



Ottawa, April 30, 2010

MEMORANDUM D19-11-1

In Brief

CANADIAN ECONOMIC SANCTIONS

1. The memorandum has been updated to include *Regulations Implementing the United Nations Resolution on Eritrea*.
2. The current revision also reflects new Canada Border Services Agency internal contacts for export/regulation inquiries in paragraphs 20 and 21.



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CANADIAN ECONOMIC SANCTIONS

The Canada Border Services Agency (CBSA) assists Foreign Affairs and International Trade Canada (FAITC) with the administration of the *United Nations Act*, the *Special Economic Measures Act*, the *Export and Import Permits Act* and associated Regulations. This memorandum outlines the key elements of the legislation administered by the CBSA.

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LEGISLATION ON TRADE AND ECONOMIC SANCTIONS

The Legislation on trade and economic sanctions are:

- (a) *United Nations Act*
- (b) *Special Economic Measures Act*
- (c) *Export and Import Permits Act*

United Nations Act

The *United Nations Act* enables the Canadian government to give effect to decisions passed by the United Nations Security Council (UNSC). United Nations sanctions are imposed pursuant to decisions of the UNSC under Chapter VII (Article 41) of the United Nations Charter. If the UNSC determines that a threat to the peace, a breach of the peace or an act of aggression has occurred, it may decide what measures shall be taken to maintain or restore international peace and security. These measures generally involve some form of economic or trade sanctions that are applied to specified countries or groups. When a UNSC resolution imposes sanctions, Canada must introduce them into domestic law. This is done by enacting regulations under the *United Nations Act*.

3. (1) Any person who contravenes an order or regulation made under the *United Nations Act* is guilty of an offence and liable

- (a) on summary conviction, to a fine of not more than \$100,000 or to imprisonment for a term of not more than one year, or both; or
- (b) on conviction on indictment, to imprisonment for a term of not more than 10 years.

(2) Any property dealt with contrary to any order or regulation made under this Act may be seized and detained and are liable to forfeiture at the instance of the Minister of Justice, on proceedings in the Federal Court, or in any superior court, and any such court may make rules governing the procedure on any proceedings taken before the court or a judge thereof under this section.

Special Economic Measures Act (SEMA)

In the absence of a UNSC resolution, authority exists to impose sanctions pursuant to the *Special Economic Measures Act* (SEMA). The Act authorizes the Governor in Council to make orders or regulations imposing sanctions in relation to a foreign state in either of the two following situations (ss. 4(1)):

1) “for the purpose of implementing a decision, resolution or recommendation of an international organization of states or association of states, of which Canada is a member, that calls on its members to take economic measures against a foreign state” or

2) “where the Governor in Council is of the opinion that a grave breach of international peace and security has occurred that has resulted or is likely to result in a serious international crisis”.

The Governor in Council may make orders or regulations imposing sanctions against a Foreign State, including to restrict or prohibit persons in Canada or Canadians outside Canada from exporting, selling or shipping goods to that foreign state, and from importing or acquiring goods from that foreign state.

(8) Every person who willfully contravenes or fails to comply with an order or regulation made under the SEMA:

(a) is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding twenty-five thousand dollars or to imprisonment for a term not exceeding one year, or to both; or

(b) is guilty of an indictable offence and is liable to imprisonment for a term not exceeding five years.

Export and Import Permits Act (EIPA)

The *Export and Import Permits Act* and regulations are used for a number of purposes, including the imposition of trade sanctions on goods. This is done primarily through a Governor in Council regulation, the *Area Control List (ACL)*.

Permits are required for the export of all goods to countries on the ACL. The Minister’s decisions on individual permit applications respecting goods on the ACL are taken in light of the purposes for which the particular country has been listed. Additionally, longstanding foreign policy considerations may factor into the Minister’s decisions respecting export permit applications.

At the present time, Myanmar (Burma) and Belarus are identified in the ACL. Memorandum D19-10-3, *Export and Import Permits Act (Exportations)*, contains additional information regarding the CBSA administration of the ACL.

GUIDELINES AND GENERAL INFORMATION

Introduction

1. The imposition of trade and economic sanctions against foreign States and non-State actors remains an important instrument for the international community in the enforcement of international norms and laws. The Parliament of Canada has enacted legislation authorizing the imposition of trade and economic sanctions through the

United Nations Act, the *Special Economic Measures Act* and some provisions of the *Export and Import Permits Act*. The Minister of Foreign Affairs and International Trade Canada (FAITC) is the responsible minister for these statutes. The Canada Border Services Agency (CBSA) and the Royal Canadian Mounted Police (RCMP) assist FAITC by ensuring compliance with the regulations under the *United Nations Act* and SEMA.

