

OFAC

Office of Foreign Assets Control

SOMALIA:

WHAT YOU NEED TO KNOW ABOUT SANCTIONS AGAINST PERSONS CONTRIBUTING TO THE CONFLICT IN SOMALIA

This document is explanatory only and does not have the force of law. Executive Order 13536 and the implementing regulations pertaining to Somalia (31 C.F.R. part 551) contain the legally binding provisions governing the sanctions. This document does not supplement or modify the Executive Order or the regulations.



Updated September 30, 2010

AN OVERVIEW OF SANCTIONS AGAINST PERSONS CONTRIBUTING TO THE CONFLICT IN SOMALIA

I. INTRODUCTION

On April 12, 2010, President Obama signed Executive Order 13536 ([the “E.O.”](#)) declaring a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the deterioration of the security situation and the persistence of violence in Somalia, acts of piracy and armed robbery at sea off the coast of Somalia, and violations of the Somalia arms embargo imposed by the United Nations Security Council. In issuing this E.O., the President invoked the authority of the International Emergency Economic Powers Act (“IEEPA”), the National Emergencies Act, section 5 of the United Nations Participation Act, as amended, and section 301 of title 3, United States Code.

Effective May 5, 2010, the Office of Foreign Assets Control (“OFAC”) issued a set of abbreviated regulations to implement the E.O. (75 *Fed. Reg.* 24,394, May 5, 2010). These Somalia Sanctions Regulations, [31 C.F.R. part 551](#) (the “Regulations”), were published in abbreviated form for the purpose of providing immediate guidance to the public. OFAC intends to supplement the Regulations with a more comprehensive set of regulations, which may include additional interpretive and definitional guidance and additional general licenses and statements of licensing policy.

