

The Burden of the Unintended

The Humanitarian Consequences of Sanctions and
the Role of the Red Cross Red Crescent



Swedish Red Cross

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commissioned by the Swedish Red Cross

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The independent author, Dr Johan Schaar, was commissioned by the Swedish Red Cross to provide an overview of sanctions regimes and their humanitarian consequences. All views and recommendations presented here are Dr Schaar's own.

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Abstract

When imposing sanctions, states have the obligation to act in accordance with international law. But sanctions remain a problematic instrument of international policy, despite the replacement of broad and blunt trade sanctions with more precise, targeted sanctions. Research generally finds them ineffective in reaching their political objectives. Frequent enforcement of simultaneous UN, EU and unilateral sanctions lead to serious unintended and gendered effects on the welfare of civilian populations. The operational space of humanitarian organizations is constrained, despite humanitarian exceptions and exemptions. Sanctions lead to increased repression and violations of human rights, rather than the opposite. This report provides recommendations directed to the Red Cross Red Crescent on how to achieve a strategic shift in the focus and nature of accountability, away from humanitarian organizations and their actions, to states and their responsibility to prevent excessive hardship of civilian populations under sanctions.

1. Introduction

The role, use and understanding of sanctions has evolved with the change in global geopolitics, from the duality of the Cold War era into a more multipolar period with a growing erosion of multilateralism and a shared norm system. From the sanctions instrument defined in Chapter 7 of the UN Charter of 1945, aimed at countering threats to international peace and security, the post-Cold War period has seen an increasing use of EU and unilateral sanctions. The experience of severe humanitarian impacts of broad economic sanctions in the 1990s¹ led to reforms of the sanctions instrument, and the introduction and use of targeted sanctions, aimed at individuals responsible for breaches of peace and security, rather than the population at large.

More recently, evidence shows that multilateral, regional and unilateral sanctions, sometimes used simultaneously, have again led to negative impacts on civilian populations in a number of cases, similar to those in the 1990s. Often, the objectives of sanctions are unclear or contradictory, making it difficult to assess when their aims have been achieved so that sanctions can be lifted. Their effectiveness in leading to changes in the behavior and policies of regimes under sanctions is in serious doubt, according to a growing body of academic research. It is consequently difficult to identify a current sanctions regime where its political outcome justifies the burden on the civilian population.

The complexity of modern societies is such that the imposition of sanctions inevitably has systemic and long-term outcomes that are difficult to predict, going beyond the linear cause and effect relationship envisaged by the senders of sanctions. Sanctions resolutions regularly state that measures imposed “are not intended to have adverse humanitarian consequences for the civilian population” and scope out space for humanitarian organizations to operate.² However, the impacts of sanctions are often so far-reaching that to alleviate them goes much beyond the capacity and remit of humanitarian organizations.

¹ Minear, L., Cortright, D., Wagler, J., Lopez, G.A. & Weiss, T.G. 1998. Toward More Humane and Effective Sanctions Management: Enhancing the Capacity of the United Nations System. Occasional Paper #31. Thomas J. Watson Institute for International Studies, Brown University.

² From UN Security Council [Resolution 2371 \(2017\), on sanctions against the Democratic People’s Republic of Korea \(DPRK\)](#)

Based on its experiences of operating in countries under sanctions during the 1990s, the Red Cross Red Crescent Movement (the Movement) was active in debating their impact and unintended humanitarian effects, a process that led to the adoption of a resolution on the matter in the International Conference of the Red Cross and Red Crescent in 1995. The era of sanctions practices now at hand, however, has seen less active involvement and advocacy by the RCRC.

This paper aims to contribute to a renewed debate on sanctions in the Movement. On the basis of a review of the purpose of sanctions, their intended and unintended effects, their impact on humanitarian operations, and recent experiences of COVID-19 relief in countries under sanctions, the paper presents a set of conclusions and recommended action that builds on the Movement's unique experience of legal and operational aspects of sanctions, in international bodies as well as in countries imposing and being subjected to sanctions.

2. The purpose of sanctions

The question about the purpose of sanctions may seem an easy one to answer: in the words of Article 39 in the UN Charter it is about measures “to restore international peace and security”, or variations thereof if sanctions are imposed by regional organizations such as the EU or unilaterally by individual countries. In what Galtung 1967 called its “naïve” form, when discussing sanctions against Rhodesia, broad sanctions causing economic harm will supposedly lead to such discontent among the population of a targeted country that it leads to overthrow of the government, or it will lead the regime to calculate that the costs of sanctions are so high that it is in their interest to change the policies or behavior that has led to the imposition of sanctions.³ There are many mechanisms available through which sanctions' objectives can be potentially achieved, and sometimes objectives that may not be openly articulated but actually constitute the real motivation behind them. To understand the intended purpose of sanctions in a particular case is important in order to judge whether they have reached their objectives. In theory, sanctions would be lifted when their objectives have been reached, something which in practice turns out to be difficult.

Summarizing sanctions research, Cameron lists no less than eight different identified goals:⁴

1. *Deterrence*. Sanctions are threatened in order to deter conduct, usually a norm violation.
2. *Compliance*. To make the sanctioned state change aspects of foreign or domestic policy.
3. *Punishment*, when it is too late or difficult to bring about change.
4. *Destabilization* of a regime or disruption of the activities of a non-state entity.
5. *Limitation or stabilization* of an armed conflict.
6. *Solidarity*: showing support to the activities of friendly states.
7. *Symbolism*, when sanctions provide the public and the state under sanctions with evidence of disapproval but without inflicting serious material damage.

³ Cameron, I. 2008. Respecting Human Rights and Fundamental Freedoms and EU/UN Sanctions: State of Play. European Parliament, Brussels.

⁴ Ibid.

8. *Signaling*. A version of 7. but where the intent is to signal strong resolve to actually inflict material damage,

Several of these goals may be overlapping, and, if the sanctioning actor is an intergovernmental body such as the UN or EU, different member states may not have the same objectives as their respective priority.

When the main objectives of sanctions are symbolic, signaling to a domestic or international public may be more important than the expectation that they will actually lead to a change of behavior of the state under sanctions. There are consequently cases where sanctions have remained in place for decades, such as unilateral US sanctions against Cuba since 1961, where “the policy has become the objective,” or the EU arms embargo against China, in place since the events on Tiananmen Square in 1989.⁵

Different interests, rivalries and alliances among states thus produce inconsistencies as to which breaches of peace and security or violations of international law actually lead to sanctions. This particularly applies to the permanent five members of the Security Council, who frequently use their veto power to block sanctions resolutions. One such example is Syria, where Russia and China have repeatedly vetoed sanctions proposals submitted by other SC members, thus protecting the regime.⁶ Sanctions have instead been imposed on Syria by the EU (see Annex) and several individual countries, including the US, leading to what one observer in 2016 labeled “the most complicated and far-reaching sanctions regimes ever imposed”.⁷

Similar disagreements are also found among EU states, who had difficulties agreeing on sanctions against Belarus in 2020.