2. At the present time the following countries and groups are subject to Canadian economic trade sanctions under

(a) *United Nations Act*

Côte d’Ivoire
Democratic People’s Republic of Korea
Democratic Republic of the Congo
Iran
Iraq
Lebanon
Liberia
Sierra Leone
Somalia
Sudan
Al-Qaida and the Taliban
Eritrea

(b) *Special Economic Measures Act*

Burma
Zimbabwe

(c) *Export and Import Permits Act (Area Control List)*

Belarus
Myanmar (Burma)

3. Appendices A through O of this memorandum contains a summary of the regulations made pursuant to the *United Nations Act* and *Special Economic Measures Act* that relate to various import and export prohibitions. The complete text of these regulations and related prohibitions may be found on the Department of Justice Web site at <http://laws.justice.gc.ca>.

Import/export prohibitions and restrictions

4. The import and export prohibitions and restrictions cover a wide range of commodities that include but are not limited to: arms and related material, luxury goods, nuclear and nuclear related goods, and rough diamonds. The CBSA has direct involvement in the administration of those aspects of the regulations that relate to the import and/or export of goods. Appendices A through O contain further details regarding the extent of these sanctions. These regulations also contain a number of other prohibitions, which are not administered by the CBSA (e.g., certain financial transactions and provision of technical assistance). Changes to trade sanctions may occur frequently and on short notice as international situations evolve. The most up-to-date information on sanctions may be found on the Foreign

Affairs and International Trade Canada's Web site at www.international.gc.ca.

Rough diamond importations

5. Natural Resources Canada (NRCan) is the Federal Government department responsible for administering the Kimberley Process Certification Scheme for rough diamonds in Canada. CBSA assists NRCan with certain border-enforcement aspects of this program. Information regarding the Kimberley Process may be accessed on NRCan's Web site at www.nrcan.gc.ca. In addition, CBSA has published Memorandum D19-6-4, *Kimberley Process – Export and Import of Rough Diamonds*.

Nuclear, chemical and biological and ballistic missile programs

6. The exportation or importation of nuclear or nuclear related goods to or from either the Democratic People's Republic of Korea or Iran is prohibited. This export/import prohibition applies to goods related to the ballistic missile program as well. In the case of the Democratic People's Republic of Korea, the exportation or importation of chemical and biological goods is also prohibited. Please note, many of these goods are already controlled under Foreign Affairs and International Trade Canada's *Export Control List*.

7. The *Regulations Implementing the United Nations Resolutions on Iran* and the *Regulations Implementing the United Nations Resolution on the Democratic People's Republic of Korea* outline the scope of the export and import ban, with reference to UN documents S/2006/814 and S/2006/815 and, in the case of the Democratic People's Republic of Korea, UN Document S/2006/853. Generally, S/2006/814 covers goods, materials, equipment and technology related to nuclear programs. S/2006/815 covers goods, materials, equipment and technology related to ballistic missile programs. S/2006/853 covers chemical and biological items, materials, equipment, goods and technologies related to other weapons of mass destruction. If there are any questions or concerns, contact should be made with one of the groups listed below in paragraphs 17 and 20. Clients may also consult the United Nations Web sites at: www.un.org.

Detention and disposal of goods

8. Border services officers will review import/export declarations and other documents such as bills of lading, invoices and certificates of origin issued by the relevant government authority to determine if goods are subject to prohibition or control measures. Goods that appear to be in contravention of the legislation on trade and economic sanctions will be detained based on the authority contained in Section 101 of the *Customs Act*. Immediate contact should then be made with Foreign Affairs and International Trade Canada (refer to paragraph 17) to inform them of a

possible infraction of the legislation on trade and economic sanctions, and one of its related regulations.

9. Foreign Affairs and International Trade Canada will then determine whether the transaction falls within the scope of the legislation on trade and economic sanctions. Where Foreign Affairs and International Trade Canada determines that the transaction is prohibited by sanctions imposed pursuant to the *United Nations Act*, it will inform the Department of Justice of its findings. The Department of Justice and the Royal Canadian Mounted Police will then proceed with the execution of a seizure, laying of charges and prosecution for offences under the *United Nations Act*.

