



Security Council

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Security Council Committee established pursuant to resolution [2140 \(2014\)](#)

Note verbale dated 6 August 2021 from the Permanent Mission of Mauritius to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Mauritius to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution [2140 \(2014\)](#) and, further to the latter's note dated 9 April 2021, has the honour to transmit herewith the report of Mauritius pertaining to the implementation of resolution [2511 \(2020\)](#) (see annex).



**Annex to the note verbale dated 6 August 2021 from the
Permanent Mission of Mauritius to the United Nations addressed
to the Chair of the Committee**

**Report of Mauritius on the implementation of Security Council
resolution 2511 (2020)**

In Mauritius, the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act 2019 was promulgated on 29 May 2019 to implement asset freeze measures, an arms embargo and a travel ban against listed parties. It allows Mauritius to implement the targeted sanctions as imposed by the Security Council under Chapter VII of the Charter of the United Nations.

Paragraphs 11 and 15 of resolution 2140 (2014) and paragraph 14 of resolution 2216 (2015) are implemented in Mauritius through the United Nations (Financial Prohibition, Arms Embargo and Travel Ban) Sanctions Act 2019.

Asset freeze measures

The United Nations (Financial Prohibition, Arms Embargo and Travel Ban) Sanctions Act 2019 implements the assets freeze established pursuant to paragraph 11 of resolution 2140 (2014) through:

(a) The prohibition to deal with funds or other assets of a designated party or listed party (sect. 23);

(b) The prohibition on making funds or other assets available to designated party or listed party (sect. 24).

- The Act defines a “designated party” as a party declared by the Secretary for Home Affairs pursuant to section 9 or 10 of the Act to be subject to the measures imposed in paragraph 11 of resolution 2140 (2014) (sect. 2).
- The Act defines a “listed party” as any party listed by or under the authority of the Security Council to be subject to the measures imposed in paragraph 11 of resolution 2140 (2014) (sect. 2).
- The Act defines “funds or other assets” as meaning:

(a) Any assets, including, but not limited to, financial assets, economic resources and property of every kind, whether tangible, intangible, movable or immovable, however acquired;

(b) Legal documents or instruments in any form;

(i) Including electronic or digital, evidencing title to, or interest in, such funds or other assets; and

(ii) Including, but not limited to, bank credits, travellers’ cheques, bank cheques, money orders, shares, securities, bonds, drafts or letters of credit;

(c) Any interests, dividends or other income on or value accruing from or generated by such funds or other assets, virtual or digital currencies, including cryptocurrencies;

(d) Any other assets which potentially may be used to obtain funds, goods or services.

The Act thereby prohibits the matters covered in paragraph 11 of resolution 2140 (2014).

The Act provides for a listed party to make an application to the National Sanctions Committee for variation of the prohibition where the listed party wishes to use, for ordinary or extraordinary expenses, those funds or other assets or any other part thereof, thus giving effect to the exceptions to the targeted financial sanctions set out in paragraph 12 of resolution [2140 \(2014\)](#) (sect. 30).

- The terms “ordinary expenses” and “extraordinary expenses” are defined in the Act and correspond with paragraphs 12 (a) to (c) of resolution [2140 \(2014\)](#).

Any contravention of the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanction Act 2019 is an offence under section 45 of the Act. The current maximum penalty upon conviction for an offence under the Act is up to 10 years’ imprisonment and a fine not exceeding 1 million rupees.

Moreover, the Customs Management System has been configured so that all import cargo from, export cargo to and trans-shipment cargo to or from Yemen are subject to X-ray scanning and, if found suspicious, are physically inspected by customs.

According to the Customs Management System database, the following transactions have taken place since 2019:

- (a) 2019: export of medical instruments to Yemen;
- (b) 2020: export of humanitarian aids supply (food and used clothes) to Yemen;
- (c) 2020: import by the French Embassy of stationery supplies from France, with goods originating from Yemen.

Arms embargo

- (a) As regards the arms embargo, no firearm or ammunition transited through Mauritius that was either imported from or exported to Yemen;

(b) Any person who supplies, sells or transfers, directly or indirectly, to a designated party or listed party arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned as well as technical advice, assistance, or training related to military activities, whether this conduct is carried out from Mauritius or by Mauritian nationals living abroad, or by anyone using flag vessels or aircraft from Mauritius, shall commit an offence (sect. 35).

- (c) The current maximum penalty upon conviction is a fine not exceeding 10 million rupees and imprisonment for a term of not less than five years.

- (d) The Act thereby covers matters arising from paragraph 14 of resolution [2216 \(2015\)](#).

Travel ban

According to section 36 of the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act of 2019, a listed party, other than a listed party who is a citizen of Mauritius or resident of Mauritius, shall not be allowed entry into, or transit through, Mauritius.

The department of immigration and border control maintains a movement alert list, which includes the names of non-citizens whose eligibility for a visa may be an issue.

The names of all visa applicants are checked against the list prior to any decision to grant visa to enter Mauritius. The list is electronically accessible to officers of the immigration office.

The Act thereby covers matters arising from paragraph 15 of resolution [2140 \(2014\)](#).

According to the Eleventh Schedule of Passport Regulations 1969, Yemeni nationals should apply and obtain a visa prior to travel to Mauritius.

As such, the names of all persons appearing in the sanction list have been added to the Passport and Immigration Office Controversial List, as banned from travelling.

Should such individuals as those mentioned above:

- (a) Submit an application to travel to Mauritius, same will not be entertained;
- (b) Travel to Mauritius, they will be refused entry into the country.