The divisiveness of the topic is reflected in the role of the UN Special Rapporteur on the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights, first mandated in 2014 by the UN Human Rights Council and regularly renewed. Since the US has been the most active state in issuing unilateral sanctions in recent years, the Special Rapporteur regularly reports on the impact of US sanctions, including so-called secondary sanctions, against banks, international suppliers or states that fail to comply with rules established by the US Government.⁸ This leads to “over-compliance”, i.e. a behavior where sanctions regimes are followed more restrictively than what the letter of sanctions legislation requires. Notably, the Special Rapporteur’s position is that the UN Charter “does not provide for any possibility of sanctions without the authorization of the Security Council”, consequently finding that unilateral sanctions have no support in international law.⁹

It is therefore telling that when the Special Observer’s mandate was renewed by the Human Rights Council in 2017, the 30 votes in favor all represented G-77 countries, while the 15 against were all Western countries, including the UK and US, a division naturally

⁵ Sabatini, C. 2020. [US-Cuba Sanctions: Are They Working Yet?](#) Chatham House Expert Comment

⁶ <https://www.bbc.com/news/world-middle-east-39116854>

⁷ Walker, J. 2016. Study on Humanitarian Impact of Syria-Related Unilateral Restrictive Measures, UN Economic and Social Commission for Western Asia and Office of the UN Resident Coordinator in the Syrian Arab Republic, Quoted in Debarre, A. 2019. [Making Sanctions Smarter: Safeguarding Humanitarian Action](#). International Peace Institute.

⁸ Beinart, P. 2021. [America’s Forever War](#). New York Times, 15 Feb, 2021.

⁹ <https://www.undocs.org/en/A/75/209>, p 11

undermining the legitimacy of the Special Rapporteur function.¹⁰ Recent reports by the Special Rapporteur have covered Syria¹¹, Venezuela¹² and sanctions impacts during the COVID-19 Pandemic¹³, all highly critical of their humanitarian consequences.

The multitude of sanctions objectives, including those officially stated and where the signaled policy is the objective rather than expected behavior change, and the politically charged space where governments decide on sanctions, makes open and evidence-based debate on their effects challenging or even discouraged, particularly for humanitarian actors who cannot compromise on their perceived independence, impartiality and neutrality. And since the objectives of sanctions in the individual case may be unclear, and even vary over time¹⁴, it is a contentious issue to determine when the state under sanctions has met the criteria that will lead to the lifting of sanctions. Sanctions are a favored political instrument by major powers, which tends to make them biased or even unwilling to discuss sanctions' intended and unintended effects.

3. Impact of sanctions – intended effects

Whether sanctions actually achieve their intended objectives is a matter for states that have imposed them to decide. However, there is also reason for humanitarian actors to take an interest in the effectiveness of sanctions in reaching their stated objectives. The burden of sanctions on the civilian population may be found to be out of proportion to what is being achieved, e.g. in terms of ending violations of International Humanitarian Law (IHL) or International Human Rights Law (IHRL). The question whether sanctions are worth their price must be asked, also by humanitarian actors.

There is a rapidly growing body of academic literature analyzing the effectiveness of sanctions, having to contend with the kinds of methodological difficulties that arise when the purposes of sanctions, in the eyes of different states, are so divergent that there is disagreement on what they really are.

Academic research also takes an interest in comparing the effects of broad sanctions of the kind imposed on Iraq and other countries in the 90s, aimed at limiting trade and financial flows, and targeted sanctions designed to reduce negative impacts on the general population by arms embargos and focusing on individual leaders and organizations by freezing financial assets and issuing travel bans. Additionally, there are studies comparing multilateral and unilateral sanctions, particularly related to the increasing number of US sanctions.

The overall consensus of researchers seems to be that sanctions generally are ineffective in achieving their goals, at least those aimed at changing the behavior of a state under sanctions. According to studies cited by Blad, only a third of sanctions are successful in reaching compliance or changing the behavior of states under sanctions.¹⁵

¹⁰ UN HRC [Resolution 36/10](#), 2017. Human rights and unilateral coercive measures

¹¹ UN HRC, 2018. [Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights on his mission to the Syrian Arab Republic](#).

¹² <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26749&LangID=E>

¹³ <https://www.ohchr.org/EN/Issues/UCM/Pages/SRCoerciveMeasures.aspx>

¹⁴ Sabatini, C. 2020. [US-Cuba Sanctions: Are They Working Yet?](#) Chatham House Expert Comment

¹⁵ Blad, J. 2019. Economic Sanctions and Repression. The effect of economic sanctions on repression conditional on levels of democracy. Department of Peace and Conflict Studies, Uppsala University.

A study of 63 UN targeted sanctions episodes between 1991 and 2013 finds a success rate in 22% of the cases.¹⁶ Testing the narrower hypothesis whether targeted sanctions have an impact on the conduct of armed conflicts by reducing their intensity, making the parties more interested in peace negotiations or reducing the risk of reigniting conflict, Wallensteen and Eriksson are not able to find conclusive answers.¹⁷ A recent study using new datasets finds higher success rates, however, with EU sanctions being more effective than unilateral US sanctions.¹⁸

Even if sanctions in the majority of cases do not result in a definite change of policies or behavior of the state under sanctions, they may still have the effect of demonstrating political resolve vis-à-vis the public or signaling the importance of upholding international norms. Also, there may be certain conditions where sanctions are more likely to have the intended results, such as when there is a narrowly defined and precise objective which forms part of a broader political and diplomatic strategy. An example is the process that in 2015 led to agreement between the permanent members of the Security Council, plus Germany, and Iran on the Joint Comprehensive Plan of Action (JCPOA) on Iran's nuclear program, where compliance by Iran would lead to a gradual lifting of sanctions. Iran did comply with the provisions of JCPOA until the US under the Trump administration broke the agreement and enforced new and comprehensive unilateral sanctions as part of its "maximum pressure" policy.¹⁹ Whether sanctions achieve their intended effects or not, they invariably have unintended effects on the population under sanctions, as the next section will show.

4. Impacts of sanctions – unintended effects

To determine the unintended, and sometimes ignored, impact of sanctions on the welfare and human rights of a population is an analytical minefield. It is likely in the interest of the government of the sanctioned state to draw attention to or exaggerate negative impacts in order to gain sympathy from a global audience, thus putting pressure on the sending states to lift or ease sanctions. Therefore researchers, applying less than rigorous methodology, or humanitarian organizations, could become the unwitting instruments of sanctioned governments, or be seen to compromise on their impartiality.

This dilemma is of course particularly challenging when it comes to individual countries and cases at a particular moment in time, where the requirements on the credibility of those reporting on negative impacts are very high. The problem is less when it comes to studies across many countries, based on large datasets and well-established statistical methods.

The most conspicuous example of a country using its sanctions predicament to mobilize international sympathy through manipulation of information is Iraq during 1990-2003, when it was under incomparably broad sanctions after the invasion of Kuwait and the first Gulf War. Undoubtedly, sanctions did inflict severe hardship on the civilian population in the highly import-dependent country, which had suffered large-scale destruction during two wars

¹⁶ Biersteker, T. J., Eckert, S. E., Tourinho, M. & Hudaková, Z. 2018. UN targeted sanctions datasets (1991-213). *J of Peace Research* 1-9. <https://journals.sagepub.com/doi/10.1177/0022343317752539>

¹⁷ Wallensteen, P. & Eriksson, M. 2015. Targeting sanctions and ending armed conflicts: first steps towards a new research agenda. *International Affairs* Vol. 91 /6): 1387-1398

¹⁸ Weber, P.M. & Schneider, G. 2020. [Post-Cold War sanctioning by the EU, the UN, and the US. Introducing the EUSANCT Dataset](#). Conflict Management and Peace Science, 1-18.

