

Statutory Document No. 0129/13



*Immigration Act 1971*

## **IMMIGRATION (DESIGNATION OF TRAVEL BANS) (NO. 2) ORDER 2013**

*Laid before Tynwald:* 21 May 2013  
*Coming into Operation:* 1 May 2013

The Council of Ministers makes the following Order under section 8B(5) and (6) of the Immigration Act 1971 (of Parliament), as that Act effect in the Island<sup>1</sup>.

### **1 Title**

This Order is the Immigration (Designation of Travel Bans) (No. 2) Order 2013.

### **2 Commencement**

This Order comes into operation on 1 May 2013.

### **3 Interpretation**

In this Order, “**the Act**” means the Immigration Act 1971 (of Parliament), as it has effect in the Island.

### **4 Designated instruments**

The instruments listed in the Schedule are designated under section 8B(4) and (5) of the Act.

### **5 Disapplication of section 8B of the Act**

Section 8B of the Act does not apply in any case if—

- (a) failure to apply the section would not be contrary to the United Kingdom’s obligations under any of the instruments designated by article 4 of this Order,
- (b) to apply these provisions would be contrary to the United Kingdom’s obligations under the Convention for the Protection of Human Rights

<sup>1</sup> Immigration (Isle of Man) Order 2008 (S.I. 2008/680)

and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4 November 1950 as it has effect for the time being in relation to the Isle of Man, or

- (c) to apply the section would be contrary to the United Kingdom's obligations under the Convention relating to the Status of Refugees done at Geneva on 28<sup>th</sup> July 1951 and the Protocol to that Convention.

## **6 Revocation**

The Immigration (Designation of Travel Bans) Order 2013<sup>2</sup> is revoked.

**MADE 19<sup>TH</sup> APRIL 2013**

**W GREENHOW**  
*Chief Secretary*

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<sup>2</sup> SD 0008/13

**SCHEDULE**

[Article 4]

**DESIGNATED INSTRUMENTS****PART 1****RESOLUTIONS OF THE SECURITY COUNCIL OF THE UNITED NATIONS**

- Resolution 1988 (2011) of 17 June 2011 (Afghanistan).
- Resolution 1989 (2011) of 17 June 2011 (Al Qaida).
- Resolution 1390 (2002) of 16 January 2002 (Al Qaida and the Taliban).
- Resolution 1735 (2006) of 22 December 2006 (Al Qaida and the Taliban).
- Resolution 1822 (2008) of 30 June 2008 (Al Qaida and the Taliban).
- Resolution 1904 (2009) of 17 December 2009 (Al Qaida and the Taliban).
- Resolution 1572 (2004) of 15 November 2004 (Côte d'Ivoire).
- Resolution 1893 (2009) of 29 October 2009 (Côte d'Ivoire).
- Resolution 1946 (2010) of 15 October 2010 (Côte d'Ivoire).
- Resolution 1975 (2011) of 30 March 2011 (Côte d'Ivoire).
- Resolution 1980 (2011) of 28 April 2011 (Côte d'Ivoire).
- Resolution 2045 (2012) of 26 April 2012 (Côte d'Ivoire).
- Resolution 1596 (2005) of 18 April 2005 (Democratic Republic of the Congo).
- Resolution 1649 (2005) of 21 December 2005 (Democratic Republic of the Congo).
- Resolution 1698 (2006) of 31 July 2006 (Democratic Republic of the Congo).
- Resolution 1807 (2008) of 31 March 2008 (Democratic Republic of the Congo).
- Resolution 1857 (2008) of 22 December 2008 (Democratic Republic of the Congo).
- Resolution 1896 (2009) of 30 November 2009 (Democratic Republic of the Congo).
- Resolution 1952 (2010) of 29 November 2010 (Democratic Republic of the Congo).
- Resolution 2021 (2011) of 29 November 2011 (Democratic Republic of the Congo).
- Resolution 1718 (2006) of 14 October 2006 (Democratic People's Republic of Korea).
- Resolution 1874 (2009) of 12 June 2009 (Democratic People's Republic of Korea).
- Resolution 1928 (2010) of 7 June 2010 (Democratic People's Republic of Korea).
- Resolution 1985 (2011) of 10 June 2011 (Democratic People's Republic of Korea).
- Resolution 1907 (2009) of 23 December 2009 (Eritrea).
- Resolution 2048 (2012) of 18 May 2012 (Guinea-Bissau).
- Resolution 1737 (2006) of 23 December 2006 (Iran).
- Resolution 1747 (2007) of 24 March 2007 (Iran).

