

## YEAR 1

# SANCTIONS SCHOOL

# **UN Sanctions**

UN Sanctions are some of the broadest in the world, because of their wide reach in implementation.

At present, there are 15 active sanctions regimes, which, for example, cover terrorism, the DPRK, the DRC.

Each UN sanctions regime is overseen by a dedicated committee, these are sometimes named after the area or jurisdiction that they cover, or they may be named after the resolution that enacted the sanctions.



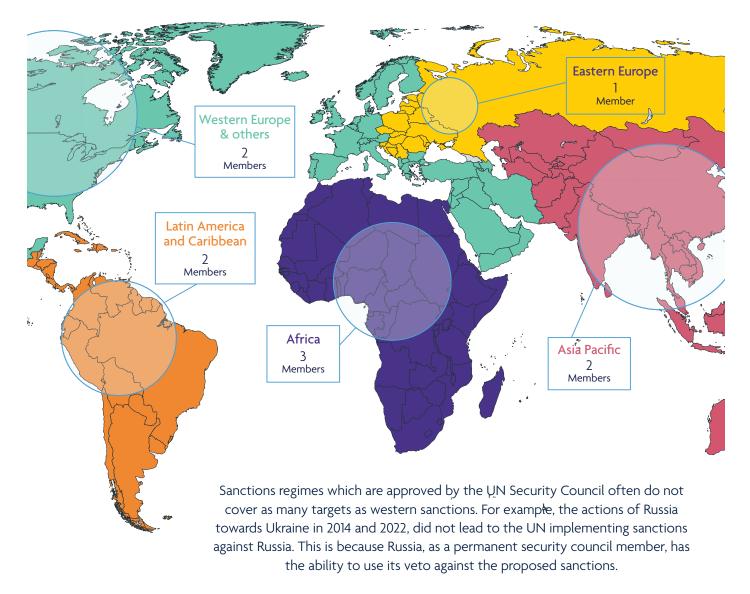
The UK Finance sanctions school is free to everyone and builds knowledge and understanding of the international sanctions environment.

Year 1 materials cover the foundations of what sanctions are, their history, what types of sanctions are imposed, the key regulators for UK based companies and the licences, reporting, and enforcement that sanctions programmes have.

This is lesson 7 of 12, which covers UN sanctions. The other lessons, tests and the larger end of year test are available on the <u>UK Finance website</u> along with links to accompanying podcasts for each lesson.

COMMITTEE NAME:	TARGETS:
Somalia Sanctions	Those that threaten the peace and reconciliation process in Somalia.
Committee	Resolution 751 (1992).
ISIL (Da'esh) and Al-Qaida Sanctions Committee	ISIL and Al-Qaida Resolutions 1267 (1999), 1989 (2011) and 2253 (2015).
1518 Sanctions	Iraq
Committee (Iraq)	Resolution 1518 (2003)
The Democratic	Those that threaten the peace, stability or security of the Democratic Republic of
Republic of Congo	Congo.
Sanctions Committee	Resolution 1533 (2004)
The Sudan Sanctions	Those who impede the peace process, constitute a threat to stability in Darfur and the region in Sudan or violate human rights.
Committee	Resolution 1591 (2005)
1636 Sanctions Committee (Lebanon)	Those suspected of involvement in the 14/02/2005 bombing in Beirut, Lebanon which killed 23, including former Lebanese Prime Minister Rafiq Hariri. Resolution 1636 (2005)
1718 Sanctions	Democratic People's Republic of Korea for Nuclear Proliferation
Committee (DPRK)	Resolution 1718 (2006)
Libya Sanctions	Those involved in human rights abuses in Libya.
Committee	Resolution 1970 (2011)
1988 Sanctions	Those associated with the Taliban in constituting a threat to the peace, stability, and security of Afghanistan.
Committee (Taliban)	Resolution 1988 (2011)
Guinea-Bissau	Those involved in the coup d'état in Guinea-Bissau of 12/04/2012.
Sanctions Committee	Resolution 2048 (2012)
The Central African Republic Sanctions Committee	Those that undermine the peace, stability or security of the Central African Republic. Resolution 2127 (2013)
2140 Sanctions	Those threaten the peace, security or stability in Yemen.
Committee (Yemen)	Resolution 2140 (2014)
South Sudan Sanctions	Those that have expanded the conflict in South Sudan, those that have committed human rights abuses.
Committee	Resolution 2206 (2015)
Mali Sanctions	Those that threaten the peace, security, or stability of Mali.
Committee	Resolution 2374 (2017)
Haiti sanctions	Those that threaten the peace, security, or stability of Haiti.
committee	Resolution 2653 (2022)

UN sanctions are a tool utilised by the **UN Security Council** (UNSC), which **is one of the six principal aspects of the UN and has responsibility for ensuring international peace and security**, under Chapter VII of the UN Charter. The UNSC is composed of five permanent members (US, Russia, China, France and UK), who have a veto over Security Council decisions, and 10 rotating members. The 10 rotating members are elected for two year terms, with 5 changing each year. These members represent the 5 UN regions;



UN Security Council sanctions, once passed, legally oblige all 193 **member states** to implement these sanctions. This is one of the ways in which sanctions in the UK and EU are made (see lessons 3 and 8 for more detail).

