

Overview of the Starvation-Related UN Sanctions Regimes

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The Security Council has fourteen ongoing sanctions regimes which focus on supporting the settlement of conflicts and compliance with international human rights laws. Each regime is administered by a specific sanctions committee that is chaired by a non-permanent member of the UN Security Council (“UNSC” or the “Security Council”). Sanctions committees are subsidiary organs of the Security Council and are composed of all 15 of the Security Council’s members. A committee’s role is to implement, monitor and provide recommendations to the Security Council on the relevant sanctions regime. The committees meet regularly to consider reports from expert panels and to hold meetings with Member States, UN actors, and international organizations. An expert panel monitors the implementation of the sanctions measures and reports its findings to the committee, or in some cases directly to the Security Council. Expert panels are usually comprised of between five to eight technical experts, all of whom are appointed by the Secretary-General. Expertise in these panels depends on the sanctions imposed,

but may include arms, natural resources or human rights/humanitarian experts.

Historically, sanctions measures have ranged from comprehensive economic and trade sanctions to more “targeted” measures such as arms embargoes, travel bans, asset freezes, and financial or commodity restrictions. Under most of the sanctions regimes, the Security Council establishes designation criteria for the listing of individuals and entities as subject to targeted sanctions. Some common designation criteria include: threats to peace, security or stability, violations of human rights and international humanitarian law, and obstruction of humanitarian aid. In some cases, the Security Council identifies individuals or entities that are subject to “targeted” sanctions measures by designating them on a Security Council sanctions list. In other cases, the relevant sanctions committee will designate individuals or entities as sanctioned. The individuals or entities sanctioned can change by adding new names to the sanctions list or removing existing ones.

Scholarly Commentary on Sanctions Regimes



Proponents of sanctions programmes argue that sanctions are one of the most powerful coercive foreign policy tools, while also being less dangerous or destructive than engaging in war.¹ However, sanctions regimes are often met with criticism in relation to sanctions' potential unintended negative humanitarian consequences, for example when sanctions impede the flow of humanitarian assistance to targeted areas.²

Critics of sanctions regimes note that the most food insecure countries, according to the Global Hunger Index ("GHI"), are often sanctioned states, including Burundi, Eritrea, Yemen, Afghanistan, Chad, Ethiopia, Sudan, Somalia and North Korea.³ One study found that the imposition of sanctions contributes to hunger

and starvation in many sanctioned countries even after accounting for several other factors such as conflict and natural disasters, and that the imposition of sanctions increases the GHI composite index measure of food security on average by about 1.247 – 2.225 points.⁴ The asserted reasons for this causal relationship between the imposition of sanctions and food insecurity include the following factors: (i) the central government in a sanctioned state can under-supply essential resources thereby reducing private-sector (i.e., agricultural) productivity; and (ii) governments can deliberately centralise the distribution of essential goods (e.g., food) in order to use access to food as a defence mechanism to punish dissent against the leadership.⁵

¹ See, e.g., Sasha Lohmann, Judith Vorrath, International Sanctions: Improving Implementation through Better Interface Management, at page 3 (August 1, 2021). Available at https://www.swp-berlin.org/publications/products/arbeitspapiere/WP_International_Sanctions.pdf.

² Grégoire Mallard, Sabet Farzan, and Jin Sun, The Humanitarian Gap in the Global Sanctions Regime, *Global Governance: A Review of Multilateralism and International Organizations* 26.1 (2020) p. 121-153. Available at: https://brill.com/view/journals/gg/26/1/article-p121_6.xml?language=en#FN000001. See also for example comments made by former OCHA chief, Mark Lowcock on the over-compliant application of sanctions and their negative effect hampering the passage of humanitarian relief. UN Web TV, Mark Lowcock (OCHA) on the Political and Humanitarian situation in Syria - Security Council VTC (28 April 2021). Available at <https://media.un.org/en/asset/k1e/k1ekd0x66y>.

³ See Afesorbor, Sylvanus Kwaku, Sanctioned to Starve? The Impact of Economic Sanctions on Food Security in Targeted States, at page 1 (July 25, 2020). Forthcoming as a chapter in the *Research Handbook on Economic Sanctions*, Edward Elgar Publishing, UK., Available at SSRN: <https://ssrn.com/abstract=3660536> or <http://dx.doi.org/10.2139/ssrn.3660536>.

⁴ See id. at page 17.

⁵ See id. at page 1 (citing Oechslin, M, Targeting autocrats: Economic sanctions and regime change, *European Journal of Political Economy*, 36, 24–40 (2014)).

Critics also note that sanctions can cause obstacles that impede the flow of humanitarian assistance.⁶ Such obstacles include the fact that humanitarian organisations must often work with sanctioned leaders and individuals to get humanitarian aid into a country, therefore when humanitarian organisations are required to pay taxes, registration fees or checkpoint fees in order to function and accomplish their purposes, they may be forced to violate sanctions laws by paying a sanctioned entity or (unwittingly) paying its affiliates.⁷ Critics also find that humanitarian exemptions to sanctions are often ineffective because malign actors may exploit the exemptions by masquerading as either people in need of humanitarian aid or as humanitarian actors.⁸ Its pro-

ponents, however, believe that they are necessary to legally facilitate the provision of humanitarian aid,⁹ and that humanitarian actors have developed internal policies and procedures to help prevent or mitigate the diversion of aid. Further, proponents generally believe that even if some funds do go to sanctioned individuals and entities, the damage will likely be minimal and will be offset by the benefits that the humanitarian organisations offer.¹⁰

Additionally, targeted sanctions regimes have been criticized as ineffective, given that individuals and entities might evade sanctions through the use of black markets, trade diversions, safe havens, strategic reserves,

⁶ Grégoire Mallard, Sabet Farzan, and Jin Sun, The Humanitarian Gap in the Global Sanctions Regime, *Global Governance: A Review of Multilateralism and International Organizations* 26.1 (2020) p. 121-153. Available at: https://brill.com/view/journals/gg/26/1/article-p121_6.xml?language=en#FN000001.

⁷ King, Katie, Naz K. Modirzadeh, Dustin A. Lewis, Understanding Humanitarian Exemptions: UN Security Council Sanctions and Principled Humanitarian Action, at pages 5-6, Harvard Law School Program on International Law and Armed Conflict Counterterrorism and Humanitarian Engagement Project (2016), <http://nrs.harvard.edu/urn-3:HUL.InstRepos:29998395>; Alice Debarre, Making Sanctions Smarter: Safeguarding Humanitarian Action (December 2019) at page 3. Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/1912_Making-Sanctions-Smarter.pdf.

⁸ GLOBAL INVESTIGATIONS REVIEW, The Guide to Sanctions, at pages 14-15 (2020), <https://globalinvestigationsreview.com/guide/the-guide-sanctions/first-edition?page=1>.

⁹ King, Katie, Naz K. Modirzadeh, Dustin A. Lewis, Understanding Humanitarian Exemptions: UN Security Council Sanctions and Principled Humanitarian Action, at pages 8-9, Harvard Law School Program on International Law and Armed Conflict Counterterrorism and Humanitarian Engagement Project (2016), <http://nrs.harvard.edu/urn-3:HUL.InstRepos:29998395>.

¹⁰ See id.

and economic adjustments.¹¹ One study notes that targeted sanctions are plagued by unintended consequences in 91 percent of cases, including negative impacts on a country's overall economy or political structure, higher corruption and criminality, the strengthening of authoritarian rule, greater political splintering, humanitarian costs, and unintended harms to neighbouring countries.¹²

¹¹ Laura Kanji, Moving Targets: The Evolution and Future of Smart Sanctions, Harvard International Review, 4 January 2017, https://www.jstor.org/stable/26445616?refreqid=excelsior%3A7f63fc3fc9df7cbdda735bc568cef033_

¹² See id.

Chart: Starvation-related Sanctions within the UN Sanctions Regimes



The digest below outlines the relevant UNSC resolutions and Sanctions Committee actions regarding starvation, objects indispensable to survival and humanitarian access-related issues in the following countries since 2017:

- Democratic Republic of the Congo (“DRC”)
- Somalia
- South Sudan
- Sudan
- Yemen

A separate digest will be provided outlining UN sanctions regarding Syria since Syria human rights-related actions span across various sanctions committees, including the ISIL (Da'esh) & Al-Qaida Sanctions Committee.

Similar to GRC’s Starvation [Jurisprudence Digest](#), this digest will be updated regularly and will aim to serve as a resource tool for practitioners interested in understanding and charting the use of sanctions relevant in the conflict and hunger, food-insecurity space. The production of these unique digests is made possible by the generous support of the Netherlands Ministry of Foreign Affairs. Any views expressed herein may not coincide with the official position of The Kingdom of the Netherlands.