¹⁹ Erästö, T. 2020. [European Non-proliferation Diplomacy in the Shadow of Secondary Sanctions](#). SIPRI Policy Brief.

and now was unable to trade. This was particularly the case before Iraq agreed to engage in the oil-for food program in 1995, as observed not least by IFRC staff based in the country to manage the relief program. According to Joy Gordon in her book *Invisible War*, Iraq imported only \$ 204 per person per year 1996-2003, half the per capita income of Haiti at the time.²⁰

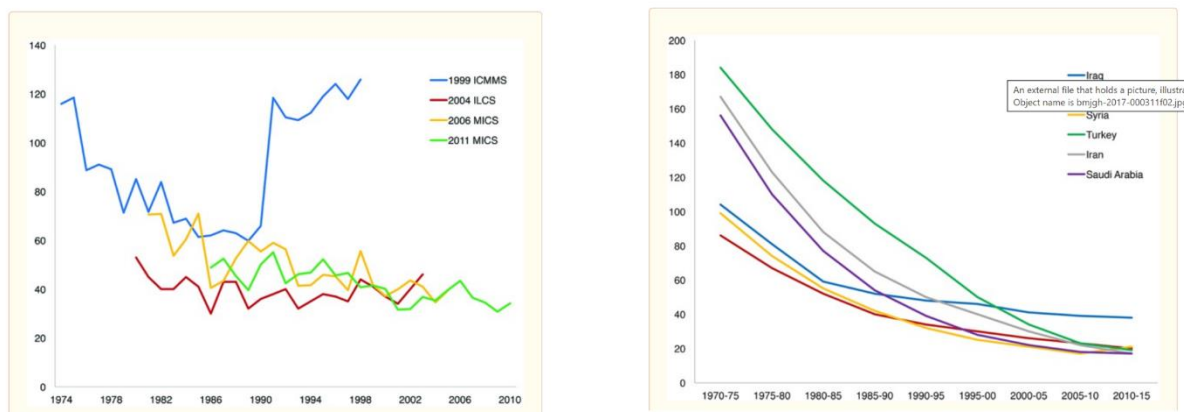


Figure 1. Left-hand graph: The under-5-mortality rate in Iraq as reported during sanctions 1999 (blue line) compared to those reported post-sanctions. Right-hand graph: under-5-mortality rate in Iraq 1970-2015 compared to neighboring countries.²¹

A few years into the sanctions, reports were emerging about a dramatic increase in child mortality in Iraq, rising from 56 to 131 under-5-mortality per 1,000 between the mid-80's and mid-90's, representing an excess mortality during the 90s of more than half a million children under 5.²² When Iraqi health and census records became available after the 2nd Gulf War in 2003, however, renewed analysis showed that there had been no excess mortality during sanctions (figure 1). Saddam Hussein's regime had manipulated data that in reality showed that child mortality in Iraq had declined continuously since the 1970s, in parallel with its neighbors, although the decline had become less with the onset of the Iran-Iraq war in 1980 and was now approximately twice as high as in Jordan, Turkey and Iran, but still lower than before the two wars and the sanctions.

The case of Iraq is a cautionary tale when it comes to the reliability of data in a country under extreme pressure and with a leader who is able to exercise effective control over its institutions. This needs to be kept in mind when studying sanctions' effects in single countries under autocratic regimes.

A study of Iran under sanctions, published before the withdrawal of the US from the JCPOA and its imposition of the "maximum pressure" policy, used qualitative methodology rather than a quantitative analysis.²³ The study found that the fall in oil revenue resulted in the devaluation of Iran's currency, growing inflation and unemployment. Along with the effects of sanctions on banking and shipments, the result has been a general decline in people's

²⁰ Gordon, J. 2012. *Invisible War*. United States and the Iraq Sanctions. Harvard University Press. Quoted by Beinart, P. 2021. *America's Forever War*. New York Times, 15 Feb, 2021.

²¹ Dyson, T. & Cetorelli, V. 2017. Changing views on child mortality and economic sanctions in Iraq: a history of lies, damned lies and statistics. *British Medical Journal Global Health*: 2017:2. . doi:10.1136/ bmjgh-2017-000311

²² Ibid.

²³ Kokabisaghi, F. 2018. Assessment of the Effects of Economic Sanctions on Iranians' Right to Health by Using Human Rights Impact Assessment Tool: A Systematic Review. *Int J of Health Policy and Management* 7(5), 374-393.

welfare and their access to health care and medicine. The study concludes that humanitarian exemptions were unable to protect Iranians from the adverse effects of sanctions.

North Korea (the Democratic People’s Republic of Korea, DPRK) is also under a comprehensive UN, EU and unilateral sanctions regime, reinforced in 2017 to cover a large part of its trade and banning its nationals from working abroad. A study, commissioned by Korea Peace Now, a global movement of women mobilizing to end the Korean War, and carried out by an independent panel of experts, analyzed the effects of sanctions on the population, women in particular.²⁴ The study used data collected by international organizations engaged in humanitarian programs, such as nutrition and health surveys. They are in general agreement that sanctions are having a significant negative impact on the population’s welfare. In 2019, it was estimated by the UN that 11 million, or 40% of the population, lacked sufficient nutritious food, clean drinking water or access to basic services such as health and sanitation.²⁵ The UN reports high maternal mortality rates, at 65.5/100,000 live births, as well as high levels of malnutrition among women of child bearing age, at 23.2%. Sectors under sanctions employ a large proportion of women, such as electrical equipment, minerals, agricultural goods, seafood, and textiles. This has likely led to high unemployment, and to gendered discrimination, violence and setting back women’s rights, as found in other countries in economic crisis or under sanctions.²⁶

Although macro-economic data are not readily available in DPRK, an indication of the effects of the sanctions regime is indicated in the dramatic drop in trade with its main trading partner China (figure 2).

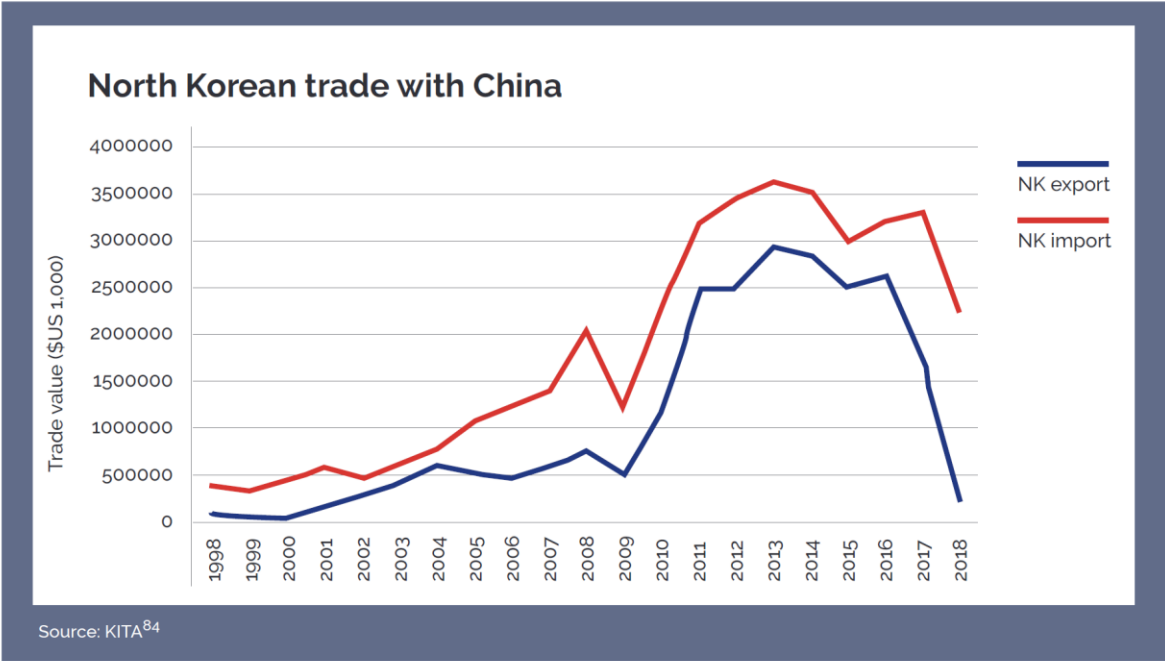


Figure 2. North Korean trade with China 1998-2018²⁷

²⁴ Korea Peace Now, 2019. The Human Costs and Gendered Impact of Sanctions on North Korea.
²⁵ UN, 2019. Resident Coordinator for the DPRK, [Needs and Priorities Report](#).
²⁶ Cooper Drury, A. & Peksen, D. 2014. Women and Economic Statecraft: The Negative Impact International Economic Sanctions Visit on Women. *European Journal of International Relations*, vol. 20, No. 2 (2014), pp. 463–490.
²⁷ Korea Peace Now, 2019. The Human Costs and Gendered Impact of Sanctions on North Korea.