Resolution 1803 (2008) of 3 March 2008 (Iran).  
Resolution 1929 (2010) of 9 June 2010 (Iran).  
Resolution 1521 (2003) of 22 December 2003 (Liberia).  
Resolution 1903 (2009) of 17 December 2009 (Liberia).  
Resolution 1961 (2010) of 17 December 2010 (Liberia).  
Resolution 2025 (2011) of 14 December 2011 (Liberia).  
Resolution 1970 (2011) of 26 February 2011 (Libya).  
Resolution 1973 (2011) of 17 March 2011 (Libya).  
Resolution 1844 (2008) of 20 November 2008 (Somalia).  
Resolution 2002 (2011) of 29 July 2011 (Somalia and Eritrea).  
Resolution 2023 (2011) of 5 December 2011 (Somalia and Eritrea).  
Resolution 1591 (2005) of 29 March 2005 (Sudan).  
Resolution 1672 (2006) of 25 April 2006 (Sudan).  
Resolution 1636 (2005) of 31 October 2005 (Syria and the Lebanon).

## PART 2

### INSTRUMENTS MADE BY THE COUNCIL OF THE EUROPEAN UNION

Council Decision 2011/486/CFSP of 1 August 2011 (Afghanistan)<sup>3</sup> as implemented by Council Implementing Decision 2012/167/CFSP of 23 March 2012 (Afghanistan)<sup>4</sup> and as implemented by Council Implementing Decision 2012/334/CFSP of 25 June 2012 (Afghanistan)<sup>5</sup> and as implemented by Council Implementing Decision 2012/393/CFSP of 16 July 2012 (Afghanistan)<sup>6</sup>, and as implemented by Council Implementing Decision 2012/454/CFSP of 1 August 2012 (Afghanistan)<sup>7</sup> and as implemented by Council Implementing Decision 2012/809/CFSP of 20 December 2012 (Afghanistan)<sup>8</sup> and as implemented by Council Implementing Decision 2013/73/CFSP of 31 January 2013 (Afghanistan)<sup>9</sup>.

Common Position 2002/402/CFSP of 27 May 2002<sup>10</sup> as amended by Council Decision 2011/487/CFSP of 1 August 2011 (Al-Qaida)<sup>11</sup>.

Council Decision 2012/642/CFSP of 15 October 2012 (Belarus)<sup>12</sup>.

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<sup>3</sup> OJ L 199, 2.8.2011, p.57

<sup>4</sup> OJ L 87, 24.3.2012, p.60

<sup>5</sup> OJ L 165, 26.6.2012, p.75

<sup>6</sup> OJ L 187, 17.7.2012, p.52

<sup>7</sup> OJ L 206, 2.8.2012, p.11

<sup>8</sup> OJ L 352, 21.12.2012, p.47

<sup>9</sup> OJ L 32, 1.2.2013, p.21

<sup>10</sup> OJ L 139, 29.5.2002, p.4

<sup>11</sup> OJ L 199, 2.8.2011, p.73

Common Position 97/193/CFSP of 17 March 1997 (Bosnia-Herzegovina)<sup>13</sup>.

Council Decision 2011/173/CFSP of 21 March 2011 (Bosnia and Herzegovina)<sup>14</sup> as amended by Council Decision 2012/158/CFSP of 19 March 2012 (Bosnia and Herzegovina)<sup>15</sup>.

Council Decision 2010/232/CFSP of 26 April 2010 (Burma/Myanmar)<sup>16</sup> as amended by Council Decision 2011/239/CFSP of 12 April 2011 (Burma/Myanmar)<sup>17</sup> and as amended by Council Decision 2011/504/CFSP of 16 August 2011 (Burma/Myanmar)<sup>18</sup> and as amended by Council Decision 2012/98/CFSP of 17 February 2012 (Burma/Myanmar)<sup>19</sup> and as amended by Council Decision 2012/225/CFSP of 26 April 2012 (Burma/Myanmar)<sup>20</sup>.