Sanctions Digest

Sanctioning Bodies: European Union ("EU") Council Country-based Sanctions Regimes

Country	EU Council Action	References to Starvation and/or Humanitarian Access Issues	Impact of Action to Relieving Starvation and/or Humanitarian Access, and relevant Humanitarian-related Sanctions Exemptions, if any	
Democratic Republic of Congo	UNSC Resolution 2582 (29 June 2021)	Renews until 1 July 2022 the measures as set out in paragraphs 1 to 6 of resolution 2293 (2016). Extends the mandate of the Group of Experts assisting the Sanctions Committee through 1 August 2022.	This resolution renews the sanctions mandate of the Committee, as well as the relevant sanctions exemptions including the humanitarian exemptions outlined to the right.	<p>Humanitarian Exemptions:</p> <p>Arms embargo: supplies of arms to the DRC government, supplies of arms and related materiel for support of or use by MONUSCO or the AU-Regional Task Force, other supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and for humanitarian or protective use, and related technical assistance and training, as notified in advance to the Committee.</p> <p>Travel ban: humanitarian grounds, including religious obligation; participation in efforts to bring to justice perpetrators of grave violations of human rights or international humanitarian law; entry or transit necessary for the fulfilment of judicial processes; cases determined by the Committee to further the objectives of the Council's resolutions and transit to the individual's state of nationality authorized in advance by the Committee.</p>

DRC	<p>Report from the Group of Experts on the Democratic Republic of the Congo addressed to the President of the Security Council, adopted by the Committee, and delivered to the UNSC (10 June 2021)</p>	<p>The 2021 report highlights violent crimes perpetrated by militant groups that have endangered international humanitarian and peacekeeping missions and limited civilians' access to food in the eastern DRC. In particular, the report discusses the ambush and killing of staff from the World Food Programme the destruction of homes and livestock, and the abduction, rape, and sometimes killing of women to prevent access to agricultural fields.</p> <p>On the morning of 22 February 2021, a World Food Programme (WFP) convoy with two vehicles and seven men, including the Italian Ambassador to the Democratic Republic of the Congo, was ambushed by seven assailants, some wearing military uniforms and five carrying AK-type assault rifles, at a location known as "Trois Antennes", on the Goma-Kibumba road (RN2) (see annex 54). One of the Congolese WFP drivers was executed immediately, while the other six men were forced to follow the assailants into the bush of Virunga National Park, where a second group of armed assailants was waiting. (para. 75).</p> <p>Mai-Mai coalition and Twirwaneho implemented a strategy of targeted abductions, rapes and sometimes killings of women to prevent access to fields, effectively obstructing access to food. This also drastically impeded the population's freedom of movement. (para. 147).</p> <p>On 24 October 2020, Forces armées de la République démocratique du Congo (FARDC) took over the Front national de libération (FNL) headquarters in Naombe village, in Mwenga territory, and the FNL position in Nyaburunda, in Bijombo groupement, Uvira territory. Consequently, FNL combatants took refuge in Nabombe forest and maintained positions in Mushule, in Katala groupement, Uvira territory, returning to Nyaburanda forest at the end of February 2021. [...] FNL combatants often looted harvests, following FARDC operations, which reduced their capacities to buy food at local markets. (paras. 163-164).</p>	<p>This Expert Report lists specific humanitarian and peacekeeping organizations as well as communities in the eastern DRC facing heavy attacks from militant groups like the Mai Mai Coalition and Twirwaneho.</p> <p>The examples illustrate how armed groups often commit sanctionable activities with the goal of stealing food and medical supplies. Though facilitating starvation may not be the end result desired by the attackers, it may nonetheless be a byproduct of committing sanctionable acts, including: (1) attacks against MONUSCO peacekeepers or United Nations personnel; (2) obstructing the access to or the distribution of humanitarian assistance in the DRC; or (3) targeting of civilians, including killing and maiming, rape and other sexual violence, abduction, forced displacement, and attacks on schools and hospitals. (All sanctionable under para. 7 of UNSC Res. 2293).</p> <p>This report does not directly call on the UNSC to sanction specific individuals for crimes relating to starvation and the obstruction of humanitarian access. Instead, the report provides information regarding the situation in the eastern DRC. Based on this information (and other reports provided to the Sanctions Committee), individuals and entities may be designated on the sanctions list.</p>
DRC	<p>Sanctions designation of Seka Baluku by the DRC Sanctions Committee (6 February 2020)</p> <p>Status: Active</p>	<p>Seka Musa Baluku committed, planned and/or directed numerous human rights violations as the overall leader of the Allied Democratic Forces ("ADF") movement in Beni Territory, North Kivu Province, and to the south of Ituri Province.</p>	<p>This sanctions designation was made pursuant to paragraph 7 of resolution 2293 (2016) for engaging in or providing support for acts that undermine the peace, stability and security of the DRC.</p> <p>Since no specific subsection within paragraph 7 is noted, it is unclear which crimes the Sanctions Committee is seeking to address. However, since Seka Musa Baluku is noted as the overall leader of the ADF, the Sanctions Committee may be addressing the crimes of the organization as a whole through this particular sanctions designation. ADF's reported crimes include humanitarian access-related crimes, as discussed below in the Expert Reports.</p>

DRC	<p>Reports from the Group of Experts on the DRC addressed to the Chair of the DRC Sanctions Committee, adopted by the Committee, and delivered to the UNSC.</p>	<p>Expert Report to Sanctions Committee (23 December 2020): From October 2019 to the end of October 2020, ADF supply networks and activities faced important disruptions, leading to increased attacks and looting, particularly of food and medicine. Abducted civilians were often forced to carry looted goods (see para. 20 and S/2019/469, paras. 100–101 and 113–115). Some abductees were released after a few days or weeks, at times against ransoms, while other abductees were kept and some of them forced to fight for ADF. (paras. 9-11).</p> <p>Expert Report to Sanctions Committee (20 December 2019): The Expert Group was informed that at least two ADF incursions into Ituri Province occurred. In August 2019, ADF combatants crossed into the south of Irumu Territory and attacked villages in Boga following a May 2019 incursion into Chabi. Three former ADF combatants who took part in the August raid confirmed that ADF was seeking food and medical supplies. (para. 23).</p> <p>Expert Report to Sanctions Committee (4 June 2018): Regarding attacks on UN peacekeepers in the Beni territory, the report notes that such attacks are a sanctionable act under paragraph 3 of resolution 2360 (2017). (para. 165). In the Beni territory, a particularly revealing example is the attack against the Semuliki Company Operating Base (“COB”), attributed by the Group of Experts to the ADF and Mai-Mai armed groups. The attack started at about 1730 hours, about one hour after the United Nations weekly resupply helicopter had left the COB and lasted about 14 hours. The intensity of the assault forced the peacekeepers, at some point during the night, to retreat to one part of the COB, while the assailants entered the COB. The assailants then looted many items, including military equipment, food and medicine. (para. 170).</p>	<p>These reports note specific examples of villages and peacekeepers throughout the DRC facing heavy attacks from various armed groups, including Nduma défense du Congo-Rénové (“NDC-R”) (led by sanctioned individual Shimiray Mwissa Guidon), Forces armées de la République Démocratique du Congo (“FARDC”), Allied Democratic Forces (“ADF”), Mai-Mai Yakutumba, and Mai-Mai Kilalo. (See 2018 Expert Report p. 5-18).</p> <p>The examples illustrate how armed groups often commit sanctionable activities with the goal of stealing food and medical supplies. Though facilitating starvation may not be the end result desired by the attackers, it may nonetheless be a byproduct of committing sanctionable acts, including: (1) attacks against MONUSCO peacekeepers or United Nations personnel; (2) obstructing the access to or the distribution of humanitarian assistance in the DRC; or (3) targeting of civilians, including killing and maiming, rape and other sexual violence, abduction, forced displacement, and attacks on schools and hospitals. (All sanctionable under para. 7 of UNSC Res. 2293).</p> <p>These reports do not directly call on the UNSC to sanction specific individuals for crimes relating to starvation and the obstruction of humanitarian access. Instead, the reports provide information regarding the situation in the DRC. Based on this information (and other reports provided to the Sanctions Committee), individuals and entities may be designated on the sanctions list. See the sanctions designations above of Muhindo Akili Mundos, Lucien Nzabamwita, Gédéon Kyungu Mutanga, and Seka Musa Baluku.</p>
DRC	<p>UNSC Resolution 2502 (19 December 2019)</p>	<p>“Recalls all its relevant resolutions on the protection of humanitarian and medical personnel, including resolutions 2439 (2018) and 2286 (2016), and expresses serious concern at increased attacks on humanitarian personnel and medical personnel exclusively engaged in medical duties, as well as impediments to humanitarian access in eastern DRC, [...] demands that all parties allow and facilitate the full, safe, immediate and unhindered access of humanitarian personnel, equipment and supplies and the timely delivery of humanitarian assistance to populations in need, in particular to internally displaced persons, throughout the territory of the DRC[.]” (para. 35).</p>	<p>This resolution reemphasizes the continued obstruction of humanitarian access and medical care to the DRC. This resolution does not discuss starvation as an issue but focusses on other objects indispensable to survival. However, issues regarding starvation and malnutrition in the DRC may be implicit in the UNSC and Sanctions Committee reports and resolutions on humanitarian access, as noted below.</p>