The Panel of Experts, established by the Security Council to monitor sanctions against DPRK in accordance with resolution 1718, identified in its final report 2020 a number of unintended effects on the humanitarian needs of the population, thus confirming findings of humanitarian organizations.²⁸ Such effects included the disappearance of sources of livelihoods for those employed in industries under sanctions and for repatriated overseas workers, estimated at hundreds of millions of dollars; an increase in social marginalization due to the elite's increasing control over scarce resources; shortages of agricultural equipment and fuel, limiting harvest windows and compounding food insecurity; disruption of medical supply chains impacting the underfunded and inadequate health-care system; and the collapse of the UN banking channel, jeopardizing supply chains and leading to a suspension of projects, creating risks for humanitarian personnel (who have resorted to carrying cash into DPRK²⁹).

To truly distinguish between effects that are the results of sanctions from those caused by government policies and actions is difficult when studying individual countries, particularly if data access is limited or compromised. Instead, statistical analyses of several countries are required, where sanctions effects can be isolated from other factors so that systematic patterns and interlinkages can be identified. Such analyzes have become possible with the emergence of an increasing number of comprehensive data sets, covering decades of sanctions on a large number of countries.

In a comprehensive study, covering 98 countries during 1977-2012, the effect of sanctions on life expectancy is analyzed.³⁰ This is an aggregated variable, chosen as it reflects the ultimate result of a range of determinants of human health. The study finds that life expectancy is reduced by 1.2-1.4 years per UN sanctions episode, i.e. measured over the duration of a sanctions period, the effect being 24% larger for women than for men, revealing a clear gender effect. Based on studies of gendered impacts of economic crises the authors hypothesize that the effect could be due to women being exposed to higher health risks, because of labor market changes and being less likely to receive needed medical treatment. The longer the sanctions episode the larger the reduction in life expectancy. The study finds strong evidence that the reduction in life expectancy is linked to a decrease in economic growth and GDP, leading to less public expenditure on health and sanitation and other critical sectors.

The authors also find a clear link to the nature of the political environment in the state under sanctions, so that a higher quality of governance leads to less reduction in life expectancy. Notably, there was little difference whether countries were subjected to targeted or non-targeted sanctions.

The study is thus in agreement with other studies showing significant economic impacts in countries under sanctions, including a reduction in GDP growth,³¹ increases in economic

²⁸ <https://undocs.org/S/2020/151>

²⁹ Personal communication of humanitarian staff with the author, February 2021.

³⁰ Gutmann, J., Neumeier, F. & Neuenkirch, M. 2021.

[Sanctioned to Death? The Impact of Economic Sanctions on Life Expectancy and its Gender Gap](#). Journal of Development Studies 57 (1)

³¹ Neuenkirch, M. & Neumeier, F. 2015. [The impact of UN and US economic sanctions on GDP growth](#). European Journal of Political Economy 110-125.

hardship,³² and income inequality,³³ and that these effects become stronger the longer the duration of sanctions.

A number of recent studies have investigated the level of repression in countries under sanctions. Although sanctions are often imposed as a measure to improve states' respect for human rights, most studies find that the human rights situation instead tends to deteriorate with the imposition of sanctions.³⁴ It is hypothesized that hardship under sanctions triggers domestic dissent and opposition, prompting governments to use repressive means to protect their privileges and maintain their hold on power. Also, civil liberties tend to decline under sanctions, as measured by the Freedom House civil liberties index.³⁵

An important but also logical finding is that the level of democracy in a state under sanctions determines the degree to which a government will use repressive means to counter dissent.³⁶ When the level of democracy increases, so does government accountability and citizens' opportunities to openly express dissent. The more authoritarian the government, the more severe becomes its use of repressive means.

When seeking to understand the mechanisms whereby sanctions translate into unintended impacts on the population, one must acknowledge the infinite complexity of modern societies. System complexity means that a change in one part of a system leads to unpredictable and unforeseen outcomes in other parts of the system. The ultimate result of such changes depends on factors such as the nature and diversity of a country's economy, its quality of governance, and the way power is structured and executed. Even if the examples given above point to a level of outcome predictability when such factors are known, unpredicted phenomena may still appear.

A stark illustration to such unintended, cascading system effects is presented in a recent study on the environmental effects of sanctions in Iran.³⁷ During decades of sanctions, and the additional chilling effects of secondary sanctions that discourage banks and international suppliers, aimed at isolating the country, damage its economy and force its government to change course, Iran has adopted a range of survivalist policies that have helped reduce the economic pressure of sanctions but greatly accelerated environmental degradation.

Iran already faced environmental problems, but they have been exacerbated under the catalytic impact of its sanctions-countering strategy. These impacts have been mediated through three main mechanisms:

- (i) restricted access to environmentally friendly technology, services and know-how, leading to the use of cheaper, domestically available but more harmful technologies, and to effects such as lower fuel standards, increased particular pollution and ecosystem damage in oil fields;

³² Choi, S-W. & Luo, S. 2013. [Economic Sanctions, Poverty, and International Terrorism: An Empirical Analysis](#). *International Interactions*, 217-245.

³³ Ibid

³⁴ Liou, T. Y.-L., Murdie, A. & Peksen, D. 2020. [Revisiting the Causal Links between Economic Sanctions and Human Rights Violations](#). *Political Research Quarterly*.

³⁵ Adam, A. & Tsarsitalidou, S. 2019. [Do sanctions lead to a decline in civil liberties?](#) *Public Choice* (180) (8)

³⁶ Blad, J. 2019. *Economic Sanctions and Repression. The effect of economic sanctions on repression conditional on levels of democracy*. Department of Peace and Conflict Studies, Uppsala University.

³⁷ Madani, K. 2020. *Iran under Sanctions. The Unintended Environmental Implications of Iran Sanctions*. Johns Hopkins School of Advanced International Studies

- (ii) blocked international aid for the environment, reducing funding from the Global Environmental Facility (GEF) and other international organizations, preventing international collaboration in areas such as land degradation, biodiversity, sustainable agriculture, chemicals and waste, international waters, sustainable forest management and climate change;
- (i) regression from a high-tech, diversified economy to a natural resource-intense economy, thus countering increasing unemployment such as through reaching food self-sufficiency by employing unsustainable and environmentally damaging agricultural practices and mining its water resources (which in turn has transboundary effects on its neighbor Iraq³⁸).

All of these effects ultimately translate into negative impacts on human health and welfare. The complex interaction between system elements is illustrated in Figure 3.