Because each sanctions regime has its own framework, there can be significant variety in what sanctions are used against each target. To make this clearer, let us compare two examples of UN sanctions regimes.

### ISIL (Da'esh) and Al-Qaida Sanctions

Asset freeze



Travel ban



Arms embargo



#### **DPRK**

- Arms and related materiel embargo
- Non-proliferation
- Proliferation networks
- Interdiction and transportation
- Provision of bunkering services
- Asset freeze
- Disposal of seized items
- Travel ban

- Financial measures
- Specialized teaching and training
- Scientific and technical cooperation
- Coal, minerals and sectoral bans
- Ban on exports of condensates and natural gas ban to the DPRK
- Ban on all refined petroleum products

- Restriction on the supply, sell or transfer of crude oil
- Seafood ban
- Ban on the export of textiles from the DPRK
- Ban on DPRK workers abroad
- Fuel ban
- Other bans: Statues, New Helicopters and Vessels
- Luxury goods ban

As we can see, the sanctions which the UN can implement cover the different types of sanctions, such as financial, trade and travel (see year 1 lessons 4, 5 and 6 for more information).

#### How listing works:

- UNSC makes the relevant security council resolution, which in turn creates the relevant Sanctions Committee
- Member States can submit listing requests to create designations under the relevant sanctions regime having compiled relevant supporting information
- Then the Sanctions Committee makes the decision and either recommends the Security Council adopts the listing or does not. The Sanctions Committee will normally provide feedback to the submitting state
- The UN Security Council will then vote on whether to add or remove a listing.

#### How delisting works:

- Member states can submit to the committee
- Listed individuals, groups, undertakings and entities can do so, directly or through a representative can make a request to the Office of the Ombudsperson
- Committee makes a decision

#### **Implementation and Enforcement:**

Like the EU (see lesson 8), the UN sets sanctions designations but does not implement them. Individual UN member states are responsible for implementing UN sanctions at a national level and issuing any guidance.

Although there are no licenses issued by the UN, there can be exceptions written into the scheme of sanctions. These tend to focus on humanitarian exceptions such as the recent exception included in all UN sanctions as set out in the recent UNSC resolution <u>2664</u>.

The implementation of UN Sanctions are monitored by the relevant Sanctions Committee, and often supported by a relevant Monitoring Group or Panel of Experts, as created specifically for this role. It is for these bodies to monitor and support the implementation of the relevant UN sanctions regime.

Significantly, the UN has no independent means of enforcement and so it relies on individual Member States, who have a varying appetite and capacity to enforce the sanctions.



#### Arms embargo

- An arms embargo is a prohibition that applies to the trade or activities related to military items. An arms embargo may be imposed by the United Nations (UN), the Organisation for Security and Co-operation in Europe (OSCE) or the UK itself.

#### Asset freeze

 An asset freeze blocks all assets of the designated person, this applies to financial assets and non-financial assets such as vehicles, property etc.

#### DPRK

– The Democratic People's Republic of Korea, commonly known as North Korea

#### DRC

- The Democratic Republic of the Congo.

#### EU

 The European Union (EU) is an economic and political union between 27 European countries. The EU's main economic engine is the single market. It enables most goods, services, money and people to move freely.
Member States delegate some of their decision-making powers to the shared institutions they have created, so that decisions on specific matters of common interest can be made democratically at EU level.

#### ISIL

– Daesh (also known as ISIL, Islamic State, or ISIS) is a terrorist group.

#### Member states

– The individual signatories to a wider group, so the countries which make an international body such as the UN or EU

#### Travel ban

Immigration sanctions which cause Designated Persons to be refused access to the country which has implemented the travel ban. These also remove the right to remain if the Designated Person is present in the country imposing the restriction.

#### **Trade restrictions**

- Controls on the export and import of certain goods and technology, such as military goods and technology. Controls on the provision of certain assistance and services, such as financial services, related to controlled goods and technology and controls on other trade related activities, such as services relating to ships and aircraft

#### UN

- United Nations. The United Nations is an international organization founded in 1945. Currently made up of 193 Member States, the UN and its work are guided by the purposes and principles contained in its founding Charter.

#### **UN Security Council**

 One of the 6 principal organs of the UN, and has primary responsibility for the maintenance of international peace and security – under the UN charter, all Member States are obligated to comply with Council decisions.

### Authors



**Neil Whiley** Director, Sanctions Economic Crime



Anila Haleem Manager, Sanctions Economic Crime



**Ian Bolton** Founder and CEO of Sanctions SOS