NATIONAL SANCTIONS COMMITTEE

PERFORMANCE REPORT

PERIOD: 01 JULY 2021 - 30 JUNE 2022

About this Report

This is the third Performance Report of the National Sanctions Committee since its inception in May 2019 following the promulgation of the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act. The report covers the period 01 July 2021 to 30 June 2022.

Guide to this Report

Part I: About the National Sanctions Committee

Part I sets out the objectives of the National Sanctions Committee, its roles and functions as well as its organisational structure.

Part II: Main Achievements

Part II describes the key achievements of the National Sanctions Committee over the period 01 July 2021 to 30 June 2022. It also highlights the main challenges encountered in the implementation of the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act.

Part III: Way Forward

Part III provides the new projects that the National Sanctions Committee is envisaging to implement in the future to realise its objectives and desired outcomes.

LIST OF ABBREVIATIONS

ESAAMLG	Eastern and Southern Africa Anti-Money Laundering Group
FAQ	Frequently Asked Question
FATF	Financial Action Task Force
MoU	Memorandum of Understanding
NSC	National Sanctions Committee
OFSI	Office of Financial Sanctions Implementation
STM	Service to Mauritius Programme
TWC	Technical Working Committee
UNODC	United Nations Office on Drugs and Crime
UNSA	United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution

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Part I: About the National Sanctions Committee

Objective

To implement targeted sanctions, including financial sanctions, arms embargo and travel ban, and other measures imposed by UNSC under Chapter VII of the Charter of the United Nations, with a view to addressing threats to international peace and security, terrorism, terrorism financing and proliferation of weapons of mass destruction.

Core Values

Integrity

We are guided by the highest standards of professional ethics.

Quality

We are committed to providing services of the highest quality to our customers.

Timeliness

We are responsive and strive to meet targets.

Teamwork

We believe in teamwork and the importance of mutual trust and respect.

Honesty

We always act in good faith and are trustful.

Justice

We adhere to the principles of natural justice.

Objective

We favour meritocracy based on rigorous analysis of evidence.

Statement from the Secretary to Cabinet and Head of the Civil Service



I am pleased to present the third Performance Report for the fiscal year 2021-2022 of the National Sanctions Committee established under the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act (UNSA).

The following key measures have been undertaken during this financial year 2021-2022:

- The National Sanctions Committee has been successfully registered as a controller under the Data Protection Act for the period 01 August 2020 to 31 July 2023. This will enable to ensure that the processing of personal data at the level of the National Sanctions Committee is lawful, fair, transparent, adequate, relevant, accurate and in compliance with the Data Protection Act.

- The National Sanctions Committee has also developed a register under section 7(2)(c) of the UNSA to keep and maintain a list of funds or other assets frozen pursuant to a freezing order granted under the Act.

- Moreover, the National Sanctions Committee has approved the third six-monthly report covering the period July 2021 to December 2021 on recommendations made to increase the level of compliance with the UNSA and combat challenges encountered in the implementation of the Act by the Supervisory Authorities/ Regulatory Bodies and their respective licensees.

- As part of the outreach initiatives, the National Sanctions Secretariat has in collaboration with the Ministry of Financial Services and Good Governance planned an awareness campaign to sensitise the general public of their obligations under the UNSA. An Awareness and Communication Plan has been worked out which features the main themes of the message to be disseminated, the different communication medium to be employed, the implementation plan as well as the evaluation and feedback exercise.

The Government of Mauritius is fully committed to preventing and combating terrorism in all its forms, in our jurisdiction, and the National Sanctions Committee is doing its utmost to realise this common strategic goal for the safety and security of the Republic of Mauritius and of its population.

I avail myself of the opportunity to thank the members of the National Sanctions Committee and its sub-committees for their contributions. My appreciation also goes to the staff of the National Sanctions Secretariat for their continuous support to the National Sanctions Committee to achieve its objectives.

Nayen Koomar Ballah, GOSK

Secretary to Cabinet and Head of the Civil Service

Statement from the Secretary for Home Affairs



As Secretary for Home Affairs, I am responsible for carrying out all the functions as enumerated under Section 7 of the United Nations Sanctions (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act (UNSA); and also for the management and administration of the National Sanctions Secretariat.

I am committed, with a dedicated team under my purview, to ensure that effective and efficient support is provided to the National Sanctions Committee, which is the decision making body and is responsible to carry out, all the functions as provided for in Section 5 of the UNSA.

I take this opportunity to highlight a few of the main achievements of the National Sanctions Committee during the fiscal year 2021-2022:

- The National Sanctions Secretariat has made **26** disseminations within 24 hours by way of notices in respect of changes to the United Nations Sanctions List. An effective mechanism is in place to ensure that such disseminations are made within 24 hours, even during holidays, weekends and bad weather conditions.

- Staff of the National Sanctions Secretariat have been able to benefit from several training (both onsite and virtual) over the period 01 July 2021 to 30 June 2022. Notably, a training on "Targeted Financial Sanctions" organised in the first week of May 2022 for staff of the National Sanctions Secretariat, members of the Technical Working Committee and Supervisory Authorities/ Regulatory Bodies which was delivered by the Office of the Financial Sanctions Implementation, UK.

- A database of persons who have the ability to act as Administrator under section 32 of the UNSA has been constituted further to due diligence made on applicants.

