

Commonwealth of Dominica



Office of the Maritime Administrator

TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, MOBILE OFFSHORE DRILLING UNITS AND RECOGNIZED ORGANIZATIONS

SUBJECT: International Sanctions Against the Syrian Arab Republic

REFERENCE:

- (a) Dominica Maritime Act of 2000, as amended**
- (b) European Union Council Regulation No. 168/2012**
- (c) European Union Council Regulation No. 509/2012**
- (d) United States Executive Order 13582 (2011)**
- (e) United States Executive Order 13608 (2012)**

APPLICABILITY: This circular applies to all Owners, Operators, Masters, Vessels, and Mariners under the authority of the Dominica Maritime Administration

PURPOSE:

The purpose of this circular is to provide information concerning various international sanctions imposed against the Syrian Arab Republic and to provide guidance to owners, operators, masters and mariners regarding necessary measures to comply with national and international law when trading in Syria or with Syrian goods.

BACKGROUND:

European Union and United States Sanctions Against Syria

The European Union and the United States have adopted several sanction regulations imposing restrictions on trade with Syria and certain Syrian individuals. These sanctions primarily relate to the purchase, import, and export of petroleum related products, as well as the transport of arms and transportation of certain individuals. These restrictions may be required to be complied with by Dominica flagged vessels.

The Commonwealth of Dominica is not a member of the European Union and not responsible for enforcing European Union sanctions. However the European Union holds all individuals, entities and bodies subject to the European Union jurisdiction to the prohibition of engaging in any transaction involving petroleum or petroleum products with Syria or involving those products of Syrian origin. These sanctions are applicable to all European Union Member States.

Therefore a violation of Dominica Maritime Law could occur as a result of a vessel failing to maintain insurance coverage as required by the International Convention on Civil Liability for Oil Pollution Damage (CLC) which is mandated by the Commonwealth Dominica Maritime Act of 2000, as amended.

The Dominica Maritime Administration accepts P&I Club “Blue Cards” to support Dominica CLC Certificates issued to Dominica flagged vessels. A P&I Club may fall within the scope of the European Union sanctions and may negatively impact or void the vessels insurance coverage. Similarly a Classification Society may suspend a vessel’s Class due to violation of these sanctions.

The United States has enacted similar comprehensive restrictions against Syria and United States Executive Order 13582 and Executive Order 13608 specifically target non-US entities. In effect, any foreign entity, regardless of any prior or existing relationship with the United States or any United States entity, that conducts a transaction with Syria or a Syrian entity in contravention of Executive Order 13608 may be subject to United States sanction penalties.

The Commonwealth of Dominica is not responsible for enforcing United States sanctions, however because Executive Order 13582 and Executive Order 13608 specifically target both US and non-US entities a violation of Dominica Maritime Law could occur.

All Owners, Operators, Masters of Dominica flagged vessels, and Dominica credentialed mariners are required to comply with these sanctions, as applicable, and additional guidance is set forth below.

REQUIREMENTS:

Mariners of Syrian Nationality on Board Dominica Vessels

The Administration does not currently issue Certificates of Competency (“COCs”), Certificates of Endorsement (“COE”) or renew COCs or COEs to individuals currently residing in Syria.

Individuals of Syrian nationality may obtain a COC from the Administration only if they permanently reside outside of the territorial area of Syria and upon verification by the Administration that the individual is not designated on any national sanctions list. Proof of residency outside of Syria is made by providing:

1. Completed licensing application indicating the applicant’s residential address outside of Syria;
2. Copy of a utility bill or other acceptable documentation confirming the residential address of the applicant outside of Syria; and
3. Copy of the applicant’s work or residency visa for the country of residence.

Proof of residency outside the territorial area of Syria should be provided to the Administration’s Mariner Department upon submission of the request for a COC or COE.

Vessel Owners and Operators

Dominica vessels are not strictly prohibited from entering Syrian ports or carriage of Syrian goods. However special precautions must be taken to ensure compliance with applicable international law. It is the responsibility of the vessel Owner to ensure compliance with applicable international law.

Required Action by Owners/Operators

Any vessel wishing to provide goods and/or services to Syria, either directly or indirectly, must first:

1. Contact the Administration and provide notice regarding the intended commercial activity.
2. If applicable, vessels wishing to make call to any Syrian port must provide a copy of the vessels cargo manifest and/or other pertinent documentation.

Administrative Action for Violation of Dominica Law and Regulations

Vessels found in violation of Dominica Law in relation to Syria sanctions may include the following:

- Revocation and cancellation of vessel's registration;
- detention of the vessel;
- specific restrictions to the vessels movement and trade;
- suspension of the vessel's statutory certificates;
- possible monetary fine up to \$100,000 USD;
- if the Administration conducts an investigation and there is failure on the part of the Owner/Operators, and or Master and crew to cooperate, then it will be considered another related offense for which additional penalty may be imposed.

Related Action in Accordance with Syrian Sanctions

In view of the wide reach of the sanctions imposed by the E.U. and U.S. it is essential to be vigilant to avoid the risks in contravention of Syrian sanctions. Vessel Owners, Operators, and Masters are to remain aware of the rapidly changing climate with respect of the matter of sanctions against Syria and due care should be exercised to avoid conditions resulting in violation of International and Dominica Law.

Any questions can be directed to:

Technical Department
Tel: + 1 508 992 7170
e-mail: technical@dominica-registry.com

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