<p>DRC</p>	<p>UNSC Resolution 2463 (29 March 2019)</p> <p>UNSC Resolution 2409 (27 March 2018)</p> <p>UNSC Resolution 2348 (31 March 2017)</p> <p>* Each resolution reiterates the same language regarding the restrictions on humanitarian access in the DRC</p>	<p>“Expressing great concern over the rapidly deteriorating humanitarian situation that has left at least 13.1 million Congolese in need of humanitarian assistance, including more than 7.7 million severely food insecure people, [...] further expressing deep concern regarding the very high number of internally displaced persons in the DRC which has more than doubled in the last year to more than 4.49 million, and the 540,000 refugees in the DRC, as well as the more than 714,000 refugees from the DRC as a result of ongoing hostilities[.]” (UNSC Res. 2409 p. 4).</p> <p>“Demands that all parties allow and facilitate the full, safe, immediate and unhindered access of humanitarian personnel, equipment and supplies and the timely delivery of humanitarian assistance to populations in need, in particular to internally displaced persons[.]” (UNSC Res. 2348 para. 41; UNSC Res. 2409 para. 43; UNSC Res. 2463 para. 36).</p>	<p>These resolutions emphasize the obstruction of humanitarian access to the DRC, particularly to internally displaced communities. Only one of these resolutions discusses the lack of access to food for internally displaced persons. Though the Sanctions Committee and the UNSC are aware of the food crisis in the DRC, the issue has not been directly discussed as frequently as others in the UNSC resolutions.</p> <p>However, UNSC Resolution 2409 discusses lack of food in the overall context of obstruction of humanitarian access.</p>
<p>DRC</p>	<p>Sanctions Designations pursuant to criteria set out in paragraph 7 of resolution 2293 (2016) (1 February 2018)</p> <p>Status: Active</p> <p>* Each designation includes a narrative summary provided by the DRC Sanctions Committee which discusses the reasons for the designation.</p>	<p>Sanctions Designation of Gédéon Kyungu Mutanga Wa Bafunkwa Kanonga (1 February 2018): As a leader of the Bakata Katanga militia (a.k.a. Kata Katanga) between 2011-2014, Gédéon Kyungu Mutanga was involved in serious human rights abuses such as killings and attacks against civilians, notably in rural zones of the Katanga province and in south-east DRC. The Sanctions Committee concluded that Gédéon Kyungu Mutanga is therefore a threat to the peace, stability and security of DRC.</p> <p>Sanctions Designation of Lucien Nzabamwita (1 February 2018): The Sanctions Committee found that Lucien Nzabamwita (aka Andre Kalume) is a military leader of the Force Democratique de Liberation du Rwanda (“FDLR”) operating in the DRC, which undermines the peace, security and stability of the DRC and is responsible for human rights abuses including targeting and killing civilians. The FDLR (CDe.005) was sanctioned by the 1533 Committee on 31 December 2012.</p> <p>Sanctions Designation of Muhindo Akili Mundos (1 February 2018): Muhindo Akili Mundos was the Congolese army commander responsible for military operations against the ADF during the “Sukola I” operation from August 2014 to June 2015. The FARDC unit under Mundos’ command failed to intervene to prevent human rights abuses by the ADF, including attacks targeting civilians. Mundos recruited and equipped former fighters from local armed groups to participate in extra-judicial killings and massacres by the ADF. Under Mundos’ command, the ADF-Mwailika committed attacks against civilians.</p>	<p>These sanctions designations were made pursuant to paragraph 7(e) of resolution 2293: sanctioning the targeting of civilians, including killing and maiming, rape and other sexual violence, abduction, forced displacement, and attacks on schools and hospitals.</p> <p>As noted in the Expert Reports discussed above, such sanctionable activities in the DRC involve stealing food and/or medical supplies. However, these designations are described by the Sanctions Committee as a response to the killings and attacks against civilians in general.</p> <p>As noted above, designations against leaders of armed groups may be intended to address the crimes committed by those armed groups as a whole.</p>

DRC	UNSC Resolution 2360 (21 June 2017)	<p>“Expressing further concern at increased impediments to humanitarian access in eastern DRC resulting from insecurity and violence, as well as continued attacks against humanitarian actors and assets, underlining that such acts could be the basis for designation pursuant to paragraph 2 of this resolution, and calling upon all parties in the conflict to respect the impartiality, independence and neutrality of humanitarian actors.” (Res. 2360 p.2)</p> <p>“Decides that sanctionable acts include planning, directing, sponsoring or participating in attacks against MONUSCO peacekeepers or United Nations personnel, including members of the Group of Experts.” (Res. 2360 p.5)</p>	<p>Though this resolution notes the continued existence of humanitarian access-related crimes in the DRC, there is a notable lack of discussion in the UNSC resolutions since 2017 regarding starvation-related crimes in the DRC, as noted above, with the exception of UNSC Resolution 2409.</p> <p>This resolution does take the step to include attacks on peacekeepers as a sanctionable act.</p>	
Somalia	<p>Sanctions Designations pursuant to resolution 1844 (2008) (26 February 2021)</p> <p>Status: Active</p> <p>* Each designation includes a narrative summary provided by the Somalia Sanctions Committee which discusses the reasons for the designation.</p>	<p>Sanctions designation of Abukar Ali Adan (26 February 2021): Abukar Ali Adan is a deputy leader of Al-Shabaab. In addition to Al-Shabaab, Adan is also associated with Al-Qaida affiliates, Al-Qaida in the Arabian Peninsula (AQAP – QDe.129) and Al-Qaida in the Islamic Maghreb (AQIM – QDe.014).</p> <p>Sanctions designation of Maalim Ayman (26 February 2021): Maalim Ayman is the founder and leader of Jaysh Ayman, an Al-Shabaab unit conducting attacks and operations in Kenya and Somalia. Ayman helped with preparations for the January 5, 2020 attack on Camp Simba in Lamu County, Kenya.</p> <p>Sanctions designation of Mahad Karate (26 February 2021): Mahad Karate played a key role in the Amniyat, the wing of Al-Shabaab responsible for the recent attack on Garissa University College in Kenya that resulted in nearly 150 deaths. The Amniyat is al-Shabaab’s intelligence wing, which plays a key role in the execution of suicide attacks and assassinations in Somalia, Kenya, and other countries in the region, and provides logistics and support for al-Shabaab’s terrorist activities.</p>	<p>Given the connection to Al-Shabaab, these designations are likely a direct response to the various human rights violations and crimes committed by Al-Shabaab as an organization. Such crimes and violations include those discussed in the Monitoring Group Reports and the Humanitarian Reports to the Somalia Sanctions Committee. For example, child recruitment, forced displacement, and the restriction of humanitarian access.</p>	
Somalia	<p>UNSC Resolution 2551 (12 November 2020)</p> <p>UNSC Resolution 2498 (15 November 2019)</p> <p>UNSC Resolution 2444 (14 November 2018)</p> <p>UNSC Resolution 2385 (14 November 2017)</p>	<p>“Expresses serious concern at the acute humanitarian situation in Somalia and the risk of famine, welcomes efforts by the United Nations, the international community and the FGS to avert famine, condemns in the strongest terms increased attacks against humanitarian actors and any misuse of donor assistance and the obstruction of the delivery of humanitarian aid, reiterates its demand that all parties allow and facilitate full, safe and unhindered access for the timely delivery of aid to persons in need across Somalia and encourages the FGS to improve the regulatory environment for aid donors” (UNSC Res. 2385 para. 32; UNSC Res. 2444 para. 47; UNSC Res. 2498 p. 2; UNSC Res. 2551 p. 3).</p>	<p>Each resolution confirms “obstructing the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia” as a criterion for sanctions designation by the Somalia Sanctions Committee (these resolutions cite Paragraph 8 (c) of resolution 1844 (2008); Paragraph 1 (c) of resolution 2002 (2011); Paragraph 43 (c) of resolution 2093 (2013)).</p>	<p>Humanitarian Exemptions: By renewing the exemptions, sanctions penalties under paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia (2017 report para. 24; 2018 report para. 29; 2019 report para. 41). Non-renewal of the humanitari-</p>