I wish to underscore the fruitful collaboration of the National Sanctions Secretariat with all the stakeholders including Regulatory and Supervisory bodies concerned through the deliberations of the Technical Working Committee (TWC) and its Sub-Committee set up by the National Sanctions Committee. My appreciation also goes to the Attorney-General's Office (AGO) which provides timely legal advice to the National Sanctions Secretariat to ensure compliance with the Act and the other

relevant laws, e.g. Data Protection Act, Anti-Money Laundering and Combatting the Financing of Terrorism (Miscellaneous Provisions) Act.

I seize this opportunity to extend my sincere thanks to the Chairperson and members of the National Sanctions Committee and the other Sub-Committees and Co-Chairpersons and members of the Technical Working Committee for their continuous support. I also extend my gratitude to the staff of the National Sanctions Secretariat and look forward for their continuous support, dedication and enthusiasm in realising the objects of the UNSA and ensuring the smooth functioning of the National Sanctions Committee.

Om Kumar Dabidin

Secretary for Home Affairs

Role of the National Sanctions Committee

The National Sanctions Committee has been set up under section 4 of the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act (UNSA) to implement targeted sanctions and other measures imposed by the United Nations Security Council (UNSC), with a view to addressing threats of terrorism, terrorism financing and proliferation of weapons of mass destruction.

Functions and powers of the National Sanctions Committee

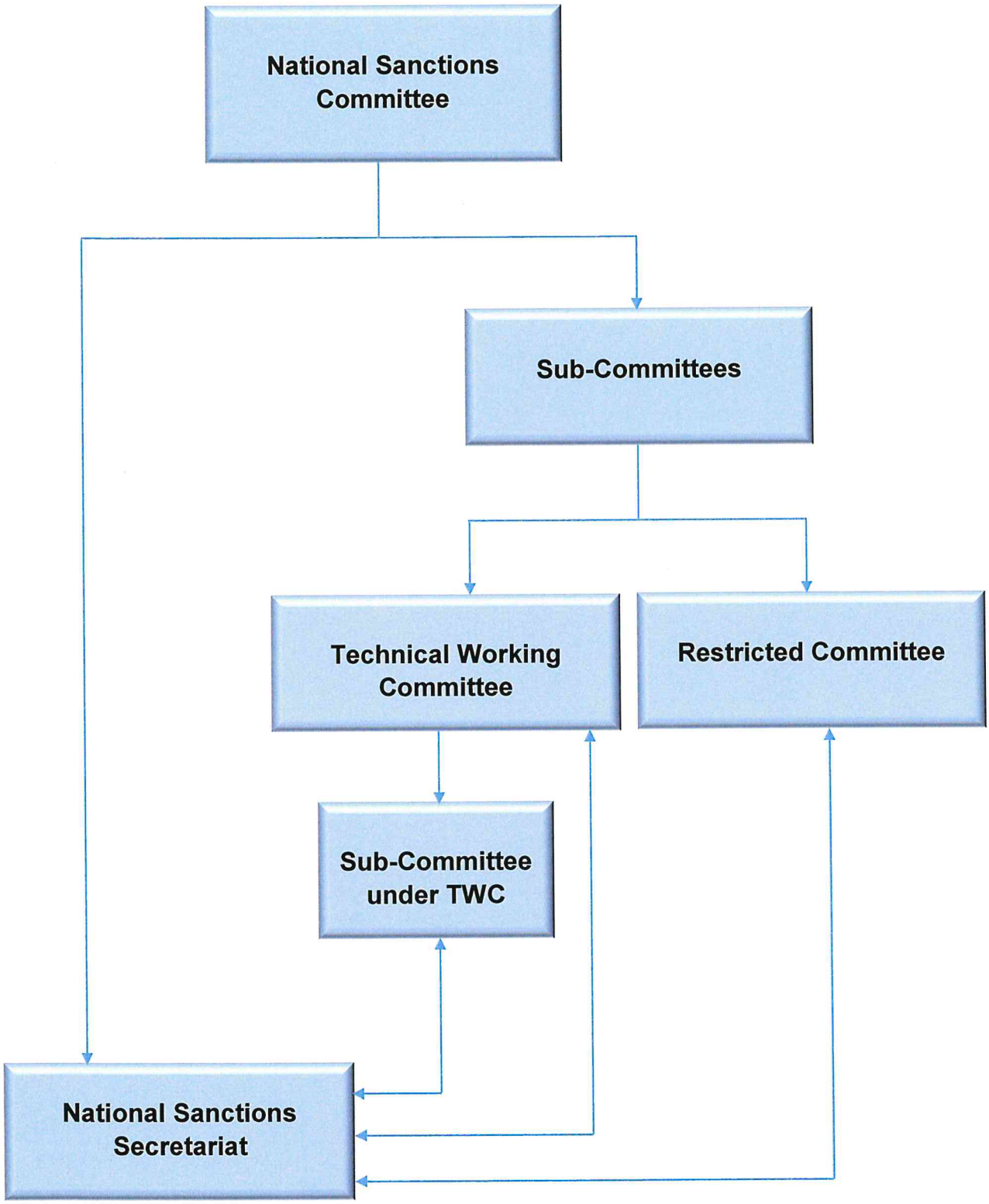
Pursuant to section 5 of the UNSA, the National Sanctions Committee is vested with the following functions and powers:

a. direct the Secretary for Home Affairs to declare, for the purposes of UNSCR 1373 or any other international obligations, a party as a designated party;
b. be responsible for identifying a party that meets the listing criteria for designation as a listed party on a United Nations Sanctions List;
c. make proposals for the listing of a party as a listed party to the relevant United Nations Sanctions Committee;
d. recommend the Secretary for Home Affairs to request another country to designate a party for the purposes of UNSCR 1373;
e. coordinate and promote effective implementation of the obligations under the UNSCRs in Mauritius;
f. coordinate international cooperation in the cross-border implementation of the UNSCRs between Mauritius and other countries and foreign counterpart agencies;
g. coordinate the development of, review and implement national policies and activities for the effective implementation of the UNSCRs;
h. approve such guidelines developed by National Sanctions Secretariat; and
i. make recommendations to the Minister for legislative, regulatory and policy reforms for the purposes of this Act.

