EXPLANATORY MEMORANDUM TO

THE LIBERIA AND CÔTE D'IVOIRE (SANCTIONS) (OVERSEAS TERRITORIES) (REVOCATIONS) ORDER 2016

2016 No. 766

1. Introduction

1.1 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 instrument revokes the Côte d'Ivoire (Sanctions) (Overseas Territories) Order 2012 (S.I. 2012/3067) and the Liberia (Sanctions) (Overseas Territories) Order 2015 (S.I. 2015/1899), which gave effect in specified Overseas Territories to sanctions adopted by the United Nations Security Council and the European Union in respect of Côte d'Ivoire and Liberia respectively.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

Other matters of interest to the House of Commons

3.2 As this instrument is not subject to any Parliamentary procedure, consideration as to whether there are other matters of interest to the House of Commons does not arise.

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 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. Extent and Territorial Application

5.1 The extent of this instrument is: 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 ("the Territories").

5.2 The application of this instrument is the Territories.

6. European Convention on Human Rights

6.1 As the instrument is not subject to parliamentary procedure, no statement is required.

7. Policy background

What is being done and why

7.1 The Côte d'Ivoire (Sanctions) (Overseas Territories) Order 2012 and the Liberia (Sanctions) (Overseas Territories) Order 2015 gave effect in specified Overseas Territories to sanctions adopted by the United Nations Security Council in respect of Côte d'Ivoire and Liberia respectively. They also reflected the implementation of the sanctions by the European Union.

7.2 On 28 April 2016 the United Nations Security Council adopted resolution 2283 (2016) terminating, with immediate effect, all existing United Nations sanctions against Côte d'Ivoire. The European Union subsequently adopted Council Decision (CFSP) 2016/917 and Council Regulation (EU) 2016/907 both of 9 June 2016, which give effect to the termination of the United Nations sanctions regime and which also lift all other European Union sanctions in respect of Côte d'Ivoire.

7.3 Existing United Nations sanctions against Liberia were terminated with the adoption of resolution 2288 (2016) on 25 May 2016. This is reflected in European Union Council Decision (CFSP) 2016/994 and Council Regulation (EU) 2016/983 both of 20 June 2016, which lift all existing European Union sanctions against Liberia.

7.4 This Order gives effect to these changes in the Overseas Territories.

8. Consultation outcome

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

9. Guidance

9.1 No guidance will be issued.

10. Impact

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

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

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

11. Regulating small business

11.1 The legislation does not apply to activities that are undertaken by small businesses in the United Kingdom.

12. Monitoring & review

12.1 As this Order provides for the revocation of earlier Orders, monitoring and review mechanisms are not required.

13. Contact

13.1 Louise Moreland at the Foreign and Commonwealth Office, telephone: 0207 008 3124 or email: louise.moreland@fco.gov.uk, can answer any queries regarding the instrument.