

To: Our Clients and Friends

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## **OFAC Issues General License for Certain Goods to the Specified Areas of Sudan**

The Office of Foreign Asset Control (“OFAC”) has revised its Sudan regulations to provide for a general license to export and reexport agricultural commodities, medicine and medical devices to Specified Areas of Sudan.

The Specified Areas of Sudan are Southern Sudan, Southern Kordofan/Nuba Mountains State, Blue Nile State, Abyei, Darfur, and marginalized areas in and around Khartoum, which are the Mayo, El Salaam, Wad El Bashir, and Soba official camps for internally displaced persons.

This action eliminates a peculiar aspect of the Sudan sanctions previously affecting the Specified Areas under Section 538.212(g) of the regulations. Prior to today’s action, section 538.212(g)(1) permitted exports from the United States to Sudan, but that permission did not extend to agricultural commodities, medicine and medical devices. Those items remained subject to annual licensing by OFAC by virtue of 538.212(g)(2). Continuing to subject these items to licensing was inherently illogical because under Trade Sanctions Reform and Export Enhancement Act of 2000 (“TSRA”), export of such items was intended to be liberalized. The revised regulations eliminate this disparity by covering exports and reexports of these items to the Specified Areas of Sudan with a general license.

In addition to the export or reexport to the Specified Areas of Sudan of agricultural commodities, medicine, and medical devices, the general license authorizes conduct relating to such transactions, including shipping and cargo inspection arrangements, insurance, financing and payment, executory contracts and brokerage services for such exports or reexports.

All exports or reexports must be made within one year of the signing of the contract for export or reexport. The general license does not apply if the goods are transshipped through any areas of Sudan other than the Specified Areas.

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