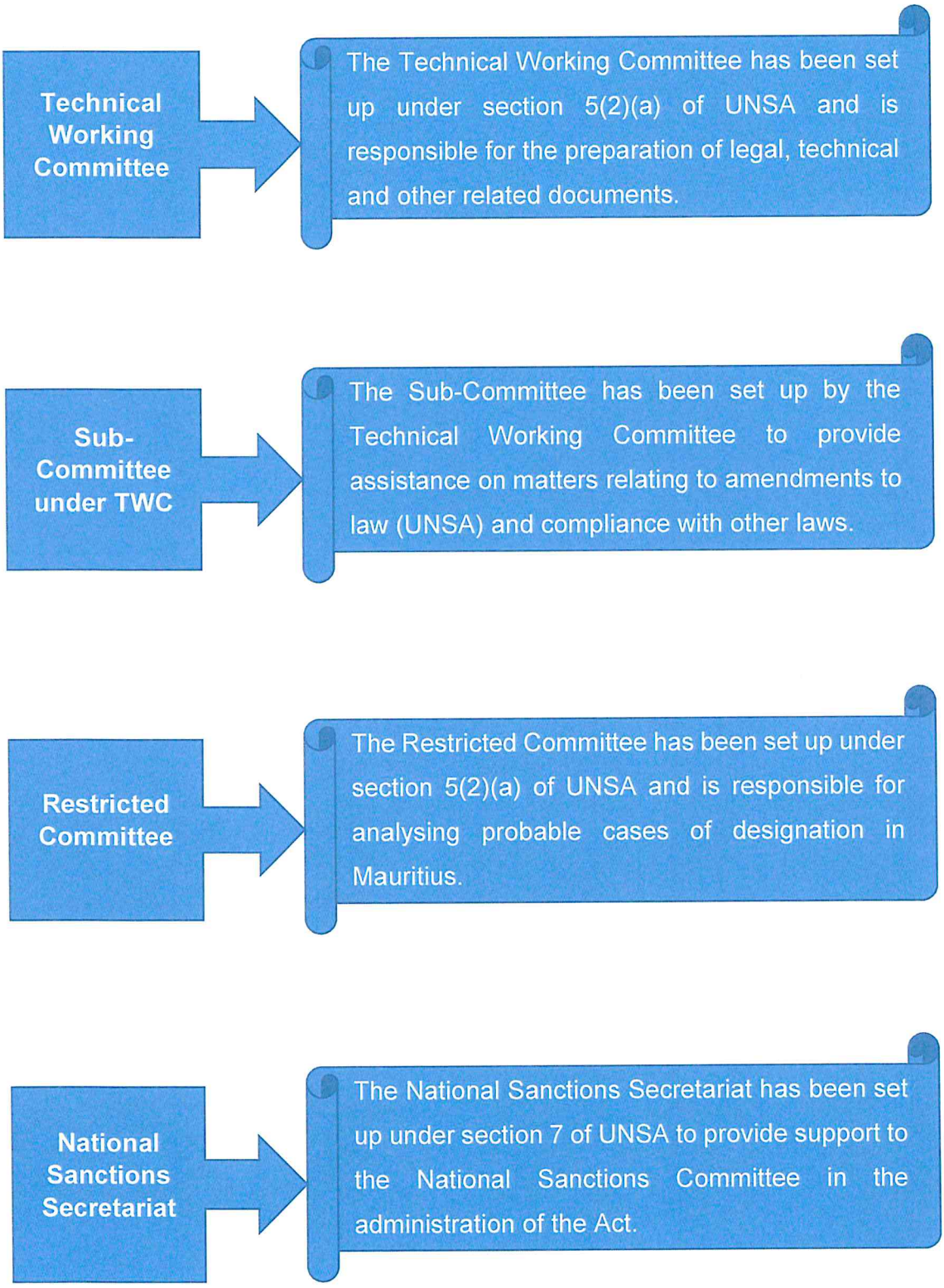
Composition of the National Sanctions Committee

	Members of the National Sanctions Committee
1	Secretary to Cabinet and Head of the Civil Service (**Chairperson**)
2	Solicitor General
3	Secretary for Foreign Affairs
4	Commissioner of Police
5	Governor of the Bank of Mauritius
6	National Security Advisor
7	Director-General of the National Security Services
8	Director of the Counterterrorism Unit
9	Director of the Financial Intelligence Unit
10	Chief Executive of the Financial Services Commission

Structure of the National Sanctions Committee



Overview of sub structures under the National Sanctions Committee



Terms of Reference of the Technical Working Committee

The Technical Working Committee:

(a) considers and recommends to the National Sanctions Committee for adoption or otherwise of the documents prepared by members;

(b) assists and supports the National Sanctions Committee in identifying any party that meets the listing criteria for designation as a listed party on a United Nations Sanctions List;

(c) prepares all necessary documents in relation to –

(i) a declaration to be made under the Act; and

(ii) any proposal for listing to the relevant United Nations Sanctions Committees.