	<p>* Each resolution reiterates that same language regarding starvation and/or restrictions on humanitarian assistance in Somalia</p>	<p>Each resolution renews humanitarian-related exemptions such that sanctions penalties under paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia (UNSC Res. 2385 para. 33; UNSC Res. 2444 para. 48; UNSC Res. 2498 para. 22; UNSC Res. 2551 p. 7).</p>	<p>Though each UNSC resolution reaffirms the authority of the Somalia Sanctions Committee, they do not overtly recommend sanctions measures by the UN to address the starvation-related and humanitarian access-related crimes in Somalia. The extent of each resolutions' condemnation regarding obstruction of humanitarian access is quoted to the left</p>	<p>an-related exemptions would result in delays to the delivery of humanitarian assistance in areas controlled by non-State armed groups, which would put affected communities at risk of loss of lives and livelihoods and of exposure to suffering.</p>
Somalia	<p>Report from the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator addressed to the Chair of the Somalia Sanctions Committee, adopted by the Committee, and delivered to the UNSC (15 October 2020).</p>	<p>According to the Famine Early Warning Systems Network outlook report of August 2020, the below-average 2020 gu cereal harvest, the economic impacts of COVID-19 and the forecast of below-average deyr rainfall from October to December drive a worsening food security outlook through at least early 2021. [...] Two consecutive poor seasons would likely result in rapidly worsening acute food insecurity in 2021. The situation is likely to be even worse in conflict-affected areas, where persons are displaced from their land or face involuntary and illegal taxation by Al-Shabaab, reducing incentives for agricultural production. In the context of potential instability, with elections in 2021 and plans for a handover of security responsibilities to the Somali National Security Forces post-2021, millions of vulnerable Somalis cannot afford an interruption of, or a reduction in, humanitarian assistance. (para. 55).</p> <p>According to the Famine Early Warning Systems Network outlook report of August 2020, humanitarian food assistance needs were high across Somalia, where the "stressed" (Integrated Food Security Phase Classification phase 2) and "crisis" levels of food insecurity remained widespread. An estimated 3.5 million persons in rural livelihood zones, urban areas and settlements for internally displaced persons needed food assistance. Huge food and nutrition gaps remained, largely among poor agropastoral, marginalized and displaced communities, where many vulnerable persons had been pushed into the most severe phases of food and nutrition insecurity. (para. 7).</p> <p>Insecurity continues to hamper the ability of humanitarian workers to reach persons in need and sustain operations for the delivery of much-needed humanitarian assistance and protection services. On 21 June, convoys carrying supplies of food and non-food commodities to Gedo region could not be delivered owing to armed clashes between an Ethiopian convoy and Al-Shabaab militants. (para. 22). In late May, a World Food Programme charter aircraft carrying humanitarian supplies to Qansaxdheere was hit by ground fire from unknown perpetrators, with no reported casualties or significant damage. As a result, flights to Qansaxdheere have been suspended temporarily, and there has been no replenishment of food since the attack for nutrition beneficiaries in Qansaxdheere. (para. 34).</p>	<p>This report notes the recent instances of food instability and starvation resulting from human rights violations in Somalia, including illegal acts by sanctioned entity Al-Shabaab. The report also describes the likely food insecurity that will be experienced in 2021. It is unclear from this report whether further sanctions designations are intended based on the evidence of human rights violations.</p>	

Somalia	<p>Report from the Panel of Experts on Somalia addressed to the Chair of the Somalia Sanctions Committee, adopted by the Committee, and delivered to the UNSC (28 September 2020).</p>	<p>In April 2020, Al-Shabaab's enforcement of the economic blockade on Dinsor intensified and it banned the population of surrounding villages from bringing items such as milk, wood, building material, food and animals into the town. In April 2020, the Panel recorded 14 incidents where carts transporting food and other products from Baidoa to Dinsor were burned, while owners were arrested and interrogated by Al-Shabaab. The economic blockade imposed by Al-Shabaab coupled with the closure of the airspace to passenger flights during the COVID-19 pandemic, resulted in a sharp increase of food prices in town. As a result, several households started departing Dinsor, with some reportedly moving to areas controlled by the group. Internally Displaced Persons (IDPs) from Dinsor reached Baidoa and Bardheere towns, citing among the reasons for displacement the economic blockade by Al-Shabaab. Some IDPs reportedly moved to villages around Dinsor, including Gurbaan, Misra, and Yaaqbaraawe, which are controlled by Al-Shabaab. (Annex 7.1).</p>	<p>This report notes recent examples of economic actions leading to food instability and starvation in Somalia, including the economic blockade by sanctioned entity Al-Shabaab. It is unclear from this report whether further sanctions designations are intended based on this evidence.</p>
Somalia	<p>Report from the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator addressed to the Chair of the Somalia Sanctions Committee, adopted by the Committee, and delivered to the UNSC (7 October 2019).</p>	<p>As of 2018-2019, severe acute malnutrition rates among children increased, mainly among internally displaced persons, with preliminary assessment results indicating that 10 out of 33 population groups surveyed demonstrate critical levels of acute malnutrition, with a global acute malnutrition rate exceeding 15 per cent (para. 5). Among the most fragile people in Somalia are 2.6 million internally displaced persons (para. 6). Aggressive forced child recruitment campaigns in areas of southern and central Somalia and in parts of the Bari region in Puntland continued to drive civilians into displacement (para. 8).</p>	<p>This report tracks the extent of continued famine, starvation, and lack of humanitarian assistance for those under the control of Al-Shabaab, a sanctioned entity. Notably, this report discusses the severe malnutrition and lack of aid facing internally displaced persons. According to the report, many children and families become displaced when attempting to flee conflict, forced child recruitment, and areas that are restricted from humanitarian aid and access to food by Al-Shabaab.</p> <p>This report does not directly call on the UNSC to sanction specific individuals for crimes relating to starvation and the restriction of humanitarian aid. Instead, the reports provide information regarding the situation in Somalia. Based on this information (and other reports provided to the Sanctions Committee), individuals and entities may be designated to the sanctions list.</p>
Somalia	<p>Report from the Monitoring Groups on Somalia and Eritrea addressed to the Chair of the Somalia Sanctions Committee, adopted by the Committee, and delivered to the UNSC (9 November 2018)</p>	<p>According to the 2018 report, Al-Shabaab remains the most immediate threat to the peace, security and stability of Somalia. In areas under the group's control, the activities of humanitarian organizations, other than Al-Shabaab's own Al-Ihsaan, were either restricted or banned entirely (para. 163). One international organization documented at least five incidents between July 2017 and February 2018 in which armed attackers — likely Al-Shabaab — looted the premises of its implementing partners, taking items including water purification tablets, soap, stocks of ready-to-use therapeutic food, and water tanks. The Monitoring Group received similar reports from various communities, including in Lower Juba region, in January 2018, when Al-Shabaab stole food supplies and then destroyed three recently donated water pumps (para. 165).</p>	<p>This report provides specific cases in which Al-Shabaab actively sought to restrict humanitarian aid to the region, either through bans or through violent attacks on organizations already present in Somalia.</p> <p>As with the Humanitarian Reports to the Sanctions Committee, this report does not directly call on the UNSC to sanction specific individuals for crimes relating to starvation and the restriction of humanitarian aid. Instead, this report provides information regarding the situation in Somalia.</p>