10. Where Foreign Affairs and International Trade Canada determines that the transaction is prohibited by the sanctions imposed pursuant to the *Special Economic Measures Act*, and in the absence of a permit request to the Minister of Foreign Affairs or when the Minister of Foreign Affairs denies such request, the goods will be forfeited to the Crown.

11. Some of the goods controlled under the legislation on trade and economic sanctions, may also be controlled under the *Export and Import Permits Act* (EIPA) through the Import and Export Control Lists (e.g., arms and munitions). Foreign Affairs and International Trade Canada oversees the EIPA and is responsible for administering this legislation and making decisions regarding whether charges should be laid under this Act.

12. If it appears that a good is being imported or exported in contravention of the legislation on trade and economic sanctions, Foreign Affairs and International Trade Canada should be informed in accordance with the procedure described in paragraphs 10 and 11. CBSA Investigations will consult with Foreign Affairs and International Trade Canada to determine under which legislation charges will be laid.

13. In the event a CBSA infraction also applies to the importation of any such goods, the goods will be detained and the CBSA Investigations should be immediately informed of the contravention. Regional investigations staff may be contacted 24 hours a day, seven days a week. In these situations, Investigations will consult with Foreign Affairs and International Trade Canada and the Commercial Border Programs Division of CBSA to determine if charges will be laid under the *Customs Act* and the legislation on economic and trade sanctions.

14. All costs associated with the detention of goods that are in violation of the *United Nations Act* or SEMA and any of its related regulations (e.g., storage, disposal, and transportation) will be the responsibility of the importer/exporter.

Certificates and permits

15. Canadian regulations imposing sanctions generally include mechanisms for issuing certificates and permits to

authorize specified activities or transactions that are otherwise prohibited and for other purposes. The requirements for such certificates and permits are set out in the terms of the relevant regulations under the *United Nations Act* or the SEMA.

Penalties

16. As indicated in the Legislation section of this memorandum, a penalty may apply to any contravention of this legislation.

Additional information

17. Information relating to trade restrictions covered by the *United Nations Act*, SEMA and associated regulations, or the process to obtain a certificate or permit referred to in paragraph 15, may be obtained by contacting Foreign Affairs and International Trade Canada at the following address:

United Nations, Human Rights and Economic
Law Division (JLH)
Foreign Affairs Canada
Lester B. Pearson Building
125 Sussex Drive
Ottawa ON K1A 0G2

Telephone: 613-995-1108
Facsimile: 613-992-2467

18. Additional information regarding Canada's Trade Sanction Program may be found on the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

19. Information relating to the *Export and Import Permits Act* may be obtained by contacting Foreign Affairs and International Trade Canada, Export and Import Controls Bureau.

20. Additional information regarding the CBSA administration of these regulations may be obtained by contacting one of the groups noted below:

(a) For information on the administration of the Regulations:

Other Government Department Programs Unit
Commercial Border Programs Division
Programs Branch
150 Isabella Street, 5th Floor
Ottawa ON K1A 0L8

Telephone: 613-946-0240
Fax: 613-946-1520

(b) For export enforcement procedure inquiries:

Counter Proliferation Section
Intelligence Development and Field Support
Division
Intelligence and Targeting Operations Directorate
Operations Branch
300 Slater St.
6th floor, JETN Bldg.
Ottawa ON K1A 0L8

Telephone: 613-941-5470
Fax: 613-952-7793

(c) For CBSA's export procedures:

Import and Export Programs Unit
Commercial Border Programs Division
Programs Branch
150 Isabella Street, 10th Floor
Ottawa ON K1A 0L8

Telephone: 613-952-1843
Fax: 613-946-0421
E-mail: exports@cbsa-asfc.gc.ca

21. Any questions regarding this memorandum should be directed to:

Other Government Department Programs Unit
Commercial Border Programs Division
Programs Branch
150 Isabella Street, 5th Floor
Ottawa ON K1A 0L8