(d) considers and advises the National Sanctions Committee on any proposal or request under section 9 or 10 (Third Party request) for declaration as designated party;

(e) makes proposals to the National Sanctions Committee of any request to be made to another country to designate a party for the purposes of UNSCR 1373;

(f) advises the National Sanctions Committee of ways and means to coordinate and promote effective implementation of the obligations under the UNSCRs in Mauritius.

(g) formulates and recommends any policy actions to the National Sanctions Committee;

(h) analyses and recommends any third party request for declaration as a designated party; and

(i) considers any matter related with the implementation of the Act referred to it by the National Sanctions Committee or the National Sanctions Secretariat and makes appropriate recommendations thereof.

Composition of the Technical Working Committee

	Members of the Technical Working Committee
1	Representative of Prime Minister's Office **(Co-Chairperson)**
2	Representative of Ministry of Financial Services and Good Governance **(Co-Chairperson)**
3	Representative of Prime Minister's Office (Member)
4	Representative of Ministry of Financial Services and Good Governance (Member)
5	Representative of Financial Intelligence Unit (Member)
6	Representative of Attorney General's Office (Member)
7	Representative of Bank of Mauritius (Member)
8	Representative of Financial Services Commission (Member)
9	Representative of Counter Terrorism Unit (Member)
10	Representative of Ministry of Foreign Affairs, Regional Integration and International Trade (Member)

Terms of Reference of the Sub-Committee

The Sub-Committee:

(a) analyses proposed amendments to UNSA and submits its recommendations to the Technical Working Committee, accordingly; and

(b) provides proposals for a more efficient management of seized assets.

Composition of the Sub-Committee

	Members of the Sub-Committee
1	Representative of Attorney General's Office **(Co-Chairperson)**
2	Representative of Financial Intelligence Unit **(Co-Chairperson)**
3	Representative of Prime Minister's Office (Member)
4	Representative of Bank of Mauritius (Member)
5	Representative of Financial Services Commission (Member)
6	Representative of Ministry of Financial Services and Good Governance (Member)

Terms of Reference of the Restricted Committee

The Restricted Committee:

(a) considers and analyses any proposal or request under section 9 or 10 (Third Party request) for declaration as designated party;

(b) after analysing a designation case, makes appropriate recommendations to the National Sanctions Committee through a comprehensive report;

(c) provides to the National Sanctions Committee any information as requested by the latter to assist in the declaration process; and

(d) not later than 12 months after a declaration is made, reviews whether the designated party continues to meet the designation criteria for declaration under the Act and advises the National Sanctions Committee accordingly.

Composition of the Restricted Committee

	Members of the Restricted Committee
1	Representative of Prime Minister's Office **(Co-Chairperson)**
2	Representative of Ministry of Financial Services and Good Governance **(Co-Chairperson)**
3	Representative of Prime Minister's Office (Member)
4	Representative of Financial Intelligence Unit (Member)
5	Representative of Attorney General's Office (Member)
6	Representative of Mauritius Police Force (Member)
7	Representative of Financial Services Commission (Member)
8	Representative of Counter Terrorism Unit (Member)

Functions of the National Sanctions Secretariat

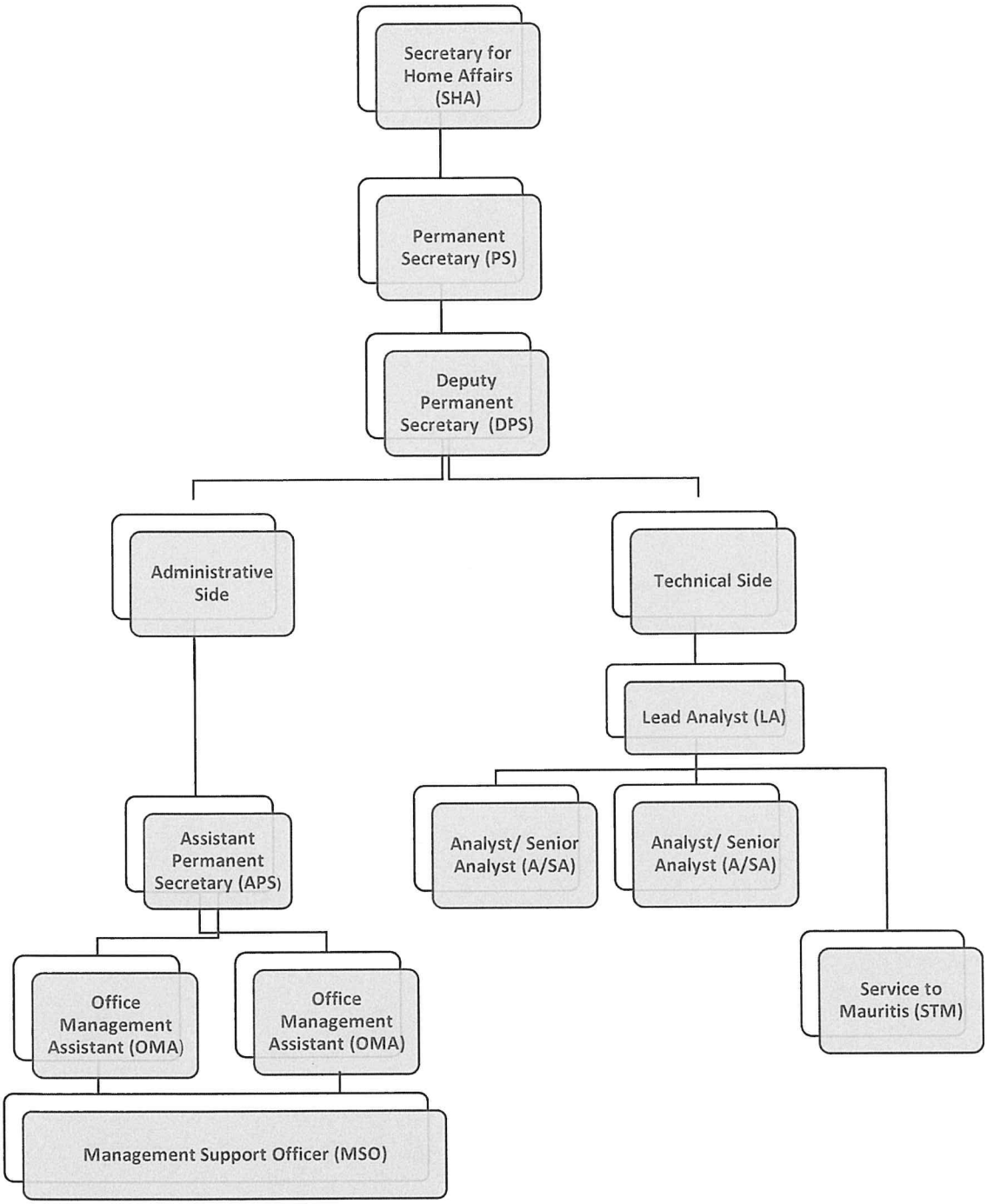
The National Sanctions Secretariat shall, in the discharge of its functions and exercise of its powers under UNSA:

a. keep and maintain, in such form and manner as the National Sanctions Committee may determine, a list of designated parties;
b. provide access to the list of designated parties;
c. keep and maintain a list of funds or other assets frozen pursuant to a freezing order granted under UNSA;
d. collect or solicit information from public sector agencies and any party that is reasonably believed to hold, control or has in his or its custody or possession funds or other assets of a listed party;
e. facilitate the sharing of information with other agencies for the purposes of UNSA;
f. issue such guidelines and disseminate such other relevant information as may be necessary for the effective implementation of UNSA;
g. publish information on relevant procedures for the purposes of UNSA;
h. maintain a website with publicly available information relating to UNSA;
i. keep and maintain such record as may be prescribed for a period of not less than 7 years; and
j. do such other things as may be necessary for the purposes of UNSA;

In addition to the above, the National Sanctions Secretariat is also responsible to perform the following duties:

(i) follow-up matters related to FATF and Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG); and
(ii) propose amendments to the legislation where required to ensure effective implementation of same.

Organisational Chart of the National Sanctions Secretariat



Gender Statement

The PMO Gender Policy lays emphasis on the pivotal role of the Prime Minister's Office and its ability to act as a catalyst in the promotion of gender equality as cross-cutting issue, at both national and international levels and to provide high level strategic directions to ensure that gender mainstreaming integrates all sectors. The Gender Policy is aimed at ensuring that norms, attitudes and legal frameworks are conducive to make meaningful changes in the society, at home and the place of work, through empowerment, capacity building, networking and partnership building with all stakeholders.

Part II: Main Achievements & Challenges

Major Achievements over the period 01 July 2021 to 30 June 2022

The National Sanctions Committee has, with the support of the National Sanctions Secretariat and the different sub-committees (Technical Working Committee, Restricted Committee and Sub-Committee under the Technical Working Committee), made several achievements over the period 01 July 2021 to 30 June 2022.

- Comparative table for number of meetings held during previous years and over the period 01 July 2021 to 30 June 2022

S.N	Committees	First meeting held since set-up of the NSC in May 2019	No. of meetings held from 01 July 2020 to 30 June 2021	No. of meetings held from 01 July 2021 to 30 June 2022
1.	National Sanctions Committee	05 August 2019	Three (3)	Eleven (11)
2.	Technical Working Committee	28 August 2019	Three (3)	Nine (9)
3.	Restricted Committee	19 June 2020	Eight (8)	Four (4)
4.	Sub Committee under TWC	12 January 2021	Five (5)	Nine (9)

- The National Sanctions Committee has approved the third six-monthly report covering the period July 2021 to December 2021. The report essentially highlights the main findings of Supervisory Authorities/ Regulatory Bodies during inspection carried out at their respective licensees and also include the recommendations made to increase the level of compliance with the UNSA and combat challenges encountered in the implementation of the Act.

- Given that the National Sanctions Committee deals with highly confidential and sensitive information in the performance of its role and responsibilities, necessary actions have been taken to enable the Data Protection Office to register the National Sanctions Committee as a controller. Subsequently, on 08 September

2021, a certificate of registration as controller was issued to the National Sanctions Committee for the period 01 August 2020 to 31 July 2023. As a controller, the NSC shall, *inter-alia*, ensure that processing of personal data is lawful, fair, transparent, accurate and in compliance with the Data Protection Act.

- Additionally, staff of the National Sanctions Secretariat have been able to benefit from several training (both onsite and virtual) over the period 01 July 2021 to 30 June 2022. Notably, a training on "Targeted Financial Sanctions" was organised during the first week of May 2022 for staff of the National Sanctions Secretariat, members of the Technical Working Committee and Supervisory Authorities which was delivered by the Office of the Financial Sanctions Implementation (OFSI), UK. The main components covered in the training were procedures for listing and delisting of a party on the United Nations Sanctions lists, mechanisms for freezing of assets including cases of exemptions and licensing among others.