Council Decision 2010/656/CFSP of 29 October 2010 (Côte d'Ivoire)<sup>21</sup> as amended by Council Decision 2010/801/CFSP of 22 December 2010 (Côte d'Ivoire)<sup>22</sup> and as amended by Council Decision 2011/221/CFSP of 6 April 2011 (Côte d'Ivoire)<sup>23</sup> and as implemented by Council Implementing Decision 2012/144/CFSP of 8 March 2012 (Côte d'Ivoire)<sup>24</sup>.

Council Decision 2010/788/CFSP of 20 December 2010 (Democratic Republic of the Congo)<sup>25</sup> as implemented by Council Implementing Decision 2011/699/CFSP of 20 October 2011 (Democratic Republic of the Congo)<sup>26</sup> and as implemented by Council Implementing Decision 2011/848/CFSP of 16 December 2011 (Democratic Republic of the Congo)<sup>27</sup> and as amended by Council Decision 2012/811/CFSP of 20 December 2012 (Democratic Republic of the Congo)<sup>28</sup> and as implemented by Council Implementing Decision 2013/46/CFSP of 22 January 2013 (Democratic Republic of the Congo)<sup>29</sup>.

Council Decision 2010/127/CFSP of 1 March 2010 (Eritrea)<sup>30</sup> as amended by Council Decision 2010/414/CFSP of 26 July 2010 (Eritrea)<sup>31</sup>.

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<sup>12</sup> OJ L 285, 17.10.2012, p.1

<sup>13</sup> OJ L 81, 21.3.1997, p.1

<sup>14</sup> OJ L 76, 22.3.2011, p.68

<sup>15</sup> OJ L 80, 20.3.2012, p.17

<sup>16</sup> OJ L 105, 27.4.2010, p.22

<sup>17</sup> OJ L 101, 15.4.2011, p.24

<sup>18</sup> OJ L 212, 18.8.2011, p.1

<sup>19</sup> OJ L 47, 18.2.2012, p.64

<sup>20</sup> OJ L 115, 27.4.2012, p.25

<sup>21</sup> OJ L 285, 30.10.2012, p.28

<sup>22</sup> OJ L 341, 23.12.2010, p.45

<sup>23</sup> OJ L 93, 7.4.2011, p.20

<sup>24</sup> OJ L 71, 9.3.2012, p.50

<sup>25</sup> OJ L 336, 21.12.2010, p.30

<sup>26</sup> OJ L 276, 21.10.2011, p.50

<sup>27</sup> OJ L 335, 17.12.2011, p.83

<sup>28</sup> OJ L 352, 21.12.2012, p.50

<sup>29</sup> OJ L 20, 23.1.2013, p.65

<sup>30</sup> OJ L 51, 2.3.2010, p.19

<sup>31</sup> OJ L 195, 27.7.2010, p.74

Council Decision 2010/638/CFSP of 25 October 2010 (Republic of Guinea)<sup>32</sup> as amended by Council Decision 2011/169/CFSP of 21 March 2011 (Republic of Guinea)<sup>33</sup> and as amended by Council Decision 2011/706/CFSP of 27 October 2011 (Republic of Guinea)<sup>34</sup>.

Council Decision 2012/285/CFSP of 31 May 2012 (Republic of Guinea-Bissau)<sup>35</sup> as implemented by Council Implementing Decision 2012/516/CFSP of 24 September 2012 (Republic of Guinea-Bissau)<sup>36</sup>.

Council Decision 2010/413/CFSP of 26 July 2010 (Iran)<sup>37</sup> as amended by Council Decision 2010/644/CFSP of 25 October 2010 (Iran)<sup>38</sup> and as amended by Council Decision 2011/299/CFSP of 23 May 2011 (Iran)<sup>39</sup> and as amended by Council Decision 2011/783/CFSP of 1 December 2011 (Iran)<sup>40</sup> and as amended by Council Decision 2012/35/CFSP of 23 January 2012 (Iran)<sup>41</sup> and as amended by Council Decision 2012/169/CFSP of 23 March 2012 (Iran)<sup>42</sup> and as amended by Council Decision 2012/205/CFSP of 23 April 2012 (Iran)<sup>43</sup> and as implemented by Council Decision 2012/457/CFSP of 2 August 2012 (Iran)<sup>44</sup> and as amended by Council Decision 2012/635/CFSP of 15 October 2012 (Iran)<sup>45</sup> and as amended by Council Decision 2012/829/CFSP of 21 December 2012 (Iran)<sup>46</sup> and as amended by Council Decision 2013/124/CFSP of 11 March 2013 (Iran)<sup>47</sup>.