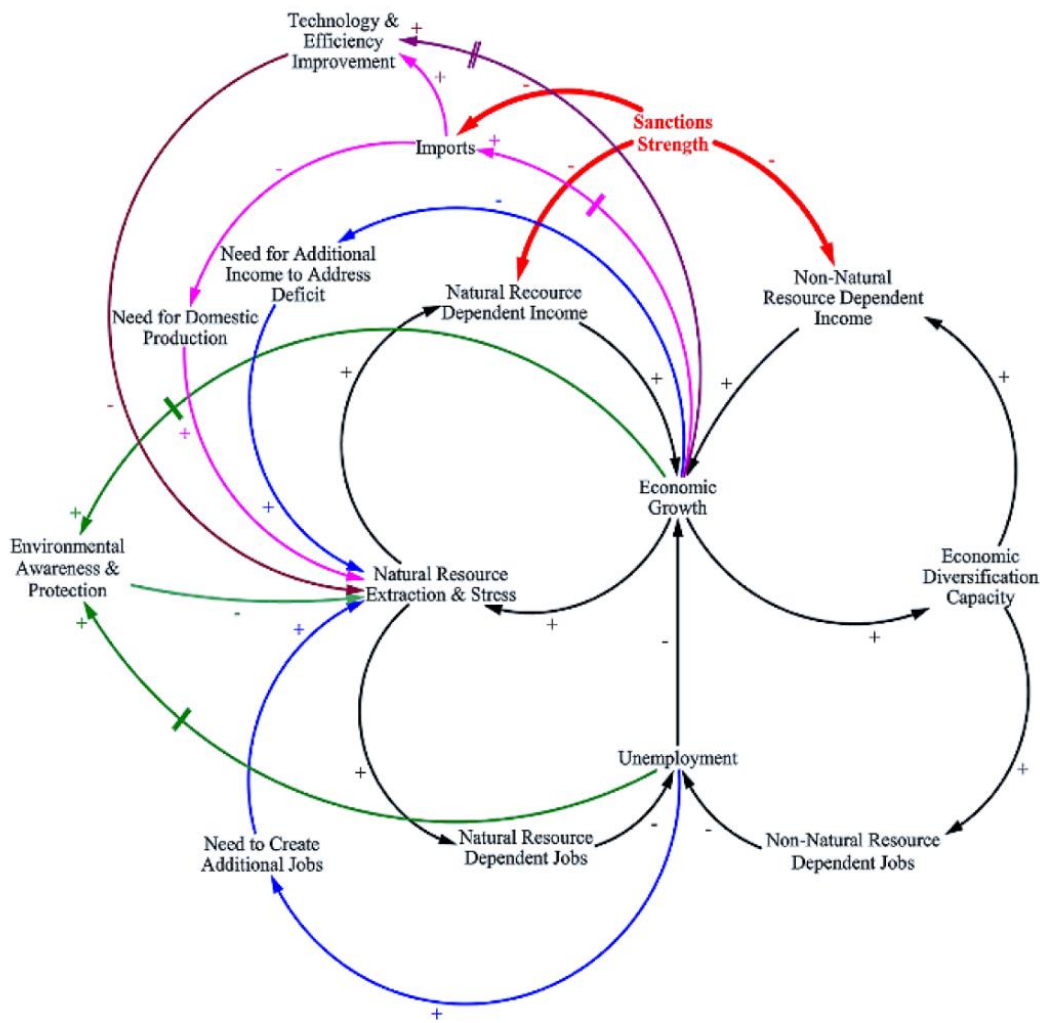


Figure 3. Causal Loop Diagram showing the effects of a sanctioned economy on environmental degradation. Sanctions reduce income, imports, and access to technology, thereby increasing the economy’s dependency on natural resources and environmental degradation. +/- reflect positive or negative impacts.³⁹

³⁸ Badawi, T. The Impacts of Climate Change and Sanctions on Iran’s Water-Food Security Nexus. In *Revisiting Natural Resources in the Middle East and North Africa*. Luigi Narbone, ed. European University Institute

³⁹ Madani, K. 2020. [How International Economic Sanctions Harm the Environment](#). *Earth’s Future* Vol 8 (12).

In conclusion - imposing sanctions means unleashing forces over which the sender has limited control, but that are more likely than not to have serious negative impacts on the welfare of the civilian population. This seems to be the case not only for broad economic sanctions but also for targeted sanctions, which are meant to minimize such impacts. The reason why targeted sanctions have similar effects is less clear, but may be linked to overcompliance and chilling effects, where banks, suppliers and importers are reluctant to engage with countries under sanctions even if the transactions and items in question are not under sanctions. The notion of unintended effects thus becomes ill-placed, as there is now enough evidence to make the sender of sanctions aware that negative impacts on the population occur as a rule rather than an exception.

It is the primary responsibility of governments to protect and care for their own population. However, there is often an implicit expectation that humanitarian organizations will help alleviate negative effects on the population, an expectation reinforced by sanctions resolutions' language often referring to the need to avoid "unintended humanitarian effects". The magnitude and complexity of sanctions impacts make them an overwhelming task for humanitarian organizations, however. And it is difficult to identify any current sanctions regime where a change of regime policy or behavior in terms of stopped violations of IHL or other humanitarian concerns stand in proportion to the burden on the civilian population.

5. Sanctions' impact on humanitarian action

During recent years, much attention has been given to the operational constraints of sanctions regimes from the perspective of humanitarian action. Analyses have been made of the nature of humanitarian exceptions and exemptions, the functioning of sanctions committees, and how to widen the operational space of humanitarian actors. The most comprehensive and thoroughly researched recent analysis has been made in a project at the International Peace Institute (IPI), presented in a report by Alice Debarre.⁴⁰ The report includes conclusions and recommendations directed at the UN Security Council, other UN entities, humanitarian organizations, member states, regional organizations, and the private sector.⁴¹ Being highly relevant for the Movement, a brief account of the analysis' main points and recommendations will be provided in this section which builds extensively on the IPI report.

States have the responsibility to maintain or restore threats to international peace and security according to Chapter VII in the UN Charter, including through the use of sanctions as defined in Article 41, but also to promote and ensure respect for human rights and international law, in accordance with the Charter's preamble and Articles 55 and 56. This is reaffirmed in several Security Council resolutions, such as 2462 and 2482, which state that threats to peace and security and countering terrorism should be countered in compliance with states' obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law.

In Security Council resolutions, states' obligations to respect international law while enforcing sanctions are operationalized either through humanitarian exceptions, referring to a provision that carves out legal space for humanitarian actors without any prior approval, or exemptions, which require approval for activities and items, processed by sanctions

⁴⁰ Debarre, A. 2019. [Making Sanctions Smarter: Safeguarding Humanitarian Action](#). International Peace Institute.

⁴¹ See the Annex for examples of language in sanctions resolutions to safeguard humanitarian action.

committees. Examples of such texts in sanctions resolutions can be found in the Annex. It is the general experience of humanitarian actors, including the Movement, that the procedure to apply for exemptions is taxing and time-consuming, requiring resources and expert staff which is normally beyond the capacity of other than well-established international organizations.⁴² If an application takes several months to process it also prevents humanitarian actors from responding to rapidly changing situations.

The most cumbersome processes are those where there is a mix of sanctions regimes, from the UN, the EU and unilateral sanctions, each one with its own regulations and application procedures. This may become a prohibiting obstacle for some organizations who decide to stay away from certain countries under sanctions out of a sheer lack of capacity.