Telephone: 613-946-0240
Fax: 613-946-1520

APPENDIX A**SUMMARY OF THE UNITED NATIONS CÔTE D'IVOIRE REGULATIONS**

1. These Regulations impose various sanctions against Côte d'Ivoire, including a prohibition for any person in Canada and any Canadian outside Canada to knowingly export, sell, supply, or ship arms and related material, wherever situated, to any person in Côte d'Ivoire.
2. The prohibition does not apply in the following situations:
 - (a) arms and related material intended solely for the support of UNOCI (United Nations Operations to Côte d'Ivoire) and the French armed forces in support of UNOCI;
 - (b) non-lethal military equipment intended solely for humanitarian or protective use, if the Committee of the Security Council has approved in advance the supply of such equipment;
 - (c) protective clothing, including flak jackets and military helmets, temporarily exported to Côte d'Ivoire by United Nations personnel, representatives of the media, and humanitarian and development workers and associated personnel, for their personal use only;
 - (d) arms and related material exported to Côte d'Ivoire to the armed forces of any State that 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 Côte d'Ivoire, if the Committee of the Security Council was notified in advance of the supply of such arms and related material; and
 - (e) arms and related material intended solely for the support of, or for use in the process of restructuring defense and security forces, if the Committee of the Security Council approved in advance the supply of such arms and related material.
3. For the full text of the *United Nations Côte d'Ivoire Regulations* and additional information regarding the prohibitions contained therein, visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against Côte d'Ivoire.

APPENDIX B**SUMMARY OF THE REGULATIONS IMPLEMENTING THE UNITED NATIONS
RESOLUTION ON THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (DPRK)**

1. These Regulations impose various sanctions against the DPRK, including a prohibition for any person in Canada and any Canadian outside Canada to knowingly export, sell, supply, transfer or ship the following items, wherever situated, to any person in the DPRK, directly or indirectly:

(a) arms and related material;

(b) resources contributing to the DPRK's weapons program; or

(c) luxury goods (such as jewellery, gems, precious metals, watches, cigarettes, alcoholic beverages, perfume, designer clothing and accessories, furs, sporting goods, private aircraft, gourmet foods and ingredients, lobster, computers, televisions and other electronic devices).

2. These Regulations prohibit any person in Canada and any Canadian outside Canada to knowingly import, buy or procure the following items, wherever situated, from any person in the DPRK or any citizen of the DPRK:

(a) arms and related material; or

(b) resources contributing to the DPRK's weapons program.

3. For the full text of the *Regulations Implementing the United Nations Resolution on the Democratic People's Republic of Korea* and additional information regarding the prohibitions contained therein, please visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against the DPRK.

APPENDIX C**SUMMARY OF THE *UNITED NATIONS DEMOCRATIC
REPUBLIC OF THE CONGO REGULATIONS***

1. These Regulations impose various sanctions against the Democratic Republic of the Congo, including a prohibition for any person in Canada and any Canadian outside Canada to knowingly export, sell, supply, or ship arms and related material, wherever situated, to any person in the Democratic Republic of the Congo. This prohibition does not apply to the export of supplies of non-lethal military equipment intended solely for humanitarian or protective use if the Committee of the Security Council is notified in advance of the equipment's intended use.
2. The prohibition of the export of arms and related materials does not apply to arms and related material intended solely for support of, or use by the United Nations Organization Mission in the Democratic Republic of the Congo.
3. For the full text of the *United Nations Democratic Republic of the Congo Regulations* and additional information regarding the prohibitions contained therein, visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against the Democratic Republic of the Congo.

APPENDIX D**SUMMARY OF THE REGULATIONS IMPLEMENTING
THE UNITED NATIONS RESOLUTION ON IRAN**

1. These Regulations impose various sanctions against Iran, including a prohibition for any person in Canada and any Canadian outside Canada to knowingly sell, supply, or transfer, directly or indirectly, wherever situated, certain items, materials, equipment, goods and technology which could contribute to Iran's uranium enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems, to any person in Iran, or for the benefit of Iran. The above noted goods (among others) appear in Security Council of the United Nations document S/2006/814 or S/2006/815.
2. These Regulations also prohibit any person in Canada and any Canadian outside Canada to knowingly procure arms and related material or any of the items that appear in Security Council of the United Nations document S/2006/814 or S/2006/815, wherever situated, from any person in Iran or any other person acting on behalf of, at the direction of or for the benefit of Iran.
3. For the full text of the *Regulations Implementing the United Nations Resolution on Iran* and additional information regarding the prohibitions contained therein, please visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against Iran.

APPENDIX E**SUMMARY OF THE UNITED NATIONS IRAQ REGULATIONS**

1. These Regulations impose various sanctions against Iraq, including a prohibition for any person in Canada and any Canadian outside Canada to knowingly export, sell, supply or send arms and related material to any person in Iraq, unless they are required by the government of Iraq, or the multinational force under unified command, to serve the purposes of the United Nations Security Council Resolution 1546 (2004).

