

ClientAlert

International Trade

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New Executive Order Targeting Persons Contributing to the Conflict in the Central African Republic and Designating Five Individuals

On May 13, 2014, President Obama signed an Executive Order (the "Order") related to the situation in the Central African Republic and targeting those contributing to the conflict in that country. This Order allows the United States to impose sanctions against any individual or entity determined to have engaged in certain activities in relation to the conflict in the Central African Republic, and designates five individuals in the Annex to the Order.

This Order authorizes blocking the property and interests in property located in the United States or in the possession or control of a US Person or any person (including individuals and entities) determined to meet certain criteria set forth in the Order.¹

The Department of the Treasury may designate persons deemed to be responsible for or complicit in, or to have engaged in, directly or indirectly, any of the following activities set out in the Order in, or in relation to, the Central African Republic:

- Actions or policies that threaten the peace, security or stability of the Central African Republic
- Actions or policies that threaten transitional agreements or the political transition process in the Central African Republic
- Actions or policies that undermine democratic processes or institutions in the Central African Republic
- The targeting of women, children or any civilians through the commission of acts of violence (including killing, maiming, torture, or rape or other sexual violence), abduction, forced displacement or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or through conduct that would constitute a serious abuse or violation of human rights, or a violation of international humanitarian law
- The use or recruitment of children by armed groups or armed forces in the context of the conflict in the Central African Republic
- The obstruction of the delivery or distribution of, or access to, humanitarian assistance
- Attacks against United Nations missions, international security presences, or other peacekeeping operations or

¹ A US Person is defined to include any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.



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- Support to persons, including armed groups, involved in activities that threaten the peace, security or stability of the Central African Republic, or that undermine democratic processes or institutions in the Central African Republic through the illicit trade in natural resources of the Central African Republic

The Department of the Treasury is further authorized to designate persons deemed to be a leader of:

- An entity, including any government, rebel militia or other group, that has, or whose members have, engaged in any of the activities described above or
- An entity whose property and interests in property are blocked pursuant to this order

The supply, sale or transfer to the Central African Republic, or the receipt in the territory of the Central African Republic of arms and related materiel, including military aircraft or equipment, or advice, training or assistance, including financing and financing assistance related to military activities, also may trigger designation under this Order except where intended for the authorized support of humanitarian activities or the authorized use by or support of peacekeeping, international, or government forces.

Persons determined to have materially assisted, sponsored or provided financial, material, logistical or technological support for, or goods or services in support of, the prohibited activities described above, or to any blocked person also may be subject to designation and blocking. In addition, any person deemed to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, a person blocked pursuant to this Order may be subject to designation and blocking.

This Order prohibits transactions that evade or avoid, have the purpose of evading or avoiding, cause a violation of, or attempt to violate any of the prohibitions set forth in the Order, including any conspiracy to violate any of the prohibitions. The sanctions authorized by this Order include asset freezes as well as a prohibition on US persons from doing business with designated entities or individuals. The practice of the United States is to treat as designated not only the entities and individuals specifically named, but also entities that are owned 50 percent or more by a designated entity or individual. The Order also imposes a travel ban, by suspending entry into the United States of individuals that are designated.

The Order includes an Annex providing for the first set of designated persons, including the following five individuals:

- ADAM, Noureddine (a.k.a. ADAM, Noureddine; a.k.a. ADAM, Nourredine; a.k.a. ADAM, Nourredine; a.k.a. ADAM, Nureldine); DOB 1969 to 1971; POB Ndele, Central African Republic; nationality Central African Republic; General; Former Minister of Public Security (individual) [CAR].
- BOZIZE, Francois (a.k.a. BOZIZE, Francois Yangouvonda; a.k.a. YANGOUVONDA, Bozize); DOB 14 Oct 1946; POB Gabon; Former President of the Central African Republic (individual) [CAR].
- DJOTODIA, Michel (a.k.a. DJOTODIA, Michel Am-Nondroko), Benin; DOB 1949; POB Vakaga Region, Central African Republic; nationality Central African Republic (individual) [CAR].
- MISKINE, Abdoulaye (a.k.a. KOUMTAMADJI, Martin Nadingar; a.k.a. NKOUMTAMADJI, Martin); DOB 05 Oct 1965; alt. DOB 03 Mar 1965; POB Kobo, Central African Republic; alt. POB Ndinaba, Chad; nationality Chad; General (individual) [CAR].
- YAKITE, Levi (a.k.a. YAKETE, Levy; a.k.a. YAKITE, Levy), Cameroon; DOB 1965; Anti-Balaka Political Coordinator (individual) [CAR].

Companies doing business in this region should monitor closely any designations made pursuant to this Order to ensure compliance. Penalties for noncompliance are severe. We will continue to track and report on these sanctions developments.

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