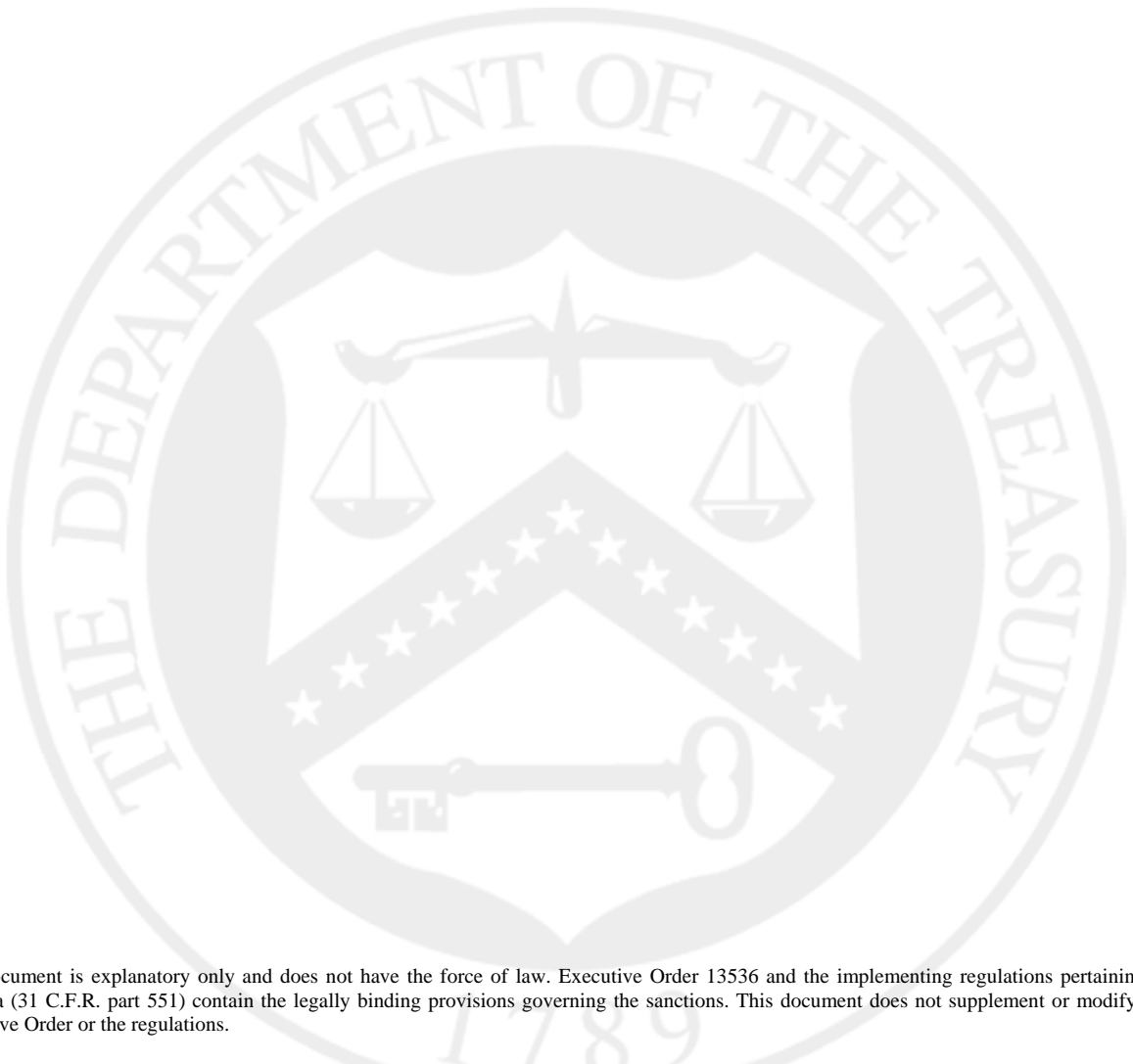
II. PROHIBITED TRANSACTIONS

The E.O. blocks the property and property interests of specific individuals and entities listed in its Annex and of specific individuals and entities determined by OFAC to have engaged in acts that threaten the peace, security, or stability of Somalia, to have obstructed the delivery of humanitarian assistance to or within Somalia, to have supplied arms or related materiel in violation of the United Nations arms embargo on Somalia, or to have provided support for any of these activities. The E.O. also includes a determination by the President that piracy threatens the peace, security or stability of Somalia. This determination provides authority to target for sanctions those who engage in or support acts of piracy off Somalia’s coast, including those who provide weapons, communication devices, or small boats and other equipment to pirates. The E.O. therefore imposes targeted sanctions only; it does not impose any broad-based sanctions against the people or the country of Somalia.

The names of persons who are listed in the Annex to E.O. 13536 or designated by OFAC pursuant to the E.O. are published on OFAC’s Specially Designated Nationals and Blocked Persons List (“SDN List”), published in the *Federal Register*, and incorporated into Appendix A to 31 C.F.R. chapter V. The SDN List is accessible via [OFAC’s Web site](#). With certain exceptions, U.S. persons are prohibited from transferring, paying, exporting, withdrawing, or otherwise dealing in the property and interests in property of an entity or individual listed on the SDN List. Entities that a person on the SDN List owns (defined as a direct or indirect ownership interest of 50% or more) are also blocked, regardless of whether that entity is separately named on the SDN List.

III. PENALTIES

Criminal fines for willful violations of the E.O. or the Regulations range, upon conviction, up to \$1,000,000; individuals may also face imprisonment up to 20 years. In addition, civil penalties of up to the greater of \$250,000 or twice the amount of the underlying transaction may be imposed administratively for violations of the E.O. or the Regulations.



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The Treasury Department's Office of Foreign Assets Control also administers sanctions programs involving the Balkans, Belarus, Burma (Myanmar), Cote d'Ivoire, Cuba, Democratic Republic of the Congo, Rough Diamond Trading (Kimberley Process), Iran, Iraq, Lebanon, Liberia, North Korea, Sudan, Syria, Zimbabwe, as well as highly enriched uranium, persons who commit, threaten to commit, or support terrorism, international narcotics traffickers, Foreign Terrorist Organizations, Terrorism List Governments, and weapons of mass destruction and missile proliferators and their supporters. For additional information about these programs or about sanctions involving Somalia, please contact the:

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