



SNAPSHOT

ISIL (DA'ESH) AND AL-QAIDA SANCTIONS REGIME

Why are sanctions imposed?

Australia has implemented the United Nations Security Council (UNSC) ISIL (Da'esh) and Al-Qaida sanctions regime into Australian law as part of the global effort to fight terrorism and promote international peace and security. Under this regime, the UNSC ISIL (Da'esh) and Al-Qaida Sanctions Committee can designate persons and entities subject to sanctions.

What is prohibited by the ISIL and Al-Qaida sanctions regime?

The ISIL and Al-Qaida sanctions regime imposes the following sanctions measures:

Measure	UNSC	Autonomous
restrictions on supplying arms or related matériel	✓	
restrictions on providing services related to military activities	✓	
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

It is prohibited to supply, sell or transfer (directly or indirectly) arms or related matériel to ISIL or Al-Qaida or a person or entity designated for the purpose of the ISIL (Da'esh) and Al-Qaida regime.

Arms or related matériel includes, but is not limited to, weapons, ammunition, military vehicles and equipment, and spare parts and 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 services related to military activities

It is prohibited to supply technical advice, assistance or training related to military activities to ISIL or Al-Qaida or a person or entity designated for the purposes of the ISIL (Da'esh) and Al-Qaida sanctions regime.

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 person or entity designated for the purposes of the ISIL (Da'esh) and Al-Qaida sanctions regime.

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, which is owned or controlled by a designated person or entity. The prohibition on 'dealing' with assets includes using, selling or moving assets. 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.

'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 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 ISIL & Al-Qaida sanctions regime includes the following:

- *Charter of the United Nations Act 1945*
- *Charter of the United Nations (Dealing with Assets) Regulations 2008*
- *Charter of the United Nations (Sanctions – Al-Qaida) Regulations 2008*
- *Customs (Prohibited Exports) Regulations 1958*
- *Migration (United Nations Security Council Resolutions) Regulations 2007*

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.