Currently, new exemption or exception language is introduced in every resolution on a case-by-case basis. If instead consistent and stand-alone language was used in all resolutions, it would be possible to institutionalize procedures to enable humanitarian action. The resolution establishing the sanctions regime in Somalia in 2010 is mentioned as a model in this regard, being so far the only one with a general exception for humanitarian action, although limited to the UN, organizations with UN observer status and their implementing partners.⁴³

In the spirit and letter of the UN Charter, resolutions should also give the same weight to protecting civilians as it does to obtaining political objectives. It should be incumbent on states “to ensure that sanctions safeguard humanitarian activities, not on humanitarian actors to prove that they are hindered by sanctions”.⁴⁴ This would give sanctions committees the positive role of ensuring that states *do* meet their legal obligations, rather than the negative one of ensuring that humanitarian organizations *do not* bring in items of potential dual use or enable persons or institutions under sanctions. There is no end to absurd examples in the annals of contemporary sanctions history, from the banning of pencils to Iraq in the 1990s to stethoscopes to DPRK in 2018.⁴⁵

A well-known result of sanctions implementation is that humanitarian organizations, international suppliers and banks act in over-compliance with sanctions provisions, a concept used even in official EU documents on restrictive measures, reacting to the “chilling effect” of risking being legally liable and punished for unwittingly breaking provisions. There is a sufficient number of cases to make that fear justified, putting further obstacles in the way of implementing the spirit and letter of the UN Charter and IHL.

Other possible, logical and regularly recommended improvements include pre-assessments of the likely humanitarian effects of sanctions, regular monitoring and reporting of such effects, and systematic guidance and streamlining of sanctions management. Recommendations to that effect were made in 2020 by the Panel of Experts monitoring sanctions against DPRK,⁴⁶

⁴² Debarre, A. 2019. Debarre, A. 2019. [Making Sanctions Smarter: Safeguarding Humanitarian Action](#). International Peace Institute.

⁴³ <http://unscr.com/en/resolutions/doc/1916>

⁴⁴ Debarre, A. 2019. Debarre, A. 2019. [Making Sanctions Smarter: Safeguarding Humanitarian Action](#). International Peace Institute.

⁴⁵ <https://www.dn.se/nyheter/varlden/sanktioner-mot-nordkoreas-elit-slar-mot-befolkningen/>

⁴⁶ <https://undocs.org/S/2020/151>

but also in an independent analysis already in 1998.⁴⁷ In the case of DPRK, however, there has actually been an improvement in exemption processing by the sanction committee. The Panel of Experts reported that the average no of working days had decreased from 59 in 2018 to 17 in 2019, i e from almost 12 to just over 3 weeks, an improvement to which the IFRC and the Swedish Red Cross may have contributed through active advocacy.

Non-permanent members on the Security Council have also made efforts at proposing similar improvements to sanctions management and facilitating the work of humanitarian organizations.⁴⁸ But there is a glaring lack of systematic follow-up and many well-intended recommendations remain dormant. There seems to be no institutional home in the UN system for the humanitarian dimension of sanctions, where experiences and insights are being built, consolidated and can be easily accessed and used for guidance.

The most difficult problem in this regard is the monitoring of sanctions' unintended impacts in countries subjected to the whole range of UN, EU and unilateral sanctions, including secondary sanctions, chilling effects and overcompliance. In such cases, there is no single accountable body, and limited or no coordination between multilateral and unilateral sanctions. The Special Rapporteurs mandated by the Human Rights Council do provide comprehensive reports on such countries, although primarily analyzing unilateral sanctions, but the legitimacy of these reports is questioned, as discussed earlier.

Despite persistent efforts by some humanitarian organizations, Debarre finds that “effective ways to lessen the adverse impact of sanctions regimes on humanitarian aid have made little progress and continue to face considerable obstacles”. Her recommendations to humanitarian actors include closer coordination among themselves, engaging more with sanctions experts, and systematically collecting data on the impact and operational experiences of sanctions practice. All these recommendations seem relevant for the Movement's consideration.

6. Sanctions and the COVID-19 pandemic

The COVID-19 pandemic, beginning in early 2020, has drawn attention to the risk that sanctions are obstacles for a number of states to implement preventive and curative measures and vaccinations. Sanctions prevent them from importing necessary equipment and medicaments that are either explicitly banned for their potential dual use, or because financial transactions are blocked or banks unwilling to provide services for fear of violating sanctions regimes. Several states under sanctions have had serious outbreaks of infections, Iran in particular as one of the first countries to register a very high number of cases.

Early calls for the lifting, suspension or easing of sanctions, to allow all countries to respond to the pandemic, have been ignored.⁴⁹ Instead, and as reported by the Special Rapporteur, the EU and states issuing unilateral sanctions have chosen to act through humanitarian exemptions or humanitarian aid, requiring considerable resources from humanitarian organizations to manage applications and obtaining licenses for imports, and making

⁴⁷ Minear, L., Cortright, D., Wagler, J., Lopez, G.A. & Weiss, T.G. 1998. *Toward More Humane and Effective Sanctions Management: Enhancing the Capacity of the United Nations System*. Occasional Paper #31. Thomas J. Watson Institute for International Studies, Brown University.

⁴⁸ See e.g. UN Sanctions: Humanitarian Aspects and Emerging Challenges. 2015. High Level Review of UN Sanctions, initiated by Australia, Finland, German, Greece and Sweden. <http://www.hlr-unsanctions.org/>

⁴⁹ <https://www.un.org/press/en/2020/sgsm20024.doc.htm>

countries under sanctions dependent on external humanitarian organizations for their national pandemic response.⁵⁰

As an example, EU sanctions against Syria allow humanitarian exemptions for ventilators, disinfectants, hand sanitizers or detergents that can be necessary in responding to the pandemic. But they may contain chemicals for which humanitarian organizations need to assure that they will be used only for medical purposes and “not to fabricate chemical weapons or conduct internal repression”.⁵¹ In its general guidance note to humanitarian actors responding to the COVID-19 crisis, the EU emphasizes that it is their responsibility “to prove” that the conditions of exceptions are fulfilled.⁵²

Requests from Iran, Cuba and other sanctioned countries to the World Bank and IMF for emergency and developmental loans to fight COVID-19 have been blocked, along with Venezuelan and Syrian financial assets to be used for emergency measures, even if essential goods to Venezuela were to be purchased on its behalf by UNDP.⁵³

The IFRC is obliged to follow the same exemption procedures for COVID-19 relief as other humanitarian actors, but has been able to obtain the necessary licenses, probably helped by its status as an international organization, the active office at the UN Secretariat in New York and well-established relations with diplomatic missions of sanctioning states in Geneva.⁵⁴ The IFRC’s most recent 12 months update on its COVID-19 response does not indicate that sanctions have been an obstacle to providing relief.⁵⁵

The charged political terrain where sanctions are decided, debated and imposed does not go away because of the pandemic, making it a space just as difficult to navigate for humanitarian actors as during more normal times. It is not surprising that the invitation to the Special Rapporteur to provide a virtual briefing on “Unilateral coercive measures and their impacts in the context of the COVID-19 pandemic”, on 30 November 2020 was issued by the diplomatic missions of Cuba, Iran and Venezuela, all countries under sanctions.⁵⁶ Easing or suspending sanctions would amount to “appeasement” and “risk becoming irreversible” according to states opposed to such actions.⁵⁷

⁵⁰ <https://www.undocs.org/en/A/75/209>

⁵¹ https://ec.europa.eu/info/sites/info/files/guidance-provision-humanitarian-aid-COVID-19-restrictive-measures_en.pdf

⁵² https://ec.europa.eu/info/sites/info/files/business_economy_euro/banking_and_finance/documents/201116-humanitarian-aid-guidance-note_en.pdf

⁵³ <https://www.ohchr.org/EN/Issues/UCM/Pages/SRCoerciveMeasures.aspx>

⁵⁴ Personal communication with IFRC legal staff, February, 2021.