- Since the promulgation of the UNSA on 29 May 2019, the National Sanctions Secretariat has disseminated **68** notices in respect of changes to the United Nations Sanctions lists, out of which, **26** notices relate to the period 01 July 2021 to 30 June 2022 (details at **Annex 1**). To ascertain that such notices are published immediately (i.e. without delay and not later than 24 hours), the National Sanctions Secretariat has in place an effective mechanism which also considers public holidays, weekends and bad weather conditions (e.g. cyclones).

- Furthermore, to provide more insights on the term "fit and proper person" under section 32 of the UNSA, a checklist has been worked out to assist the Secretary for Home Affairs in assessing the fitness and probity of a person to be appointed as administrator under the UNSA.

- The National Sanctions Secretariat has also designed a template register under section 7(2)(c) of the UNSA to keep and maintain a list of funds or other assets frozen pursuant to a freezing order granted under the Act.

- Moreover, to strengthen existing provisions in the UNSA as well as to better empower the National Sanctions Secretariat to conduct its duties diligently, six amendments have been brought to the Act on 05 August 2021 through the Finance (Miscellaneous Provisions) Act 2021 (details at **Annex 2**).

- With a view to ensuring the effective implementation of the UNSA, nine amendments relating to grammatical errors as well as a definition for the term "International Terrorism" have been proposed to be included in the UNSA through the upcoming Finance (Miscellaneous Provisions) Act 2022 (details at **Annex 3**).

- To further ensure the security of data processing under section 31(2)(iv) of the Data Protection Act, an IT security audit has been conducted at the National Sanctions Secretariat on 27 January 2022 in collaboration with the IT Security Unit (ITSU) following which 27 recommendations were made and implemented accordingly. It was also recommended to obtain the latest ISO 27001 (Security) Certification. A tender is being launched to obtain assistance on the matter.

- As regards appointment of administrators, following the publication of the Notice under section 32 of the UNSA for the constitution of database of potential administrators, the National Sanctions Secretariat has with the assistance of the Sub-Committee and Technical Working Committee shortlisted some candidates. Thereafter, a questionnaire was designed as part of the due-diligence process for the candidates to fill-in, pursuant to which the National Sanctions Committee has given its approval for those who met the required conditions and due diligence checks, to be included in the pool of administrators.

- A Memorandum of Understanding (MoU) has also been designed to establish a formal basis for cooperation and exchange of information between the National Sanctions Secretariat and the Supervisory Authorities such as the Bank of Mauritius, the Financial Services Commission and the Registrar of Companies. The MoU will also guide and facilitate each party's collaboration and mutual assistance in the performance of their respective statutory functions.

- As part of the outreach initiatives, the National Sanctions Secretariat has in collaboration with the Ministry of Financial Services and Good Governance planned an awareness campaign to sensitise the general public of their obligations under the UNSA. An Awareness and Communication Plan including a Frequently Asked Questions (FAQs) document have been worked out to that effect. The campaign is expected to begin in the next financial year.

Key Challenges

Outreach

Given that the UNSA is a newly enacted legislation, Supervisory Authorities/ Regulatory Bodies have to conduct outreach activities continuously with their respective licensees to ensure compliance with the obligations under the Act. Outreach also need to be conducted for additional stakeholders, such as the general public. The outcomes and impact of these outreach sessions are not always as expected.

Technical expertise

To facilitate the implementation of the Act, technical capacity building exercises have started for staff of the National Sanctions Secretariat as well as the Supervisory Authorities/ Regulatory Bodies. However, given the shortage of suitable resource persons in this area, it is sometimes challenging to sustain ongoing capacity building.

Appointment of administrators

A database of potential administrators is being constructed at the level of the National Sanctions Secretariat with assistance of the Sub-Committee under TWC. However, it has been observed that the expertise required in certain field is quite peculiar making it tedious to find suitable persons for the management of assets.

Part III: Way Forward

Creation of a Centralised Assets Management Office

Pursuant to the recommendation of the UNODC to create a Centralised Assets Management Office in Mauritius to manage frozen funds or other assets, there has been some progress, however, given that the matter involves complex legal and procedural issues, further time is being required for in-depth consideration.

Appointment of Administrators

Due diligence is being conducted on applicants who have shown their interest to act as Administrator under section 32 of the UNSA. It will thus increase the pool of Administrators having expertise in different fields. Moreover, a mechanism is being worked out regarding criteria to designate and remuneration payable to the Administrator.

Awareness and Communication Campaign

An Awareness and Communication Campaign is being worked out to sensitise the general public of their obligations under the UNSA. The Awareness and Communication Campaign is expected to be conducted through different medium of communication, subject to budget provisioning. A Train-the-Trainer approach will also be adopted by Supervisory Authorities/ Regulatory Bodies to ensure ongoing outreach activities to reporting persons.

Memorandum of Understanding (MoU)

The National Sanctions Secretariat will be signing a MoU with the Supervisory Authorities/ Regulatory Bodies to facilitate sharing of highly sensitive information. The National Sanctions Secretariat is also envisaging to sign a MoU with the OFSI for ongoing support, exchange of best practices and capacity building. A model MoU is awaited from the OFSI.

