

**EXPLANATORY MEMORANDUM TO
THE IRAQ (UNITED NATIONS SANCTIONS) (AMENDMENT) ORDER 2011**

2011 No. 2437

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**

This instrument, The Iraq (United Nations Sanctions) (Amendment) Order 2011 (“the Order”), amends the definition of “restricted goods” in The Iraq (United Nations Sanctions) Order 2003.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

None. The Order will be made at the Privy Council meeting on 12 October 2011 and laid before Parliament on the following day. The Order will come into force the day after it is laid so that the sanctions are immediately up to date.

4. **Legislative Context**

This Order is made under section 1 of the United Nations Act 1946.

5. **Territorial Extent and Application**

This instrument applies to all of the United Kingdom.

6. **European Convention on Human Rights**

As this instrument is not subject to Parliamentary approval and does not amend primary legislation, no statement is required.

7. **Policy background**

What is being done and why

Iraq has been subject to a mandatory UN arms embargo prohibiting the sale or supply to Iraq or arms and related material since 1990 (Security Council resolution 661 (1990)). Following the armed conflict in 2003, all prohibitions related to trade with Iraq and the provision of financial or economic resources were lifted but the prohibitions related to the supply to Iraq of arms and related material were retained (by Security Council resolution 1483 (2003)). The United Nations Act 1946 provides that decisions of the Security Council of the United Nations may be given effect in the United Kingdom by Order in Council. This Order amends the definition of “restrictive goods” in the Iraq (United Nations Sanctions) Order 2003 to reflect changes in the UK legislation on arms exports.

8. Consultation outcome

The FCO has consulted BIS with regard to the appropriate definition of “restrictive goods” given their lead on legislation regarding arms exports.

9. Guidance

Guidance may be sought from the contact below.

10. Impact

10.1 A Regulatory Impact Assessment has not been prepared for this instrument, as it has no impact on business, charities or voluntary bodies.

10.2 The impact on the public sector is negligible.

11. Regulating small business

The legislation applies to small business, as it does to all persons and businesses in the United Kingdom.

12. Monitoring & review

UN sanctions are monitored and reviewed by the United Nations Security Council.

13. Contact

Kevin Lockwood at the Foreign and Commonwealth Office, Tel: 020 7008 3830 or email: Kevin.Lockwood@fco.gov.uk can answer any queries regarding the instrument.