2. For the full text of the *United Nations Iraq Regulations* and additional information regarding the prohibitions contained therein, please visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against Iraq.

APPENDIX F**SUMMARY OF THE REGULATIONS IMPLEMENTING
THE UNITED NATIONS RESOLUTION ON LEBANON**

1. These Regulations prohibit any person in Canada and any Canadian outside Canada, to knowingly export, sell, supply or ship, directly or indirectly, arms and related material, wherever situated, to any person in Lebanon.
2. The prohibition does not apply in respect of arms and related material authorized in advance in writing by the Government of Lebanon or the United Nations Interim Force in Lebanon (as provided in the exception in section 6 of the Regulations).
3. For the full text of the *United Nations Iraq Regulations* and additional information regarding the prohibitions contained therein, please visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against Lebanon.

APPENDIX G**SUMMARY OF THE UNITED NATIONS LIBERIA REGULATIONS**

1. These Regulations impose various sanctions against Liberia, including a prohibition for any person in Canada and any Canadian outside Canada to knowingly export, sell, supply or ship arms and related material, wherever situated, to any person in Liberia. This prohibition does not apply to the export of supplies of non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Committee of the Security Council of the United Nations. In addition, the prohibition does not apply to protective clothing, such as flak jackets and military helmets temporarily exported to Liberia by United Nations personnel, representatives of the media, and humanitarian and development personnel, for their personal use only.
2. The prohibition to the export of arms and related material does not apply if such goods are intended solely for the United Nations Mission in Liberia or if approved in advance by the Committee of the Security Council of the United Nations and is intended solely for an international training and reform program for the Liberian armed forces or police.
3. For the full text of the *United Nations Liberia Regulations* and additional information regarding the prohibitions contained therein, please visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against Liberia.

APPENDIX H**SUMMARY OF THE *UNITED NATIONS SIERRA LEONE REGULATIONS***

1. These Regulations prohibit any person in Canada and any Canadian outside Canada to knowingly export, sell, supply or ship arms and related material, wherever situated, to any person in Sierra Leone.
2. For the full text of the *United Nations Sierra Leone Regulations* and additional information regarding the prohibitions contained therein, please visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against Sierra Leone.

APPENDIX I**SUMMARY OF THE *UNITED NATIONS SUDAN REGULATIONS***

1. These Regulations impose various sanctions against Sudan, including a prohibition for any person in Canada and any Canadian outside Canada to knowingly export, sell, supply or ship arms and related material, wherever situated, to any person in Sudan. This prohibition does not apply to non-lethal military equipment intended solely for humanitarian, human rights monitoring or protective use nor does it apply to protective clothing including flak jackets and military helmets, if it is intended for the personal use of United Nations personnel, human rights monitors, representatives of the media and humanitarian and development workers and associated personnel.
2. This prohibition does not apply to the export of arms and related material for a monitoring, verification or peace support operation, including such an operation led by a regional organization of states if the operation, including such an operation led by a regional organization of states, if the operation is authorized by the Security Council of the United Nations or operates with the consent of the relevant parties as contemplated by paragraph 9 of UNSC Resolution 1556 (2004).
3. This prohibition does not apply to arms and related material that are provided in support of implementation of the Comprehensive Peace Agreement, or that are brought into the Darfur region of Sudan, if their movement is approved by the Committee of the Security Council upon request by the Government of Sudan.
4. For the full text of the *United Nations Sudan Regulations* and additional information regarding the prohibition contained therein, visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against Sudan.