Council Decision 2011/235/CFSP of 12 April 2011 (Iran)<sup>48</sup> as implemented by Council Implementing Decision 2011/670/CFSP of 10 October 2011 (Iran)<sup>49</sup> and as amended by Council Decision 2012/168/CFSP of 23 March 2012 (Iran)<sup>50</sup>.

Council Decision 2010/800/CFSP of 22 December 2010 (Democratic People's Republic of Korea)<sup>51</sup> as amended by Council Decision 2011/860/CFSP of 19 December 2011

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<sup>32</sup> OJ L 280, 26.10.2010, p.10

<sup>33</sup> OJ L 76, 22.3.2011, p.59

<sup>34</sup> OJ L 281, 28.10.2011, p.28

<sup>35</sup> OJ L 142, 1.6.2012, p.36

<sup>36</sup> OJ L 257, 25.09.2012, p.20

<sup>37</sup> OJ L 195, 27.7.2010, p.39

<sup>38</sup> OJ L 281, 27.10.2010, p.81

<sup>39</sup> OJ L 136, 24.5.2011, p.65

<sup>40</sup> OJ L 319, 2.12.2011, p.71

<sup>41</sup> OJ L 19, 24.1.2012, p.22

<sup>42</sup> OJ L 87, 24.3.2012, p. 90

<sup>43</sup> OJ L 110, 24.4.2012, p.35

<sup>44</sup> OJ L 208, 3.8.2012, p.18

<sup>45</sup> OJ L 282, 16.10.2012, p.58

<sup>46</sup> OJ L 356, 22.12.2012, p.71

<sup>47</sup> OJ L 68, 12.3.2013, p.57

<sup>48</sup> OJ L 100, 14.4.2011, p.51

<sup>49</sup> OJ L 267, 12.10.2011, p.13

<sup>50</sup> OJ L 87, 24.3.2012, p.85

<sup>51</sup> OJ L 341, 23.12.2010, p.32

(Democratic People's Republic of Korea)<sup>52</sup> and as amended by Council Decision 2013/88/CFSP of 18 February 2013 (Democratic People's Republic of Korea)<sup>53</sup>

Common Position 2005/888/CFSP of 12 December 2005 (Lebanon)<sup>54</sup>.

Common Position 2008/109/CFSP of 12 February 2008 (Liberia)<sup>55</sup>.

Council Decision 2011/137/CFSP of 28 February 2011 (Libya)<sup>56</sup> as amended by Council Decision 2011/178/CFSP of 23 March 2011 (Libya)<sup>57</sup> and as implemented by Council Implementing Decision 2011/236/CFSP of 12 April 2011 (Libya)<sup>58</sup> and as implemented by Council Implementing Decision 2011/300/CFSP of 23 May 2011 (Libya)<sup>59</sup>.

Council Decision 2010/573/CFSP of 27 September 2010 (Republic of Moldova)<sup>60</sup> as amended by Council Decision 2011/171/CFSP of 21 March 2011 (Republic of Moldova)<sup>61</sup> and as amended by Council Decision 2011/641/CFSP of 29 September 2011 (Republic of Moldova)<sup>62</sup> and as amended by Council Decision 2012/170/CFSP of 23 March 2012 (Republic of Moldova)<sup>63</sup> and as amended by Council Decision 2012/527/CFSP of 27 September 2012 (Republic of Moldova)<sup>64</sup>.

Council Decision 2010/231/CFSP of 26 April 2010 (Somalia)<sup>65</sup> as amended by Council Decision 2011/635/CFSP of 26 September 2011 (Somalia)<sup>66</sup> and as amended by Council Decision 2012/388/CFSP of 16 July 2012 (Somalia)<sup>67</sup> and as amended by Council Decision 2012/633/CFSP of 15 October 2012 (Somalia)<sup>68</sup>.