⁵⁵ <https://media.ifrc.org/ifrc/emergency/global-COVID-19/>

⁵⁶ <https://www.ohchr.org/EN/Issues/UCM/Pages/SRCoerciveMeasures.aspx>

⁵⁷ Sarfati, A. 2020. [The Impact of Sanctions on Humanitarian Response to COVID-19](#). IPI Global Observatory

7. The sanctions discourse and the Red Cross Red Crescent

The far-reaching impacts of sanctions on the welfare of the population in Iraq, Serbia and to some extent Haiti in the 1990s prompted a spate of analyses and reflection among states and humanitarian organizations. What could be done in terms of corrective measures in the design and management of sanctions to avoid a repetition of deeply problematic unintended consequences?

In early 1995, the five permanent members of the UN Security Council (P5) took the exceptional step of issuing a joint non-paper on the humanitarian impact of sanctions⁵⁸, stating that “any future sanctions regime should be directed to minimize unintended adverse side-effects of sanctions on the most vulnerable segments of targeted countries”. The non-paper found that provisions are needed to “allow unimpeded access to humanitarian aid” and that the simplest possible authorization process should be developed in the case of essential humanitarian supplies. In what today seems a radical proposal, the non-paper suggested that “clearly defined categories of medical supplies and foodstuffs should be allowed to be supplied even without notification of relevant sanctions committees”, a proposal which clearly has not been heeded in subsequent sanctions resolutions. The P5 also concluded that sanctions committees should expeditiously process applications from UN agencies and the ICRC.

The IFRC’s experiences of sanctions during the same period were articulated in an article in *World Disasters Report*,⁵⁹ which concluded that comprehensive sanctions may have such serious humanitarian consequences that a de facto contradiction between the human rights of civilian populations and the maintenance of peace and security could be the result. The sanctions instrument was found to need reform to minimize its negative humanitarian impact.

In order to consolidate and transform the experiences of states and the Movement into soft but normative international law, a resolution was adopted in the 26th International Conference of the Red Cross and Red Crescent in 1995, which brought together 138 states, 165 National, Red Cross and Red Crescent Societies, and the ICRC and IFRC, as shown in Box 1.⁶⁰

⁵⁸ Letter dated 13 April 1995 from the Permanent Representatives of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the President of the Security Council. S/1995/300

⁵⁹ Schaar, J. 1996. UN sanctions and the humanitarian crisis. *World Disasters Report*, 19-27

⁶⁰ 26th International Conference of the Red Cross and Red Crescent, 1995. Resolution 4: Principles and action in international humanitarian assistance and protection. Geneva.

Box 1. Resolution 4. 26th International Conference of the Red Cross and Red Crescent

F. With regard to the humanitarian consequences of economic sanctions:

1. *encourages* States to consider:

(a) *when designing, imposing and reviewing* economic sanctions, the possible negative impact of such sanctions on the humanitarian situation of the civilian population of a targeted State and also of third States which may be adversely affected by such measures,

(b) *assessing* the short- and long-term consequences of United Nations-approved economic sanctions on the most vulnerable, and *monitoring* these consequences where sanctions have been applied,

(c) *providing*, including when subject to economic sanctions, and to the extent of their available resources, relief for the most vulnerable groups and the victims of humanitarian emergencies in their territories

2. *calls upon* States to permit relief operations of a strictly humanitarian character for the benefit of the most vulnerable groups within the civilian population, when required by international humanitarian law,

3. *calls upon* the ICRC, the International Federation and National Societies to contribute to the reduction of the undesirable side-effects of sanctions on the humanitarian situation of civilian populations, through assessing the impact thereof and providing relief to the most vulnerable persons, in accordance with their respective mandates;

In 1999, Anna Segall of the ICRC's Legal Division published her personal analysis of the decade of sanctions and their impact.⁶¹ She concluded that sanctions are legal if they comply with the applicable rules of human rights and IHL but must be crafted in such a way that they do not endanger the civilian population. Although not adopted ICRC policy, it is a prevalent view from a humanitarian perspective that already existing and legally binding IHL provisions protect the civilian population during armed conflict, and that the requirement for humanitarian exceptions in sanctions resolutions therefore creates an "unnecessary layer of consent".⁶²

The need for sanctions reform was generally accepted in the late 1990s and early 2000s, and channeled into an evidence-based policy process with the involvement of academic institutions in Switzerland, Germany and Sweden.⁶³ This led to proposals for the design of targeted rather than broad economic sanctions, aimed at individuals responsible for threats against peace and security and violations of international law, through freezing of their assets, travel bans and other targeting measures, while also including arms embargos. Today, it is declared EU policy that its sanctions, or restrictive measures in EU terminology, are targeted rather than broad, to avoid negative consequences on the civilian population.⁶⁴ Although most states now subscribe to a targeted sanctions policy, the increasing use of unilateral sanctions

⁶¹ Segall, A. 1999. Economic sanctions: legal and policy constraints. *International Review of the Red Cross*. Vol 81, No 836

⁶² <https://theglobalobservatory.org/2020/04/impact-of-sanctions-on-humanitarian-response-to-covid-19/>

⁶³ Wallensteen, P., Staibano, C. & Eriksson, M. 2004. The 2004 Roundtable on UN Sanctions Against Iraq. Lessons Learned. Uppsala University

⁶⁴ https://ec.europa.eu/info/sites/info/files/guidance-provision-humanitarian-aid-covid-19-restrictive-measures_en.pdf

by individual states, the US in particular,⁶⁵ along with UN-mandated sanctions and EU restrictive measures, have created a number of de-facto sanctions regimes that in terms of impact come close to the broad trade and economic sanctions of the 1990s, notably in DPRK, Syria and Iran, and to an extent Venezuela. This leads to self-regulating overcompliance by humanitarian organizations as a result of the chilling effects of secondary sanctions.⁶⁶ These developments have been influenced by anti-terrorism measures introduced in the legislation of individual states and in resolutions from the UN Security Council. Humanitarian action in several countries under sanctions is now at least as challenging as it was during the 1990s, as described in section 5 above.

In addition to the IPI project referenced above, other humanitarian and human rights organizations are active in sanctions advocacy, including the Norwegian Refugee Council and Human Rights Watch, in addition to academic institutions such as the Counterterrorism and Humanitarian Engagement Project at Harvard Law School.

The Movement has been less active in this area, with the exception of occasional advocacy, such as in 2019, when Swedish Red Cross together with the IFRC raised that items such as equipment used for for public health and sanitation and bicycles for volunteers were prevented from entering DPRK, and with the aim to reduce the approval process for an exemption.⁶⁷ Also, policy statements have been issued by the ICRC at the time of Security Council debates on terrorism.⁶⁸ Still, and as this account shows, the Movement is extensively involved in humanitarian action in countries, under sanctions, whether through its international bodies or as the National Societies of these countries, or in supporting roles. In the final section a number of proposals are provided for a resumption of a more active Movement role in the sanctions discourse.

8. Conclusions: Influencing the use and implementation of sanctions

The purpose of a stronger engagement of the Movement in the sanctions discourse would be to achieve greater respect for IHL and the human rights of civilian populations under sanctions, thereby alleviating the often-dramatic impairment of their welfare and living conditions. This would be in line with its Humanitarian diplomacy policy, which aims to make decision-makers and opinion leaders more frequently consider the interests of vulnerable people and to improve humanitarian access.⁶⁹

An influencing strategy would aim to achieve *three shifts*:

- Shifting the responsibility, from humanitarian organizations, to states imposing sanctions, who have the responsibility to ensure that sanctions are implemented in a way that safeguards the rights of the civilian population as well as humanitarian action;

⁶⁵ Beinart, P. 2021. [America's Forever War](#). New York Times, 15 Feb, 2021.

