corporate Transparency Act 2023 (c. 56)..

(c) S.I. 2020/642, as amended by S.I. 2020/950, S.I. 2021/823, S.I. 2022/500, S.I. 2022/819, S.I. 2023/121 and S.I. 2023/149.

(d) Paragraph 31 of resolution 2713 decided that the Committee established by paragraph 11 of resolution 751 shall cease being described as “pursuant to resolution 751 (1992)” and instead be described as “pursuant to resolution 2713 (2023)”.

- (a) after paragraph (2)(a), insert—
 - “(aa) supporting the Federal Government of Somalia to promote peace, stability, security and the rule of law;”;
 - (b) for paragraph 2(b), substitute—
 - “(b) supporting the Federal Government of Somalia in its efforts to reconstruct the country;”;
 - (c) after paragraph (2)(b) insert—
 - “(ba) countering terrorist and armed groups – including, but not limited to, Al-Shabaab – which operate in, from, or pose a threat to, Somalia, including by—
 - (i) tackling the flow and supply of arms, weapons and ammunition to Somalia contrary to paragraph 4 of resolution 2713 (arms embargo on Al-Shabaab);
 - (ii) disrupting the financing of terrorism;
 - (iii) reducing the threat posed by IED component goods and IED component technology;”;
 - (d) after paragraph (2)(ba), insert—
 - “(bb) supporting the Federal Government of Somalia to counter the threats posed by terrorist and armed groups – including, but not limited to, Al-Shabaab – which operate in, from, or pose a threat to, Somalia;”;
 - (e) in paragraph (2)(c)(i)—
 - (i) for “African Union Mission in Somalia” substitute “African Union Transition Mission in Somalia(a);”;
 - (ii) omit “and the Civilian Casualty Tracking, Analysis and Response Cell;”;
 - (f) for paragraph (3)(a), substitute—
 - “(a) paragraph 4 of resolution 2713 (arms embargo on Al-Shabaab);”;
 - (g) omit paragraph (4);
 - (h) in paragraph (5)(e), omit “and”;
 - (i) in paragraph (5)(f), for “.” substitute “; and”;
 - (j) after paragraph (5)(f), insert—
 - “(g) paragraph 25 of resolution 2713.”.
- (4) In regulation 6 (criteria for designating a person)—
- (a) after paragraph (3)(f), insert—
 - “(fa)association or affiliation with, or activity in support of, terrorist or armed groups, including—
 - (i) the provision or supply of arms, weapons or ammunition where such flow or supply is not in compliance with paragraph 4 of resolution 2713 (arms embargo on Al-Shabaab);
 - (ii) the provision of IED components goods or IED components technology to a terrorist or armed group;
 - (iii) recruitment of persons to terrorist or armed groups;
 - (iv) the dissemination of extremist material”;
 - (b) in paragraph (5)(c)(ii), for “.” substitute “;”;
 - (c) after paragraph (5)(c), insert—

(a) The African Union Peace and Security Council’s decision to reconfigure the African Union Mission to Somalia (AMISON) into the African Union Transition Mission in Somalia (ATMIS) was authorised by paragraphs 22-24 of resolution 2628 (2022) adopted by the UN Security Council on 31 March 2022. Its mandate was most recently extended by paragraph 1 of resolution 2710 (2023) adopted by the UN Security Council on 15 November 2023.

- “(d) “extremist material” means that which—
- (i) promotes an extremist ideology, or
 - (ii) foments, justifies or glorifies terrorist violence;
- (e) “extremist ideology” means the promotion or advancement of an ideology based on violence, hatred or intolerance that aims to—
- (i) negate or destroy the fundamental rights or freedoms of others,
 - (ii) undermine, overturn or replace democracy or democratic rights, or
 - (iii) intentionally create a permissive environment for others to achieve the results in (i) or (ii)”.

David Rutley

Parliamentary Under Secretary of State
Foreign, Commonwealth and Development Office

7th May 2024

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Sanctions and Anti-Money Laundering Act 2018 (c. 13) for the purposes of implementing obligations that the United Kingdom has by virtue of the sanctions measures imposed to counter Al-Shabaab and other terrorist or armed groups operating in Somalia. UN Security Council Resolution 2713 (2023), adopted on 1st December 2023, imposed an arms embargo on Al-Shabaab and other terrorist armed groups. UN Security Council Resolution 2714 (2023), also adopted on 1st December 2023, lifted the arms embargo on Somalia. These Regulations make amendments to the Somalia (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/642) (“the 2020 Regulations”), including to regulation 2 (interpretation) and regulation 4 (purposes), to bring them in line with the wording and content of UN Security Council Resolutions 2713 (2023) and 2714 (2023).

These Regulations also amend regulation 4 (purposes) and regulation 6 (criteria for designating a person) of the 2020 Regulations to enable the UK Government to designate individuals as an “involved person” those who support terrorist or armed groups in Somalia by: supplying arms, weapons or ammunition; supplying IED components goods or IED components technology; by recruiting civilians, or by disseminating extremist material.

A full Impact Assessment has not been produced for these Regulations as no, or no significant, impact on the private, voluntary or public sector is foreseen. An Impact Assessment was, however, produced for the Sanctions and Anti-Money Laundering Act 2018 and can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/653271/Sanctions_and_Anti-Money_Laundering_Bill_Impact_Assessment_18102017.pdf.

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