Council Decision 2011/423/CFSP of 18 July 2011 (Sudan and South Sudan)<sup>69</sup>.

Council Decision 2012/739/CFSP of 29 November 2012 (Syria)<sup>70</sup> as amended by Council Decision 2013/109/CFSP of 28 February 2013 (Syria)<sup>71</sup>.

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<sup>52</sup> OJ L 338, 21.12.2011, p.56

<sup>53</sup> OJ L 46, 19.2.2013, p.28

<sup>54</sup> OJ L 327, 14.12.2005, p.26

<sup>55</sup> OJ L 38, 13.2.2008, p.26

<sup>56</sup> OJ L 58, 3.3.2011, p.53

<sup>57</sup> OJ L 78, 24.3.2011, p.24

<sup>58</sup> OJ L 100, 14.4.2011, p.58

<sup>59</sup> OJ L 136, 24.5.2011, p.85

<sup>60</sup> OJ L 253, 28.9.2010, p.54

<sup>61</sup> OJ L 76, 22.3.2011, p.62

<sup>62</sup> OJ L 254, 30.9.2011, p.18

<sup>63</sup> OJ L 87, 24.3.2012, p.92

<sup>64</sup> OJ L 263, 28.09.2012, p.44

<sup>65</sup> OJ L 105, 27.4.2010, p.17

<sup>66</sup> OJ L 249, 27.9.2011, p.12

<sup>67</sup> OJ L 187, 17.7.2012, p.38

<sup>68</sup> OJ L 282, 16.10.2012, p.47

<sup>69</sup> OJ L 188, 19.7.2011, p.20

<sup>70</sup> OJ L 330, 30.11.2012, p.21

<sup>71</sup> OJ L 58, 1.3.2013, p.8

Common Position 2000/696/CFSP of 10 November 2000 (Federal Republic of Yugoslavia)<sup>72</sup> as amended by Common Position 2001/155/CFSP of 26 February 2001 (Federal Republic of Yugoslavia)<sup>73</sup>.

Council Decision 2011/101/CFSP of 15 February 2011 (Zimbabwe)<sup>74</sup> as amended by Council Decision 2012/97/CFSP of 17 February 2012 (Zimbabwe)<sup>75</sup> and as implemented by Council Implementing Decision 2012/124/CFSP of 27 February 2012 (Zimbabwe)<sup>76</sup> and as amended by Council Decision 2013/89/CFSP of 18 February 2013 (Zimbabwe)<sup>77</sup>.

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<sup>72</sup> OJ L 287, 14.11.2000, p.1

<sup>73</sup> OJ L 57, 27.2.2001, p.3

<sup>74</sup> OJ L 42, 16.2.2011, p.6

<sup>75</sup> OJ L 47, 18.2.2012, p.50

<sup>76</sup> OJ L 54, 28.2.2012, p.20

<sup>77</sup> OJ L 46, 19.2.2013, p.37



*EXPLANATORY NOTE**(This note is not part of the Order)*

This Order revokes and replaces the Immigration (Designation of Travel Bans) Order 2013. Any person named by or under an instrument listed in the Schedule to this Order or falling within a description in such an instrument will be excluded from the Isle of Man (subject to the exceptions specified in Article 5).

The Order prescribes a revised list of instruments of the United Nations and the European Union which are designated for the purpose of section 8B(4) and (5) of the Immigration Act 1971, as that Act has effect in the Island.

The changes made with this Order concern amendments to Part 2 of the Schedule to list the following EU instruments: Council Implementing Decision 2012/809/CFSP of 20 December 2012 (Afghanistan) and Council Implementing Decision 2013/73/CFSP of 31 January 2013 (Afghanistan); Council Decision 2012/811/CFSP of 20 December 2012 (Democratic Republic of the Congo) and Council Implementing Decision 2013/46/CFSP of 22 January 2013 (Democratic Republic of the Congo); Council Decision 2012/829/CFSP of 21 December 2012 (Iran) and Council Decision 2013/124/CFSP of 11 March 2013 (Iran); Council Decision 2013/88/CFSP of 18 February 2013 (Democratic People's Republic of Korea); Council Decision 2013/109/CFSP of 28 February 2013 (Syria); Council Decision 2013/89/CFSP of 18 February 2013 (Zimbabwe).