Somalia	Report from the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator addressed to the Chair of the Somalia Sanctions Committee, adopted by the Committee, and delivered to the UNSC (8 October 2018).	The report notes that humanitarian needs in Somalia are driven by the increase in internal displacement. New displacements due to conflict and other factors, including lack of food, reunification with family, health care, and insecurity, continued in 2018 (para. 4.). Additionally, Al-Shabaab continued to implement hostile policies against most humanitarian organizations, for example, by directly targeting their personnel or assets (para. 10).	This report tracks the extent of continued famine, starvation, and lack of humanitarian assistance for those under the control of Al-Shabaab, a sanctioned entity. Notably, this report discusses the severe malnutrition and lack of aid facing internally displaced persons. This report does not directly call on the UNSC to sanction specific individuals for crimes relating to starvation and the restriction of humanitarian aid. Instead, this report provides information regarding the situation in Somalia.
Somalia	Sanctions Designations pursuant to resolution 1844 (2008) (8 March 2018) Status: Active * Each designation includes a narrative summary provided by the Somalia Sanctions Committee which discusses the reasons for the designation.	Sanctions Designation of Abdifatah Abubakar Abdi (8 March 2018): In 2015, Abdifatah Abubakar Abdi was put on the Kenyan government's wanted list of terrorists known or suspected to be members of Al-Shabaab. Kenyan police report that Abdi recruits members for Al-Shabaab who provide support to Al-Shabaab, an entity listed on the United Nations Security Council Somalia and Eritrea sanctions list, inside Somalia and engages in acts that threaten the peace, security, or stability of Somalia. Sanctions Designation of Ahmad Iman Ali (8 March 2018): Ahmad Iman Ali is a prominent Kenyan Al-Shabaab commander who has served as the group's leader in Kenya since 2012. He is director of the group's Kenyan branch operations and routinely targets Kenyan AMISOM troops in Somalia, such as a January 2016 attack on Kenyan AMISOM troops in El Adde, Somalia. [...] Ali has at times also served as an Al-Shabaab recruiter, focusing on poor youth in Nairobi slums, as well as a Shabaab fundraiser who utilizes mosques in an effort to secure resources.	Given the connection to Al-Shabaab, these designations are likely a direct response to the various human rights violations and crimes committed by Al-Shabaab as an organization. Such crimes and violations include those discussed in the Monitoring Group Reports and the Humanitarian Reports to the Somalia Sanctions Committee. For example, child recruitment, forced displacement, and the restriction of humanitarian access. Notably, the designations of Abdifatah Abubakar Abdi and Ahmad Iman Ali are the only sanctions designations made by the Somalia Sanctions Committee since 2014. UNSC resolutions since these designations continue to note starvation and humanitarian access-related issues in Somalia.
Somalia	Report from the Monitoring Groups on Somalia and Eritrea addressed to the Chair of the Somalia Sanctions Committee, adopted by the Committee, and delivered to the UNSC (2 November 2017).	The report notes that during the period of review, Al-Shabaab's policies exacerbated the situations of populations in need, both within and outside their areas of control. These included: A continued ban in most areas on the formal humanitarian sector, aggressively enforced by the seizure and destruction of food aid and the punishment of those who accepted humanitarian aid. The humanitarian situation in some Al-Shabaab areas was acute: in June 2017, in Mataban district, severe acute malnutrition rates were assessed at 6 per cent: three times the emergency threshold. (para. 160).	This report provides specific cases in which Al-Shabaab sought to restrict humanitarian aid to the region, either through bans or through violent attacks on organizations already present in Somalia. This report also notes the impact of these restrictions on the access to food and malnutrition rates in areas under Al-Shabaab's control. As with the Humanitarian Reports to the Sanctions Committee, this report does not directly call on the UNSC to sanction specific individuals for crimes relating to starvation and the restriction of humanitarian aid. Instead, this report provides information regarding the situation in Somalia.
Somalia	Report from the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator addressed to the Chair of the Somalia Sanctions Committee, adopted by the Committee, and delivered to the UNSC (13 October 2017).	As of 2016-2017, 3.1 million people were in "crisis" and "emergency" situations and unable to meet their daily food needs (para. 3). The overall nutrition situation continued to deteriorate, with "critical" levels of acute malnutrition in 9 of 12 internally displaced persons settlements. The prevalence of global acute malnutrition in those settlements remained above the 15 per cent emergency threshold (para. 3). Sustained humanitarian access remained a challenge owing to multiple factors, including denial of such access by non-State armed groups, insecurity, bureaucratic impediments, limited infrastructure, attacks, seizure of humanitarian supplies, abductions and extortion (paras. 8 and 11).	This report tracked the extent of continued famine, starvation, and lack of humanitarian assistance for those under the control of Al-Shabaab, a sanctioned entity. Notably, this report discusses the severe malnutrition and lack of aid facing internally displaced persons. This report does not directly call on the UNSC to sanction specific individuals for crimes relating to starvation and the restriction of humanitarian aid. Instead, the reports provide information regarding the situation in Somalia.

South Sudan	UNSC Resolution 2577 (28 May 2021)	Decides to renew until 31 May 2022 the travel and financial measures imposed by paragraphs 9 and 12 of resolution 2206 (2015) and the measures on arms imposed by paragraph 4 of resolution 2428 (2018), and decides to extend until 1 July 2022 the mandate of the Panel of Experts as set out in paragraph 19 of	This resolution renews the sanctions mandate of the Committee, as well as the relevant sanctions exemptions including the humanitarian exemptions outlined to the right.	<p>Humanitarian Exemptions:</p> <p>Arms embargo: (a) Arms and related materiel, as well as training and assistance, intended solely for support of or use by UN personnel, including the United Nations Mission in the Republic of South Sudan (UNMISS) and the United Nations Interim Security Force for Abyei (UNISFA); (b) Non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as notified in advance to the Committee; (c) Protective clothing, including flak jackets and military helmets, temporarily exported to South Sudan by UN personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only[.]</p> <p>Travel ban: humanitarian grounds, including religious obligation; where entry or transit is necessary for the fulfilment of a judicial process; and where the committee determines that an exemption would further the objectives of peace and national reconciliation in South Sudan and stability in the region.</p>
South Sudan	Report from the Panel of Experts on South Sudan addressed to the President of the Security Council, adopted by the Committee, and delivered to the UNSC (15 April 2021)	<p>Ongoing armed conflict with militant groups has led the South Sudanese government to adopt stricter controls on the movement of goods throughout the country, including humanitarian aid. The 2021 report expresses concern that the government has actively suppressed knowledge of rampant food shortages in South Sudan.</p> <p>Violence has led to forced displacement in various states and to one of the direst food crises the country has faced since its independence in 2011. In an interview with the Panel on 2 February 2021, the Minister of Humanitarian Affairs and Disaster Management, Peter Mayen Majongdit, told the Panel that “the country is facing the most horrific, catastrophic humanitarian situation”. (para. 53).</p> <p>Figures from the Office for the Coordination of Humanitarian Affairs released in January 2021 show that more people in South Sudan than ever are in need of humanitarian assistance.</p>	This report notes both the continued issues of food insecurity and humanitarian access in South Sudan.	The report urges the South Sudan Sanctions Committee to impose targeted sanctions on military leaders who have obstructed the activities of peacekeeping missions and civilians’ access to humanitarian aid.

		<p>According to the Office, an estimated 8.5 million people, over two thirds of the population, need humanitarian assistance in 2021, compared with 7.5 million in 2020 and 7.1 million in 2019. According to findings from IPC, just under half the population in South Sudan were facing high levels of acute food insecurity and more than 92,000 people living in the Greater Pibor Administrative Area and the Counties of Aweil South in Northern Bahr al-Ghazal and Tonj East, Tonj North and Tonj South in Warrap were facing famine-like conditions as of early March 2021. Despite the high levels of need, humanitarian organizations have confronted security and bureaucratic barriers to the delivery of humanitarian aid that have posed serious personal risks to aid workers. (paras. 56-58).</p> <p>According to the Panel's sources, the Government had exerted pressure on humanitarian agencies to hamper the full humanitarian response needed to address the food crisis in several parts of the country, including the Greater Pibor Administrative Area. As the Panel has previously reported, the Government has employed tactics to obstruct humanitarian access to suit its own political, military and economic agendas, including obstructing the delivery of food and diverting it for its own constituencies (see S/2017/326, S/2017/979, S/2018/292 and S/2018/1049). (para. 62).</p>	
South Sudan	<p>Reports for 2019 and 2020 from the Group of Experts on South Sudan addressed to the South Sudan Sanctions Committee, adopted by the Committee, and delivered to the UNSC.</p> <p>* Expert Report to Sanctions Committee (25 November 2020)</p> <p>* Expert Report to Sanctions Committee (28 April 2020)</p> <p>* Expert Report to Sanctions Committee (22 November 2019)</p> <p>* Expert Report to Sanctions Committee (9 April 2019)</p>	<p>Food insecurity remains a serious concern in many parts of the country. The key drivers for this include conflict-driven displacement, low crop yields, the broader economic crisis, and humanitarian access challenges. (April 2019 Report para. 82).</p> <p>The November 2019 report notes that the South Sudan Sanctions Committee should request the UNSC to call upon financial institutions, especially commercial banks operating in Member States neighbouring South Sudan, to increase cooperation with the Panel of Experts. Since the Panel had not received replies to most of its correspondence addressed to regional financial institutions pertaining to the enforcement of sanctions, specific requests from the UNSC could further compel financial institutions to comply with the sanctions regime and asset freezes. (November 2019 Report para. 69).</p> <p>The April 2020 report notes the uneven and irregular enforcement of the UN sanctions throughout the region. (April 2020 Report para. 115).</p> <p>According to the November 2020 report, the humanitarian situation has worsened owing to continued conflict. In September 2020, more civilians needed humanitarian assistance and were food insecure than those requiring such assistance in September 2019, according to data from the Office for the Coordination of Humanitarian Affairs. (para. 22). Between May and July, food and nutrition items were stolen and humanitarian warehouses, health clinics and schools were looted, vandalized and burnt down (see annex II). On at least three occasions, targeted flight restrictions obstructed humanitarian access (see annex II). (para. 38). The inability of communities to cultivate was further exacerbated by the lack of humanitarian access. Due to insecurity between May and August 2020, no assistance was delivered to conflict-affected areas. Moreover, planned food distribution throughout the lean season (May-August 2020) in GPAA and most of Jonglei did not happen. (p. 30).</p>	<p>These reports note both the continued issues of starvation and humanitarian access in South Sudan, as well as the lack of enforcement of UN sanctions in the region.</p> <p>Though the South Sudan Sanctions Committee is aware of the food insecurity issues, no sanctions designations have been made by the Committee since these reports were delivered.</p>