APPENDIX J**SUMMARY OF THE REGULATIONS IMPLEMENTING THE UNITED NATIONS
RESOLUTIONS ON SOMALIA REGULATIONS**

1. These Regulations impose various sanctions against Somalia, including a prohibition for any person in Canada to knowingly export, sell, supply, transfer or ship, directly or indirectly, arms and related material, wherever situated, to any person in Somalia or to any person designated by the UN sanctions committee of the Security Council of the United Nations.
2. This prohibition does not apply to:
 - (a) the export of supplies of non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Committee of the Security Council of the United Nations;
 - (b) in addition, the prohibition does not apply to protective clothing, such as flak jackets and military helmets temporarily exported to Somalia by United Nations personnel, representatives of the media, and humanitarian and development personnel, for their personal use only;
 - (c) the prohibition to the export of arms and related material does not apply if such goods are intended solely for the support or use by the protection and training mission in Somalia established by the Intergovernmental Authority on Development and Member States of the African Union;
 - (d) arms and related material intended solely for the support of or use by the African Union mission established pursuant to United Nations Security Council resolutions 1744 (2007) and 1772 (2007);
 - (e) arms and related material or by the African Union mission or for the purpose of helping develop security sector institutions, consistent with the political process in Somalia (as provided in the exception in section 14 of the Regulations) as outline by the Security Council Resolution.
3. For the full text of the *Regulations Implementing the United Nations Resolutions on Somalia* and additional information regarding the prohibitions contained therein, please visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against Somalia.

APPENDIX K**SUMMARY OF THE *UNITED NATIONS AL-QAIDA AND TALIBAN REGULATIONS***

1. These Regulations impose various sanctions against individuals and entities designated by the UNSC as belonging or related to the Taliban, Osama bin Laden, and the Al-Qaida organization, including a prohibition for any person in Canada and any Canadian outside Canada to knowingly, directly or indirectly, export, sell, supply or ship arms and related material, wherever situated, to designated individuals and entities.

2. For the full text of the *United Nations Al-Qaida and Taliban Regulations* and additional information regarding the prohibition contained therein, visit the Department of Justice Web site at <http://laws.justice.gc.ca> and the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against designated persons.

APPENDIX L

SUMMARY OF THE *SPECIAL ECONOMIC MEASURES (BURMA) REGULATIONS*

1. These Regulations impose various sanctions against Burma, including a prohibition for any person in Canada to export, sell, supply, or ship any goods, wherever situated, to Burma, to any person in Burma or to any person for the purposes of any business carried on in or operated from Burma (section 3).
2. The Regulations also prohibit any person in Canada to import, purchase, acquire, ship or transship, any goods that are exported, supplied or shipped from Burma after the date of the coming into force of these Regulations, whether the goods, originated in Burma or elsewhere (section 4).

Exclusion

Section 18 of the Regulations provides that the export and import ban does not apply in respect of the following:

- (a) Goods consigned to the Canadian Embassy in Bangkok, international organizations with diplomatic status, United Nations agencies, the International Red Cross and Red Crescent Movement or non-governmental organizations that are involved in humanitarian relief work in Burma provided that an export permit under the *Export and Import Permits Act* has been granted for goods exported from Canada to Burma.
 - (b) Personal or settler's effects that are taken or shipped by an individual leaving Canada or Burma and that are solely for the use of the individual or the individual's immediately family.
 - (c) Supplies exported from Canada to Burma, provided an export permit under the *Export and Import Permits Act* has been granted.
 - (d) Informational materials, including books and other publications, provided that an export permit under the *Export and Import Permits Act* has been granted for those goods exported from Canada to Burma and that they do not contain technical data.
 - (e) Personal correspondence including lettermail, printed papers and postcards of a weight not exceeding 250g per item of correspondence.
3. The related *Special Economic Measures (Burma) Permit Authorization Order* authorizes the Minister of Foreign Affairs to issue to any person in Canada or any Canadian outside Canada a permit to carry out a specified activity or transaction, or any class of activity or transaction, that is restricted or prohibited pursuant to the Regulations.
 4. For the full text of the *Special Economic Measures (Burma) Regulations* and additional information regarding the prohibition contained therein, visit the Canadian Economic Sanctions page of the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.
 5. Burma (Myanmar) is currently on the *Area Control List*. *Permits* are therefore required for the export of goods to Burma (Myanmar) pursuant to the *Export and Import Permits Act*.

APPENDIX M**SUMMARY OF THE *SPECIAL ECONOMIC MEASURES (ZIMBABWE) REGULATIONS***

1. These Regulations impose various sanctions against Zimbabwe, including a prohibition for any person in Canada and any Canadian outside of Canada, to export, sell, supply, or ship arms and related material, wherever situated, to Zimbabwe or to any person in Zimbabwe (section 3 of the Regulations).
2. Border services officers are required to contact the CBSA's Strategic Export Control Section to determine whether goods may be exported to Zimbabwe. This also applies to any questions regarding definitions or other areas where an interpretation may be required with respect to export.

