



SNAPSHOT

CENTRAL AFRICAN REPUBLIC AND DEMOCRATIC REPUBLIC OF THE CONGO SANCTIONS REGIMES

Why are sanctions imposed?

In 2013, the United Nations Security Council (UNSC) imposed sanctions in relation to the Central African Republic (CAR) in response to the worsening security and humanitarian situation in the CAR, including a breakdown of law and order, inter-sectarian tensions and widespread human rights abuses by armed groups. The sanctions regime was amended by a further UNSC resolution in 2014.

The UNSC has imposed sanctions in relation to the Democratic Republic of the Congo (DRC) since 2003, in response to acts of violence systematically perpetrated against civilians including violations of international humanitarian law and human rights. The sanctions regime has been amended and renewed by several subsequent UNSC resolutions.

The UNSC’s Sanctions Committees for the CAR and the DRC have designated individuals and entities who meet the designation criteria determined by the UNSC for those sanctions regimes. The designated individuals are predominantly senior leaders (or former leaders) of armed groups and militias. The designated entities include the Lord’s Resistance Army (or LRA), M23 and entities involved in breaching the arms embargo.

Australia implements the UNSC sanctions concerning the CAR and the DRC by incorporating them into Australian law.

What is prohibited by the CAR and the DRC sanctions regimes?

The CAR and the DRC sanctions regimes each impose the following sanctions measures:

Measure	UNSC	Autonomous
restrictions on supplying arms or related matériel, and related services	✓	
restrictions on providing assets to designated persons or entities	✓	
restrictions on dealing with the assets of designated persons or entities	✓	
travel bans on designated persons	✓	

Restrictions on supplying arms or related matériel, and related services

The CAR and the DRC sanctions regimes impose arms embargoes. It is prohibited to do the following without a sanctions permit:

- directly or indirectly supply, sell or transfer arms or related matériel to the CAR or the DRC
- provide technical assistance, training, financial or other assistance to the CAR if those services:
 - relate to military activities, or
 - relate to the provision, maintenance or use of arms or related matériel, including providing armed mercenary personnel (whether or not originating in Australia)
- provide assistance (including financing and financial assistance), advice or training to the DRC if it is related to military activities.

Arms or related matériel includes, but is not limited to, weapons, ammunition, military vehicles and equipment, and spare parts or accessories for any of those things. It also includes paramilitary equipment. While each case will be considered individually, goods on the [Defence and Strategic Goods List](#) are likely to be considered arms or related matériel. Depending on the context, end-user and end-use, other goods may also be considered arms or related matériel.

Restrictions on providing assets to designated persons or entities

It is prohibited to directly or indirectly make an asset available to (or for the benefit of) a designated person or entity.

Restrictions on dealing with the assets of designated persons or entities (requirement to freeze assets)

It is prohibited to use or deal with an asset, or allow or facilitate another person to use or deal with an asset, if the asset is owned or controlled by a designated person or entity (the assets are 'frozen' and cannot be used or dealt with).

An 'asset' includes an asset or property of any kind, whether tangible or intangible, movable or immovable. The [Consolidated List](#) available on DFAT's website includes the names of all designated persons and entities.

Travel bans

All persons designated for the CAR and the DRC sanctions regimes are prohibited from transiting through or entering Australia.

Who must comply with sanctions?

Australian sanction laws apply to activities in Australia and to activities undertaken overseas by Australian citizens and Australian-registered bodies corporate.

In some circumstances, it may be possible to obtain a permit from the Minister for Foreign Affairs to engage in an activity that would otherwise be prohibited by a sanctions measure. Information on planning an activity and submitting an application for a sanctions permit is available on the [DFAT website](#).

It is a serious criminal offence to contravene a sanctions measure (or a condition of a sanctions permit). The penalties include up to ten years in prison and substantial fines.

Relevant legislation

The relevant legislation for the CAR and DRC sanctions regimes includes the following:

- *Charter of the United Nations Act 1945*
- *Charter of the United Nations (Sanctions – Central African Republic) Regulation 2014*
- *Charter of the United Nations (Dealing with Assets) Regulations 2008*
- *Migration (United Nations Security Council Resolutions) Regulations 2007*
- *Charter of the United Nations (Sanctions – Democratic Republic of the Congo) Regulations 2008*
- *Customs (Prohibited Exports) Regulations 1958*

Where can I get more information?

More information on Australia's sanctions can be found on DFAT's website: <https://dfat.gov.au/international-relations/security/sanctions/Pages/sanctions.aspx>.

Enquiries can be made to DFAT by emailing sanctions@dfat.gov.au.

DFAT maintains a mailing list for people interested in receiving updates on Australian sanctions laws. You can subscribe to this list via the [DFAT website](#).

This document provides a summary only of relevant sanctions laws. It should not be relied upon as a substitute for legal advice. It is your responsibility to ensure you do not contravene sanctions law, including by obtaining your own legal advice.