South Sudan	<p>Report Experts on South Sudan addressed to the South Sudan Sanctions Committee, adopted by the Committee, and delivered to the UNSC (26 November 2018)</p>	<p>Malnutrition and food shortages were highlighted as matters of ongoing and serious concern by the international presence in Juba, with impediments to humanitarian access, including risks to the security of humanitarian actors, cited as one of the key obstacles to addressing growing food insecurity[.] (para. 48). Food shortages were cited as one of the key obstacles to the voluntary and dignified repatriation, rehabilitation and resettlement of people sheltering in protection of civilians sites. (para. 49).</p>	<p>This report illustrates food insecurity in South Sudan in detail but does not make any sanctions recommendations regarding the food insecurity or humanitarian-access related crimes.</p>
South Sudan	<p>Sanctions Designations pursuant to resolution 2206 (2015), as reaffirmed in resolution 2418 (2018) (13 July 2018)</p> <p>Status: Active</p> <p>* Each designation includes a narrative summary provided by the South Sudan Sanctions Committee which discusses the reasons for the designation.</p>	<p>Sanctions Designation of Paul Malong Awan (13 July 2018): Paul Malong Awan served as Chief of General Staff of the [Sudan People's Liberation Army ("SPLA")] from April 23, 2014, to May 2017. In early 2016 information indicates that Malong ordered SPLA units to prevent the transport of humanitarian supplies across the Nile River, where tens of thousands of civilians were facing hunger, claiming that food aid would be diverted from civilians to militia groups. As a result of Malong's orders, food supplies were blocked from crossing the Nile for at least two weeks. Throughout his tenure as Chief of General Staff of the SPLA, Malong has been responsible for the SPLA and its allied forces' perpetration of serious abuses including attacks on civilians, forced displacement, enforced disappearances, arbitrary detentions, torture, and rape.</p> <p>Sanctions Designation of Malek Ruben Riak (13 July 2018): According to the report by the Panel of Experts on South Sudan in January 2016 (S/2016/70), Malek Ruben Riak was one of a group of senior security officials who planned a Unity state offensive against the Sudan People's Liberation Movement-in-Opposition ("SPLM-IO") beginning in January 2015, and subsequently oversaw its execution from late April 2015 onwards. [...] The offensive resulted in systematic destruction of villages and infrastructure, the forced displacement of the local population, the indiscriminate killing and torturing of civilians, the widespread use of sexual violence, including against the elderly and children, the abduction and recruitment of children as soldiers, and large population displacement."</p>	<p>These designations were made pursuant to paragraphs 6, 7, and 8 of resolution 2206 (2015), which includes: the targeting of civilians through the commission of acts of violence, forced displacement, or attacks on schools, hospitals, or locations where civilians are seeking refuge; the obstruction of the activities of international peacekeeping, diplomatic, or humanitarian missions in South Sudan, including IGAD's Monitoring and Verification Mechanism or of the delivery or distribution of, or access to, humanitarian assistance; and being a leader "of any entity, including any South Sudanese government, opposition, militia, or other group, that has, or whose members have, engaged in any of the activities described in paragraphs 6 and 7."</p> <p>Both narratives justify the sanctions on Malong and Riak for their contributions to the starvation situation in South Sudan as well as the continuation of systematic forced displacements. As such, these designations by the Sanctions Committee are a strong response to the continued starvation and acts against humanitarian access in South Sudan.</p>
South Sudan	<p>Report from the Group of Experts on South Sudan addressed to the South Sudan Sanctions Committee, adopted by the Committee, and delivered to the UNSC (12 April 2018)</p>	<p>Overall, humanitarian organizations consider SPLA by far to be the actor most responsible for disrupting aid delivery by restricting movement, imposing illegal taxes at checkpoints, threatening and intimidating humanitarian workers, confiscating aid assets and interfering with field operations. (para. 57).</p>	<p>Given the subsequent sanctions designation of SPLA leader Paul Malong Awan, discussed above noting crimes against humanitarian access, the Sanctions Committee likely found that sanctions would relieve the obstructions to humanitarian access as noted in this Expert Report.</p>
South Sudan	<p>Reports for 2017 from the Group of Experts on South Sudan addressed to the South Sudan Sanctions Committee, adopted by the Committee, and delivered to the UNSC.</p> <p>* Expert Report to Sanctions Committee (20 November 2017)</p>	<p>The November report recommends that the Sanctions Committee designate those responsible for the actions and policies that threaten the peace, security and stability of South Sudan, including those responsible for the conditions that have resulted in the unprecedented humanitarian crisis, including famine. (November Report para. 58(a)). All parties to the conflict continued to regularly impede humanitarian access. (September Report para. 26).</p> <p>On 20 February 2017, the Integrated Food Security Phase Classification South Sudan Technical Working Group declared populations in Koch County were at an elevated risk of famine, while it was determined that</p>	<p>These reports illustrate how the Group of Experts continuously kept the Sanctions Committee updated on the starvation and humanitarian access-related issues in South Sudan. The November report specifically recommends sanctions designations for those responsible for the famine in South Sudan. Additionally, the April report states that the famine in South Sudan will only be prevented if humanitarian access is unhindered in South Sudan. Given the strong references and recommendations regarding sanctions designations as they relate to famine and obstructed humanitarian assistance in South Sudan, it is highly likely that these reports were pivotal to the Sanctions Committee's subsequent sanctions designations on 13 July 2018, discussed above.</p>

	<p>* Expert Report to Sanctions Committee (20 September 2017)</p> <p>* Expert Report to Sanctions Committee (13 April 2017)</p>	<p>Panyijjar County could avoid famine only if humanitarian assistance were delivered. (April Report para. 90).</p> <p>The April report notes that the major causes of famine and starvation include lack of humanitarian access and internal displacement. (April Report paras. 97 and 102). When populations are displaced, whether as a result of insecurity or of forced population movements, it compromises their ability to engage in their usual livelihoods or, alternatively, to gain access to humanitarian assistance. (April Report para. 102). As at 28 February 2017, more than 1.9 million South Sudanese had been internally displaced. South Sudan became the largest refugee crisis in Africa and the third largest globally. More than 60 per cent of the refugees are children, many of whom are severely malnourished. (April Report para. 48).</p>	
Sudan	<p>UNSC Resolution 2562 (11 February 2021)</p>	<p>Extends the mandate of the Panel of Experts appointed pursuant to resolution 1591 (2005) until 12 March 2022; requests the Secretary-General to conduct a review of the situation in Darfur and to provide to the Security Council, by 31 July 2021, a report containing recommendations for clear and well identified key benchmarks that could serve in guiding the Security Council to review the measures.</p>	<p>This resolution renews the sanctions mandate of the Committee, as well as the relevant sanctions exemptions including the humanitarian exemptions outlined to the right.</p> <p>Humanitarian Exemptions: Arms embargo: supplies and related technical training and assistance to monitoring, verification or peace support operations authorized by the UN or operating with the consent of the relevant parties; non-lethal military equipment intended solely for humanitarian, human rights monitoring or protective use; and protective clothing for the personal use of UN personnel, human rights monitors, representatives of the media and humanitarian and development workers and associated personnel. Travel ban: on the grounds of humanitarian need, including religious obligations, or when the Committee concludes that an exemption would further the objectives of the Council's resolutions.</p>
Sudan	<p>Report from the Panel of Experts on the Sudan addressed to the President of the Security Council, adopted by the Committee, and delivered to the UNSC (13 January 2021)</p>	<p>Following the Juba Peace Agreement (October 2020), the peace process between the Sudanese government and the Darfurian armed movements has been favorable. However, the living conditions of civilians has remained fragile.</p> <p>Intercommunal clashes and related attacks on civilians increased sharply, in both frequency and scale, [particularly] in South Darfur and West Darfur [...] Attacks by armed elements from nomad communities on internally displaced persons and farmers trying to return to their land also continued. The situation of internally displaced persons remained unchanged in the absence of comprehensive government policies and initiatives on the matter, including on land occupation and the disarmament of civilians. (p. 2-3).</p>	<p>Though this Expert Report details crimes against property and housing, and the staggering number of internally displaced persons, no sanctions designations have been made by the Sudan Sanctions Committee since 2014. Thus, it is likely that the Sanctions Committee was unpersuaded that sanctions were the appropriate response to the starvation and humanitarian assistance issues in Sudan as outlined in these reports.</p>