Exclusions

Section 13 of the Regulations provides that the export ban with respect to arms and related material does not apply with respect to:

- (a) supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training;
 - (b) supplies of protective clothing and equipment, including flak jackets and military helmets, for the use of United Nations or African Union personnel, representatives of the media and humanitarian and development workers and associated personnel;
 - (c) firearms and related ammunition and accessories in respect of which a temporary export permit has been granted under the *Export and Import Permit Act* prior to the coming into force of the Regulations;
 - (d) a member of the Canadian Forces who is in or travels to Zimbabwe in the performance of official duties, including providing security to Canadian embassy staff, providing humanitarian assistance, or engaging in other activities authorized by the Chief of the Defense Staff.
3. The related *Special Economic Measures (Zimbabwe) Permit Authorization Order* authorizes the Minister of Foreign Affairs to issue to any person in Canada or any Canadian outside Canada a permit to carry out a specified activity or transaction, or any class of activity or transaction, that is restricted or prohibited pursuant to the Regulations.
 4. For the full text of the *Special Economic Measures (Zimbabwe) Regulations* and additional information regarding the prohibition contained therein, visit the Canadian Economic Sanctions page of the Foreign Affairs and International Trade Canada Web site at www.international.gc.ca.

APPENDIX N

BELARUS

Belarus is currently on the *Area Control List*. Permits are therefore required for the export of goods to Belarus pursuant to the *Export and Import Permits Act*.

APPENDIX O

**SUMMARY OF THE REGULATIONS IMPLEMENTING THE
UNITED NATIONS RESOLUTION ON ERITREA**

1. These Regulations impose various import and export sanctions against Eritrea, including:
 - (a) Prohibition of a person in Canada or any Canadian outside Canada to knowingly export, sell, supply, transfer or ship, directly or indirectly arms and related materiel, wherever situated, or provide or transfer, directly or indirectly, technical, training or financial assistance related to military activities or to the provision, manufacture, maintenance or use of arms and related materiel, wherever situated to any person in Eritrea or a designated person.
 - (b) Prohibition of a person in Canada or any Canadian outside Canada to knowingly import, buy or procure , directly or indirectly arms and related materiel or technical or financial assistance related to military activities or to the provision, manufacture, maintenance or use of arms and related materiel from any person in Eritrea or citizen of Eritrea.

Arms and related materiel is defined as any type of weapon, ammunition, military vehicle or military or parliamentary equipment, and includes their spare parts.

2. This prohibition does not apply to a person to whom the Minister has issued a certificate:
 - (a) stating that they are not a designated person; or
 - (b) exempting such person's property from the application of the prohibition.
3. For the full text of the *Regulations Implementing the United Nations Resolution on Eritrea* and additional information regarding the prohibitions contained therein, please visit the Department of Justice site at <http://laws.justice.gc.ca> and the Department of Foreign Affairs and International Trade Canada at www.international.gc.ca.

Note: The foregoing is a summary of the trade sanctions administered by the CBSA and does not include all measures that may have been imposed against Eritrea. Reference is made to the full text of the *Regulations Implementing the United Nations Resolution on Eritrea*.

REFERENCES

<p>ISSUING OFFICE –</p> <p>Commercial Border Programs Division Programs Branch Canada Border Services Agency</p>	<p>HEADQUARTERS FILE –</p>
<p>LEGISLATIVE REFERENCES –</p> <p><i>United Nations Act; United Nations Cote d’Ivoire Regulations; Regulations Implementing the United Nations Resolution on the Democratic People’s Republic of Korea; United Nations Democratic Republic of the Congo Regulations; Regulations Implementing the United Nations Resolutions on Iran; United Nations Iraq Regulations; Regulations Implementing the United Nations Resolutions on Lebanon United Nations Liberia Regulations; United Nations Sierra Leone Regulations; United Nations Sudan Regulations; United Nations Somalia Regulations; United Nations Al-Qaida and Taliban Regulations; Special Economic Measures Act; Summary of the Special Economic Measures (Burma) Regulations; Summary of the Special Economic Measures (Zimbabwe) Regulations; Regulations Implementing the United Nations Resolutions on Eritrea; Export and Import Permits Act; Customs Act</i></p>	<p>OTHER REFERENCES –</p> <p>D19-6-4, D19-10-3</p>
<p>SUPERSEDED MEMORANDA “D” –</p> <p>D19-11-1, January 15, 2010</p>	

Services provided by the Canada Border Services Agency are available in both official languages.