ANNEX I

List of notices disseminated in respect of changes to the United Nations Sanctions List over the period 01 July 2021 - 30 June 2022

S.N.	Subject	Dissemination Method
01	Removal of One Entry from the 1518 Sanctions List concerning Iraq	NSSec website, GIS website, Govt. Portal & FIU goAML
02	Removal of One Entry from the ISIL (Da'esh) and Al-Qaida Sanctions List	NSSec website, GIS website, Govt. Portal & FIU goAML
03	Removal of 28 Entries from the 1518 Sanctions List concerning Iraq	NSSec website, GIS website, Govt. Portal & FIU goAML
04	Removal of One Entry from the 1518 Sanctions List concerning Iraq	NSSec website, GIS website, Govt. Portal & FIU goAML
05	Addition of One Entry to the 1970 Sanctions List concerning Libya	NSSec website, GIS website, Govt. Portal & FIU goAML
06	Addition of Three Entries to the 2140 Sanctions List concerning Yemen	NSSec website, GIS website, Govt. Portal & FIU goAML
07	Addition of One Entry to the ISIL (Da'esh) and Al-Qaida Sanctions List	NSSec website, GIS website, Govt. Portal & FIU goAML
08	Removal of Two Entries from the 1518 Sanctions List concerning Iraq	NSSec website, GIS website, Govt. Portal & FIU goAML
09	Addition of One Entry to the 2127 Sanctions List concerning Central African Republic	NSSec website, GIS website, Govt. Portal & FIU goAML
10	Addition of One Entry to the ISIL (Da'esh) and Al-Qaida Sanctions List	NSSec website, GIS website, Govt. Portal & FIU goAML
11	Amendment of Sixty-Two Entries on the ISIL (Da'esh) and Al-Qaida Sanctions List	NSSec website, GIS website, Govt. Portal & FIU goAML
12	Addition of Two Entries to the ISIL (Da'esh) and Al-Qaida Sanctions List	NSSec website, GIS website, Govt. Portal & FIU goAML
13	Removal of Five Entries from the ISIL (Da'esh) and Al-Qaida Sanctions List.	NSSec website, GIS website, Govt. Portal & FIU goAML
14	Removal of Three Entries from the ISIL (Da'esh) and Al-Qaida Sanctions List.	NSSec website, GIS website, Govt. Portal & FIU goAML
15	Removal of One Entry from the ISIL (Da'esh) and Al-Qaida Sanctions List	NSSec website, GIS website, Govt. Portal & FIU goAML

List of notices disseminated in respect of changes to the United Nations Sanctions List over the period 01 July 2021 - 30 June 2022

S.N.	Subject	Dissemination Method
16	Amendment of One Entry on the 1970 (2011) Sanctions List concerning Libya	NSSec website, GIS website, Govt. Portal & FIU goAML
17	Addition of One Entry to the Sanctions List concerning Somalia	NSSec website, GIS website, Govt. Portal & FIU goAML
18	Addition of One Entry to the 2140 Sanctions List concerning Yemen	NSSec website, GIS website, Govt. Portal & FIU goAML
19	Removal of Two Entries from the ISIL (Da'esh) and Al-Qaida Sanctions List.	NSSec website, GIS website, Govt. Portal & FIU goAML
20	Removal of Seven Entries from the 1518 Sanctions List concerning Iraq	NSSec website, GIS website, Govt. Portal & FIU goAML
21	Addition of One Entry to the ISIL (Da'esh) and Al-Qaida Sanctions List	NSSec website, GIS website, Govt. Portal & FIU goAML
22	Amendment of Two Entries on the ISIL (Da'esh) and Al-Qaida Sanctions List	NSSec website, GIS website, Govt. Portal & FIU goAML
23	Removal of Three Entries from the 1518 Sanctions List concerning Iraq	NSSec website, GIS website, Govt. Portal & FIU goAML
24	Removal of Three Entries from the 1518 Sanctions List concerning Iraq	NSSec website, GIS website, Govt. Portal & FIU goAML
25	Amendment of Four Entries on the ISIL (Da'esh) and Al-Qaida Sanctions List	NSSec website, GIS website, Govt. Portal & FIU goAML
26	Amendment of Two Entries on the ISIL (Da'esh) and Al-Qaida Sanctions List	NSSec website, GIS website, Govt. Portal & FIU goAML

ANNEX II

Amendments brought to the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act (UNSA) through the Finance (Miscellaneous Provisions) Act 2021

S.N	Actual Provisions	Proposed amendments	Justification
1	**Section 2: Interpretation** Currently, there is no definition for the term "investigatory authorities" in the UNSA.	In **section 2**, to **insert**, in the appropriate alphabetical order, the following new definition – *"investigatory authorities" has the same meaning as in the Financial Intelligence and Anti-Money Laundering Act;*	There is a need to define the wordings "investigatory authorities", as same is used for dissemination purposes under sections 11, 14 and 18 of the UNSA.
2	**Section 9: Declaration as designated party** **(1)** The National Sanctions Committee shall – (a) where it is satisfied on reasonable grounds that a party – (i) has committed or attempted to commit, or commits or attempts to commit, a terrorist act; (ii) has participated.....	In **section 9(1)**, to insert, after the words "The National Sanctions Committee shall", the following wordings – *", on its own initiative or upon a request by a person"*	The UNSA does not specify clearly as to who may submit an application domestically to the NSC for a declaration of a party as designated party. The proposed amendment will help to avoid any kind of ambiguity.
3	**Section 13(2)** provides the following: "Where a designated party is a citizen of Mauritius or resident of Mauritius, or is registered or incorporated in Mauritius, the National Sanctions Committee Secretariat shall cause the notice issued under subsection (1) –....."	In **section 13(2)**, to delete the word "Committee".	This amendment will address the typing error in section 13(2).