Sudan	<p>Report from the Group of Experts on Sudan addressed to the Sudan Sanctions Committee, adopted by the Committee, and delivered to the UNSC (14 January 2020)</p>	<p>During fighting between the Government of the Sudan and Sudan Liberation Army-Abdul Wahid ("SLA/AW") and infighting within SLA/AW, some SLA/AW groups committed various violations and abuses against civilians, such as killing and maiming, which also resulted in new displacements and loss of livelihood. According to a joint report by UNAMID and the Office of the United Nations High Commissioner for Human Rights, in May 2019, internally displaced persons reported that several villages were burned and civilian property was looted, including livestock and farm produce. The situation of affected communities was made more dire as a result of limited humanitarian assistance, outbreaks of diseases and a lack of food, water and medical supplies. (para. 126). For communities of internally displaced persons faced with shrinking food rations and humanitarian support, the situation worsens their plight, as sources of income and livelihood are significantly affected. (para. 128).</p>	<p>Though this Expert Report details crimes against livestock, farms, and those providing humanitarian assistance, no sanctions designations have been made by the Sudan Sanctions Committee since 2014. Thus, it is likely that the Sanctions Committee is unpersuaded that sanctions are the appropriate response to the starvation issues in Sudan.</p>
Sudan	<p>Reports for 2017 from the Group of Experts on Sudan addressed to the Sudan Sanctions Committee, adopted by the Committee, and delivered to the UNSC.</p> <p>* Expert Report to Sanctions Committee (28 December 2017)</p> <p>* Expert Report to Sanctions Committee (9 January 2017)</p>	<p>Humanitarian actors estimate the total number of internally displaced persons in Darfur at over 2.6 million, 1.6 million of whom remain in camps across the region and in need of humanitarian assistance. (Jan. 2017 Report para. 83).</p> <p>During the reporting period, humanitarian access to vulnerable populations in Darfur improved significantly. (Dec. 2017 Report para. 107). However, Darfuri rebel groups are reported to have looted oil installations and civilian property, including food and medicines belonging to humanitarian agencies. (Dec. 2017 Report para. 167).</p>	<p>Though these Expert Reports detail crimes against property housing food and medicine, and the staggering number of internally displaced persons, no sanctions designations have been made by the Sudan Sanctions Committee since 2014. Thus, it is likely that the Sanctions Committee was unpersuaded that sanctions were the appropriate response to the starvation and humanitarian assistance issues in Sudan as outlined in these reports.</p>
Sudan	<p>UNSC Resolution 2340 (8 February 2017)</p>	<p>"Regrets that some individuals of the Government of Sudan and armed groups in Darfur continue to commit violence against civilians, impede the peace process, and disregard the demands of the Council, expresses its intention to impose targeted sanctions against individuals and entities that meet the listing criteria of paragraph 3 (c) of resolution 1591 (2005), and encourages the Panel of Experts, in coordination with the Joint African Union/United Nations Mediation, to provide to the Committee when appropriate the names of any individuals, groups, or entities that may meet the listing criteria[.]" (para. 17).</p> <p>"Recalls that individuals and entities who plan, sponsor or participate in such attacks constitute a threat to stability in Darfur and may therefore meet the designation criteria provided for in paragraphs 3 (c) of resolution 1591 (2005), and expresses its intention to impose targeted sanctions on individuals and entities who plan, sponsor or participate in such attacks[.]" (para. 21).</p>	<p>Though this resolution strongly implies that sanctions designations will be imposed against those contributing to the instability in Sudan, no sanctions designations have been made by the Sudan Sanctions Committee since 2014. This is particularly surprising given the threat of sanctions made in this resolution as well as the 2017 reports by the Group of Experts, discussed above, noting the continuation of crimes in Sudan that create a need for humanitarian assistance.</p>
Yemen	<p>Sanctions Designation of Sultan Saleh Aida Aida Zabin pursuant to paragraphs 11 and 15 of Resolution 2140 (2014) and paragraph 14 of Resolution 2216 (2015) (25 February 2021)</p>	<p>Sultan Saleh Aida Aida Zabin is the director of the Criminal Investigation Department (CID) in Sanaa. He has played a prominent role in a policy of intimidation and use of systematic arrest, detention, torture, sexual violence and rape against politically active women. Zabin as director for CID is directly responsible for, or by virtue of his authority responsible for, and complicit in the use of multiple places of detention including house arrest, police stations, formal prisons and detention</p>	<p>Sultan Saleh Aida Aida Zabin has engaged in acts that threaten the peace, security, and stability of Yemen, including violations of applicable international humanitarian law and human rights abuses in the country.</p>

	* This designation includes a narrative summary provided by the Somalia Sanctions Committee which discusses the reasons for the designation.	centers and undisclosed detention centers. In these sites, women, including at least one minor, were forcibly disappeared, repeatedly interrogated, raped, tortured, denied timely medical treatment and subjected to forced labour. Zabin himself directly inflicted torture in some cases.	
Yemen	Sanctions Designation of Muhammad Abd Al-Karim Al-Ghamari pursuant to paragraphs 11 and 15 of resolution 2140 (2014) and paragraph 14 of resolution 2216 (2015), as meeting the designation criteria set out in paragraph 17 of resolution 2140 (2014).	Al-Ghamari is the Houthi Military Chief of General Staff and was designated on 9th November 2021 for his leadership role and involvement in military campaigns that threaten the peace, security, and stability of Yemen, including by taking charge of the recent Houthi offensive in Marib governorate, which “is exacerbating Yemen’s humanitarian crisis, as it puts approximately one million vulnerable internally displaced people at risk of being displaced yet again, lead to the deaths of civilians, and is triggering broader escalation of the conflict.”	The sanctions designation entails the individual is subjected to an asset freeze and travel ban, pursuant to paragraphs 11 and 15 UNSC Resolution 2140 (2015). The additional information contained in the narrative summary accompanying the designation of Al-Ghamari, explicitly links his involvement in the Houthi offensive on Marib and the consequent worsening of the humanitarian crisis in Yemen.
Yemen	Sanctions Designation of Yusuf Al-Madani pursuant to paragraphs 11 and 15 of resolution 2140 (2014) and paragraph 14 of resolution 2216 (2015), as meeting the designation criteria set out in paragraph 17 of resolution 2140 (2014).	Al-Madani is a prominent leader in the Houthi armed forces and is the commander of forces in Hudaydah, Hajjah, Al Mahwit, and Raymah, Yemen. He was designated on 9th November 2021 for his involvement in the Houthi offensive on Marib governorate, during which “[p]ersistent Houthi repositioning and other violations of the ceasefire provisions of the Hudaydah Agreement have destabilized a city that serves as a critical thoroughfare for humanitarian and essential commercial commodities. Additionally, there are regular reports of Houthi attacks impacting civilians and civilian infrastructure in and around Hudaydah, further exacerbating the situation for Yemenis facing some of the highest levels of humanitarian need in the country.”	The sanctions designation entails that the individual is subjected to an asset freeze and travel ban, pursuant to paragraphs 11 and 15 UNSC Resolution 2140 (2015). The additional information contained in the narrative summary accompanying the designation of Al-Madani links his activities as a commander to humanitarian access issues due to the Marib offensive and to Houthi attacks on civilians and civilian infrastructure in Hudaydah and their detrimental effect on the civilian population therein.
Yemen	UNSC Resolution 2564 (25 February 2021)	Extends until 28 February 2022, the time-limited assets freeze and travel ban against individuals or entities designated by the Committee; extends the mandate of the Panel of Experts until 28 March 2022; and designates one additional individual as subject to the targeted measures (assets freeze, travel ban and targeted arms embargo). “Expressing serious concern at the devastating humanitarian situation in Yemen, including the growing risk of large-scale famine and the negative consequences of the COVID-19 pandemic, and all instances of undue hindrances to the effective delivery of humanitarian assistance, including the recent interference in aid operations in Houthi-controlled areas as well as obstacles and the undue limitations on the delivery of vital goods to the civilian population occurring throughout Yemen, which is preventing vulnerable people from receiving the assistance they need to survive,” (p. 2).	In the past, the Yemen Sanctions Committee often deferred to the ISIL (Da’esh) and Al-Qaida Sanctions Committees for sanctions regarding the situation in Yemen. But the Yemen-related designations by the ISIL (Da’esh) and Al-Qaida Sanctions Committee since 2017 did not relate to starvation or humanitarian access-related crimes in Yemen. However, unlike past resolutions, the 2021 resolution specifically addresses the threat of famine and limited civilian access to humanitarian relief. Moreover, following the 2021 resolution, the Committee entered a sanction designation for Shaykh Saleh Aida Aida Zabin (see above) for engaging in activities counter to human rights and humanitarian laws. The ongoing infighting in Yemen and the increasing loss of territorial control

by the Government of Yemen to Islamist factions were likely pivotal to the Committee’s more direct approach to sanctions and special attention to the living condition of civilians

