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Department of Foreign Affairs and Trade

Australian Government



SNAPSHOT LEBANON SANCTIONS FRAMEWORK

Why are sanctions imposed?

The United Nations Security Council (UNSC) initially imposed sanctions in relation to Lebanon in 2005 in response to the terrorist bombing in Beirut in February 2005 that killed former Lebanese Prime Minister Rafiq Hariri and 22 others. The UNSC imposed additional sanctions measures in 2006 in response to the conflict between Israel and Hezbollah in July 2006.

Australia implements the UNSC sanctions concerning Lebanon by incorporating them into Australian law.

What is prohibited by the Lebanon sanctions framework?

The Lebanon sanctions framework imposes the following sanctions measures:

| Measure | UNSC | Autonomous |
|--|--------------|------------|
| restrictions on supplying arms or related materiel, and related services | \checkmark | - |
| restrictions on providing assets to designated persons | \checkmark | - |
| restrictions on dealing with the assets of designated persons | \checkmark | - |
| travel bans on designated persons | \checkmark | - |

Restrictions on supplying arms or related matériel

The Lebanon sanctions framework imposes an arms embargo. It is prohibited to supply, sell or transfer (directly or indirectly) arms or related matériel to Lebanon.

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 <u>Defence and Strategic Goods List</u> 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.

Note: Hezbollah is also listed under the UNSCR 1373 (Counter-Terrorism) sanctions framework. Refer to the UNSCR 1373 (Counter-Terrorism) Snapshot for further information.

Restrictions on providing certain services

To complement the restrictions on supplying arms or related matériel, providing services that relate to those sanctioned goods is also restricted. It is prohibited to provide any technical training or assistance related to the provision, manufacture or use of such sanctioned goods.

Restrictions on providing assets to designated persons

It is prohibited to directly or indirectly make an asset available to a designated person or an entity owned or controlled by a designated person.

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 owned or controlled by a designated person or entity (the assets are 'frozen' and cannot be used or dealt with). The prohibition on 'dealing' with assets includes using, selling or moving assets. 'An 'asset' includes an asset or property of any kind, whether tangible or intangible, movable or immovable. Go to the <u>Consolidated List</u> to search the names of designated persons and entities.

If you become aware that you are holding an asset of a designated person or entity, you are required to freeze (hold) that asset and notify the AFP as soon as possible.

Travel bans

Persons designated for the Lebanon sanctions framework 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 Lebanon sanctions framework includes the following:

- Charter of the United Nations Act 1945
- <u>Charter of the United Nations (Sanctions Lebanon) Regulations 2008</u>
- <u>Charter of the United Nations (Dealing with Assets) Regulations 2008</u>
- <u>Customs (Prohibited Exports) Regulations 1958</u>
- <u>Migration (United Nations Security Council Resolutions) Regulations 2007</u>

Where can I get more information?

Australia and sanctions webpage.

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.

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.