⁶⁶ Debarre, A. *ibid*

⁶⁷ <https://www.dn.se/nyheter/varlden/sanktioner-mot-nordkoreas-elit-slar-mot-befolkningen/>

⁶⁸ <https://www.icrc.org/en/document/counter-terrorism-measures-must-not-restrict-impartial-humanitarian-organizations>

⁶⁹ <https://www.ifrc.org/en/what-we-do/humanitarian-diplomacy/humanitarian-diplomacy-policy/>

- Shifting the focus, from obstacles to humanitarian services, to impacts undermining the welfare of civilian populations, particularly considering systemic and cascading effects;
- Shifting the perspective, from single countries under sanctions, to the general use and practice of sanctions as a political instrument with unintended but inevitably damaging humanitarian consequences.

To achieve these shifts, it is suggested that the engagement of Movement should consider the following *principles and actions*:

- Build on the unique sanctions experience of the Movement in its totality, which include their legal dimension, the role of its international bodies, including their access to sanctions committees, and the role of National Societies in states imposing sanctions, and in states under sanctions;
- Make sanctions the concern of the Movement by creating an institutional home and memory in the form of a focal point with clear terms of reference in one of its joint statutory bodies, most logically the Council of Delegates, with corresponding functions in other components, including National Societies;
- Giving sanctions focal points the role of collecting, consolidating and analyzing the Movement's experience of sanctions for use as part of its influencing strategy.
- Systematically collecting data on all dimensions of ongoing sanctions regimes, where components of the Movement have direct knowledge and experience, thus building an evidence base on which to design a long-term influencing strategy.
- Statutory meetings of the Movement are strategic venues for enacting the influencing strategy, leading to dissemination, debate and decisions. The influencing strategy should lead to engagement with the states imposing sanctions, multilaterally, regionally or unilaterally, where the key interlocuter would be the National Societies of those states, supported by other Movement components.

Ultimately, it is within the mandate and auxiliary roles of Movement components to revisit the issue of sanctions as political instruments, particularly in view of how they again have become blunt despite the intention of making them targeted and precise, inflicting unacceptable hardship on civilian populations in states under sanctions.

Annex

Examples of Language in Resolutions or Regulations Safeguarding Humanitarian Activities in Sanctions Regimes (selected and commented by Debarre⁷⁰)

Sanctions regime	Language	Comment
DPRK/UN	<p>“Reaffirms that the measures imposed... are not intended to have adverse humanitarian consequences for the civilian population of the DPRK or to affect negatively or restrict those activities, including economic activities and cooperation, food aid and humanitarian assistance..., and the work of international and non-governmental organizations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population of the DPRK and decides that the Committee may, on a case-by-case basis, exempt any activity from the measures imposed by these resolutions if the committee determines that such an exemption is necessary to facilitate the work of such organizations in the DPRK or for any other purpose consistent with the objectives of these resolutions, and further decides that the measures specified... shall not apply with respect to financial transactions with the DPRK Foreign Trade Bank or the Korea National Insurance Corporation if such transactions are solely for the operation of diplomatic or consular missions in the DPRK or humanitarian assistance activities that are undertaken by, or in coordination with, the United Nations.” Resolution 2371 (2017)</p> <p>The embargo “shall also apply to any item, except food or medicine, if the State determines that such item could directly contribute to the development of the DPRK’s operational capabilities of its armed forces, or to exports that support or enhance the operational capabilities of armed forces of another Member State outside the DPRK, and decides also that this provision shall cease to apply to the supply, sale or transfer of an item, or its procurement, if: (a) the State determines that such activity is exclusively for</p>	<p>The DPRK sanctions regime’s exemption process requires considerable investment of time and resources. However, the process has improved since the publication of the implementation assistance notice on obtaining exemptions.</p>

⁷⁰ With the exception of comments on Yemen, all comments are from Debarre, A. 2019. Making Sanctions Smarter: Safeguarding Humanitarian Action. International Peace Institute. <https://www.ipinst.org/2019/12/making-sanctions-smarter-safeguarding-humanitarian-action>

	<p>humanitarian purposes or exclusively for livelihood purposes which will not be used by DPRK individuals or entities to generate revenue... provided that the State notifies the Committee in advance of such determination and also informs the Committee of measures taken to prevent the diversion of the item for such other purposes.” Resolution 2270 (2016)</p>	
Afghanistan/UN	<p>“Reaffirming the necessity for sanctions to contain adequate and effective exemptions to avoid adverse humanitarian consequences on the people of Afghanistan, and that they be structured in a way that will not impede, thwart or delay the work of international humanitarian assistance organizations or governmental relief agencies providing humanitarian assistance to the civilian population in the country.”</p> <p>“Decides further that the Committee shall maintain a list of approved organizations and governmental relief agencies which are providing humanitarian assistance to Afghanistan, including the United Nations and its agencies, governmental relief agencies providing humanitarian assistance, the International Committee of the Red Cross and non-governmental organizations as appropriate, that the prohibition imposed... shall not apply to humanitarian flights operated by, or on behalf of, organizations and governmental relief agencies on the list approved by the Committee.” Resolution 1333 (2000)</p>	<p>This “white list” approach is a form of limited exception for humanitarian flights.²⁶⁸ While this provision no longer exists in the Taliban sanctions regime, at the time it reportedly worked well, in part because only a small number of humanitarian organizations were working in Taliban-controlled areas.</p>
Somalia/UN	<p>“The obligations imposed on Member States... 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, by the United Nations, its specialized agencies or programmes, humanitarian organizations having observer status with the United Nations General Assembly that provide humanitarian assistance, or their implementing partners.” Resolution 1916 (2010)</p>	<p>The Somalia sanctions regime is the first and only UN sanctions regime to include a broader exception for humanitarian actors. It has been renewed every year since its adoption in 2010. Humanitarian actors often point to it as an important precedent.</p> <p>However, it does not cover</p>

		organizations that do not have observer status with the UN or that are not UN implementing partners and does not cover humanitarian protection activities.
Syria/EU	<p>“By way of derogation..., the competent authorities of the Member States..., may grant, under such terms and conditions as they deem appropriate, an authorisation for technical assistance or brokering services, or financing or financial assistance related to equipment, goods or technology..., provided that the equipment, goods or technology are intended for food, agricultural, medical or other humanitarian purposes, or for the benefit of United Nations personnel, personnel of the Union or its Member States.” Art. 3(3) Council Regulation No 36/2012</p> <p>“The prohibitions ... shall not apply to the purchase or transport in Syria of petroleum products or to the related provision of financing or financial assistance by public bodies or by legal persons, entities or bodies which receive public funding from the Union or Member States to provide humanitarian relief or assistance to the civilian population in Syria, provided that such products are purchased or transported for the sole purposes of providing humanitarian relief in Syria or assistance to the civilian population in Syria.” Art. 6(a)(1) Council Regulation No 36/2012</p>	The fuel exception is limited, but it reportedly works well. However, the exemption process has created challenges for the humanitarian response. Furthermore, the text leaves the implementation of exemption processes entirely up to member states, which can make it as restrictive as they want it to be.
Yemen/UN	The Sanctions 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;” Art. 4 Resolution 2564 (2021)	Sanctions comprising asset freezes and travel bans on designated individuals, and an arms embargo