Yemen	<p>Report from the Panel of Experts on Yemen addressed to the President of the Security Council, adopted by the Committee, and delivered to the UNSC (25 January 2021).</p>	<p>The Government of Yemen is, in some cases, engaging in money-laundering and corruption practices that adversely affect access to adequate food supplies for Yemenis, in violation of the right to food. (p. 3).</p> <p>From the end of 2019 to mid-2020, the Panel documented a degradation in relations between the Houthis and specific United Nations agencies and humanitarian actors. This involved an increase in threats, intimidation, movement restrictions and violence against humanitarian personnel (see annex 7). Although these acts did not stop, they decreased in the past few months and some progress has been reported: the 2 per cent tax on all humanitarian projects 89 was cancelled, more than 130 pending project agreements were approved and a pilot programme using biometric identification for food assistance beneficiaries started in Sana'a. However, substantial hurdles to principled humanitarian action remain in Houthi-controlled areas and the Panel continues to receive evidence of threats and intimidation towards humanitarian actors. (para. 156).</p> <p>In late November, after accusations of corruption arose relating to the presence of expired or damaged foods, WFP was unable to access its warehouses in Aden owing to the presence of military personnel, which delayed the delivery of food assistance. According to information received by the Panel, the food was awaiting disposal and two WFP staff were put under an interdiction to leave Yemen. (para. 158).</p>	<p>This Expert Report addresses the foreseeable impact of escalating infighting between the Government of Yemen and local militant groups on civilians' access to food and other vital resources.</p> <p>Noting the impact of acts of asset diversion on the economy and the food security of Yemenis, which exacerbates the humanitarian crisis and undermines the overall security and stability of the country, the Panel calls on the Security Council to consider further elaborating the sanctions designation criteria contained in paragraph 18 of resolution 2140 (2014) to include such acts. (para. 161).</p> <p>Additionally, the Report directly comments on the debate within the United States government regarding whether the Houthis should be subject to U.S. sanctions by stating, "Designating the Houthis as a foreign terrorist organization: (a) risks harming both aid and commercial food imports into Houthi-controlled Yemen, which could in turn exacerbate malnutrition in the country; and (b) makes the logistics of developing and extending the peace process more complex." (para. 34).</p>
Yemen	<p>UNSC Resolution 2511 (25 February 2020)</p> <p>UNSC Resolution 2456 (26 February 2019)</p> <p>UNSC Resolution 2402 (26 February 2018)</p> <p>UNSC Resolution 2342 (23 February 2017)</p> <p>* Each resolution reiterates that same language regarding the listing of Al-Qaida in the Arabian Peninsula (AQAP) and associated individuals on the ISIL (Da'esh) and Al-Qaida Sanctions List</p>	<p>"Recalling the listing of Al-Qaida in the Arabian Peninsula (AQAP) and associated individuals on the ISIL (Da'esh) and Al-Qaida Sanctions List and stressing in this regard the need for robust implementation of the measures in paragraph 2 of resolution 2253 (2015) as a significant tool in combating terrorist activity in Yemen," (UNSC Res. 2342 p. 2; UNSC Res. 2402 p. 1; UNSC Res. 2456 p. 1-2; UNSC Res. 2511 p. 1-2).</p>	<p>Though the Yemen Sanctions Committee possesses the authority to designate individuals and entities as subject to UN sanctions, the Yemen Sanctions Committee often defers to the ISIL (Da'esh) and Al-Qaida Sanctions Committee for sanctions regarding the situation in Yemen. However, the Yemen-related designations by the ISIL (Da'esh) and Al-Qaida Sanctions Committee since 2017 do not relate to starvation or humanitarian access-related crimes in Yemen.</p> <p>Additionally, no sanctions designations have been made by the Yemen Sanctions Committee since 2015.</p> <p>Humanitarian Exemptions: Emphasising the importance of facilitating humanitarian assistance, decides that the Committee established in paragraph 19 of resolution 2140 (2014) (hereafter, the "Committee") may, on a case-by-case basis, exempt any activity from the sanctions measures imposed by the Security Council in resolutions 2140 (2014) and 2216 (2015) if the Committee determines that such an exemption is necessary to facilitate the work of the United Nations and other humanitarian organisations in Yemen or for any other purpose consistent with the objectives of these resolutions. (UNSC Res. 2511 p. 2).</p>

Yemen	<p>Report from the Group of Experts on Yemen addressed to the Yemen Sanctions Committee, adopted by the Committee, and delivered to the UNSC (26 January 2018)</p>	<p>More international pressure on Al-Qaida in the Arabian Peninsula (“AQAP”) came on 25 October 2017 when the newly formed Terrorist Financing Targeting Center (“TFTC”)¹³ announced that it was sanctioning 11 Yemenis and two Yemeni organizations for ties to AQAP and ISIS. Among the individuals sanctioned were the former Governor of Bayda’, Nayif al-Qaysi (QDi.402), who was replaced on 23 July 2017. Also sanctioned was Abu al-Abbas, a Salafi leader in Ta’izz, who has previously received funding and support from the United Arab Emirates. (para. 72).</p> <p>Nayif al-Qaysi is the former Governor of Bayda’ for the legitimate Government. He was sanctioned by the UN ISIL (Da’esh) and Al-Qaida Sanctions Committee on 22 February 2017. He was sanctioned by the Terrorist Financing Target Center (TFCT) and its member States on 25 October 2017. Adil Abdu al-Dhubhani, better known as Abu al-Abbas, is the most powerful militia leader in Ta’izz (see 2017 Panel Mid-term Update, paras. 28 – 33). He was sanctioned by the TFCT on 25 October 2017. Sayf Abd al-Rabb al-Hayashi, Weapons/Dealer Financier, was sanctioned by the TFTC on 25 October 2017. Bilal Ali Muhammad al-Wafi, Commander in Ta’izz, was sanctioned by the TFTC on 25 October 2017. (Annex 30 p. 95)</p>	<p>While the Yemen Sanctions Committee defers UN designations to the ISIL (Da’esh) and Al-Qaida Sanctions Committee, this Expert Report notes that sanctions designations by non-UN entities are also serving the purposes of the Yemen Sanctions Committee. The TFTC discussed in the Expert Report is composed of member states, including the Kingdom of Saudi Arabia, the Kingdom of Bahrain, the State of Kuwait, the Sultanate of Oman, the State of Qatar, and the United Arab Emirates.</p> <p>Though these non-UN designations do not appear to be related to starvation or humanitarian access issues in Yemen, it is likely that future sanctions based on these issues may come from non-UN sanctioning bodies.</p>
Yemen	<p>Report from the Group of Experts on Yemen addressed to the Yemen Sanctions Committee, adopted by the Committee, and delivered to the UNSC (27 January 2017)</p>	<p>The Panel finds that insecurity arising from recent attacks on commercial vessels (see paras. 33 and 37), higher war risk insurance costs, issues relating to currency exchange and the seizure, detention and diversion of some commercial vessels have an adverse impact on the distribution of commercial food supplies. Some of these vessels also carry humanitarian assistance. This places a heavy burden on humanitarian actors to bring additional aid into Yemen to meet needs. Before the conflict, Yemen relied on other countries for 90% of its food supplies. (para. 157).</p>	<p>Though this Expert Report emphasizes the issues of obstruction of humanitarian access to Yemen and the resulting lack of food supplies, when this Expert Report was published, no sanctions designations had been made by the Yemen Sanctions Committee since 2015.</p>

¹³The TFTC works to leverage Participants’ existing expertise to target specific terrorist finance networks, and also to identify and work to provide regional partners with the capacity they need to combat the financing of terrorism within their own borders. The Participants include: the United States of America, the Kingdom of Saudi Arabia, the Kingdom of Bahrain, the State of Kuwait, the Sultanate of Oman, the State of Qatar, and the United Arab Emirates. The Participants, through the TFTC: a) Identify, track, and share information regarding terrorist financial networks and related activity of mutual concern, including related threats emanating from countries and terrorist organizations; b) Coordinate action, such as joint sanctions designations or other disruptions against terrorists and their financial networks; and c) Offer expert support to Participants that need assistance building capacity to counter terrorist finance threats, including establishing workshops on best practices in line with Financial Action Task Force (FATF) standards. See U.S. Department of the Treasury, U.S. and Saudi Arabia to Co-Chair New Terrorist Financing Targeting Center, <https://www.treasury.gov/press-center/press-releases/Pages/sm0092.aspx>.



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