Amendments brought to the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act (UNSA) through the Finance (Miscellaneous Provisions) Act 2021

4	**Section 23(4)** provides the following: *"Any person who holds, controls or has in his custody or possession any funds or other assets of a designated party or listed party, shall immediately notify the National Sanctions Secretariat of –….."*	In **section 23(4)**, to delete the words "Any person" and replacing them by the words "Notwithstanding any confidentiality provisions in any enactment, any person"	By making this provision, the UNSA will put an obligation on reporting persons (such as banks, real estate agents etc.) to submit relevant details on designated parties to the National Sanctions Secretariat (e.g. all assets & properties in possession of that party), despite confidentiality clauses in their respective legislation.
5	**Section 25(2)(a)** provides the following: *"Where funds or other assets or no funds or other assets are identified by the reporting person, the reporting person shall make a report to the National Sanctions Secretariat."*	In **section 25(2)(a)**, to delete the word "Where" and replacing it by the words "Notwithstanding any confidentiality provisions in any enactment, where"	By making this provision, the UNSA will put an obligation on reporting persons (such as banks, real estate agents etc.) to submit relevant details on designated parties to the National Sanctions Secretariat (e.g. all assets & properties in possession of that party), despite confidentiality clauses in their respective legislation.
6	**Section 26(4)** provides the following: *"The Secretary for Home Affairs shall give public notice, in 2 newspapers having wide circulation and in such other manner as he may determine, and notify any reporting person or any party that holds, controls or has in his or its custody or possession the funds or other assets of the designated party of any freezing order granted under this section."*	In **section 26(4)**, to delete the words "in 2 newspapers" and replacing them by the words "by electronic means and in a daily newspaper"	The notice is to be given in a daily newspaper or by electronic means in line with the Newspapers and Periodicals Act.

ANNEX III

Amendments to be brought to the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act (UNSA) through the Finance (Miscellaneous Provisions) Act 2022

S.N	Actual Provisions	Proposed amendments	Justification
1	**Section 2: Interpretation** Currently, there is no definition for the term "international terrorism" in the UNSA 2019.	In **section 2**, to **insert** in the appropriate alphabetical order the following definition for the term "international terrorism": "International Terrorism" includes: (a) acts of terrorism that go beyond national boundaries in terms of the methods used, the people that are targeted or the places from which the terrorists operate; (b) violent or criminal acts committed by individuals or groups that are inspired by, or associated with, foreign terrorist organisations.	The term "international terrorism" is used in the designation criteria under section 9 of the UNSA 2019. Hence, having a clear definition of same would avoid any ambiguity in the designation process.
2	**Section 2: Interpretation** "deal" includes to sell, supply, lease, transfer, convert, dispose, move, use or withdraw;	In **section 2**, to **insert**, in the definition of "deal", after the word "dispose", the word "of".	To address a **grammatical error**
3	**Section 2: Interpretation** "financing of terrorism" means a person who, who wilfully provides or collects funds or other assets by any means,	In **section 2**, to **delete**, in the definition of "financing of terrorism", before the word	To address a **grammatical error**

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	directly or indirectly, with the unlawful intention that they are to be used, or in the knowledge that they are to be used, in full or in part –	"wilfully", the word "who", as it appears twice.	
4	**Section 2: Interpretation** "supervisory authorities" – **(b)** includes the Registrar of Association and such other person as may be prescribed;	In **section 2**, to **delete**, in the definition of "supervisory authorities" the word "Association" and **replace** it by the word "Associations".	To address a **grammatical error**
5	**Section 7(2):** The National Sanctions Secretariat shall, in the discharge of its functions and exercise of its powers under this Act – **(i) keep and maintain such record as may prescribed for a period of not less than 7 years;**	In **section 7(2)(i)**, to **insert** after the word "may" the word "be"	To address a **grammatical error**
6	**Section 23(1):** "Subject to this Act, no person shall deal with the funds or other assets of a designated party or listed party, including – **(c)** funds or other assets derived or generated from funds or other assets owned or controlled, directly or	In **section 23(1)(c)**, to **delete**, after the words "by the designated party", the word "of" and **replace** it by the word "or"	To address a **grammatical error**

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	indirectly, by the designated party of listed party, and"		
7	**Section 23(3):** "Where a party is listed pursuant to UNSCR 1737 and the listing continues pursuant to UNSCR 2231, or is listed pursuant to UNSCR 2231, the National Sanctions Committee may authorise the listed party to make any payment due under a contract, an agreement or an obligation, provided that the National Sanctions Committee – **(c)** is satisfied that that the payment is not directly or indirectly received from, or made to, a person or entity subject to the measures in paragraph 6 of Annex B to UNSCR 2231; and"	In **section 23(3)(c)**, to **delete**, after the word "satisfied", the word "that" as it appears twice.	To address a **grammatical error**
8	**Section 24: Heading** Prohibition on making funds or other assets available to designated party or listed party available	In the heading of **section 24**, to **delete**, after the wordings "listed party", the word "available"	To address a **grammatical error**

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9	**Section 32(5):** "Unless otherwise terminated, the duties of the administrator shall cease upon the delisting of the designated party or listed party and the administrator shall use his best endeavours to facilitate the return the funds or other assets under his management."	In **section 32(5)**, to **insert**, after the word "return", the word "of".	To address a **grammatical error**
10	**Section 33(5):** "Any person who holds, controls or has in his custody or possession the frozen funds or other assets of a party referred to under subsection (3), shall immediately shall immediately unfreeze those funds or other assets."	In **section 33(5),** to **delete**, before the word "unfreeze", the words "shall immediately" as they appear twice.	The term "international terrorism" is used in the designation criteria under section 9 of the UNSA 2019. Hence, having a clear definition of same would avoid any ambiguity in the designation process.