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# **UN Individual Sanctions Listing and Delisting Patterns and Their Interaction with Autonomous Measures: Considerations for Mediators**

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# EXECUTIVE SUMMARY

Sanctions listings and delistings can alter the conditions under which negotiations take place. They can serve as warnings and incentives, stigmatize (or rehabilitate) stakeholders in negotiation processes, inhibit (or facilitate) logistics such as travel, and attempt to stabilize peace settlements. Despite the many ways in which sanctions listings and delistings can affect mediation processes, relatively little is known about the general listing and delisting patterns employed by the UN Security Council or their interactions with autonomous measures. However, an understanding of the listing and delisting of individuals is crucial to the strategic application of sanctions, and particularly their potential use by mediators.

Listing and delisting dynamics have become more complex in recent years: other authorities (countries and regional organizations) increasingly apply sanctions to contexts where UN sanctions also apply. The report therefore **places UN sanctions in context with parallel sanctions imposed by other authorities**, namely “autonomous” sanctions by Australia, Canada, the UK, the US, and the EU. These autonomous sanctions regimes are often applied to the same countries and for the same purposes as UN sanctions. Countries or regional organizations might:

- target additional persons or entities in the same geographic or political context;
- impose additional measures on the same persons/entities;
- or continue to target persons/entities after their delisting by the UN.

To a person/entity under sanctions, the precise authority behind sanctions may be a secondary concern, meaning that local stakeholders to peace processes are concerned with the overall constellation of sanctions, rather than with UN sanctions only.

**This report therefore aims to inform UN and other mediators, providing them with a better understanding of the broader listing and delisting dynamics of the UN and interrelations with autonomous sanctions by other authorities.**

The report:

- Explains listing and delisting procedures at the UN and interactions with different types of autonomous sanctions regimes by the US, EU, UK, Australia, and Canada.
- Maps out listing constellations across all fifteen current UN sanctions regimes: how many persons/entities are listed by the UN. How many by other authorities (US, EU, UK, Australia, Canada)? When do those listings happen?
- Analyses listing and delisting dynamics by the UN and other authorities on a case-by-case basis for all current UN sanctions regimes.

In so doing, the report provides **data previously unavailable** or difficult to access and of potential interest to practitioners and analysts, including:

- UN listings and delistings by sanctions regime by year, including average durations from listing to delisting (and furthermore including an overview of sanctioned members of the 2021 Taliban Government).
- Overlap of UN regimes with autonomous thematic and country-based regimes of Australia, Canada, the EU, the UK, and the US.
- Summary statistics of nationalities of targets on major autonomous thematic sanctions regimes as an indicator (with caveats) of the applications of those regimes.

The report concludes with a set of **considerations for mediators** who may contemplate delistings as a tool in mediation processes:

1. Which sanctions are relevant to a given negotiation space? (UN and non-UN)
2. At the UN: What are the designating State's motivations for the original listings? What might be the benefits and costs of a potential delisting?
3. At the UN: What are the pathways to delisting?
4. Concerning autonomous sanctions, what are the motivations for listing and the pathways for delisting?
5. Do exemptions provide a viable alternative to formal delisting?

# INTRODUCTION

Most of the literature on sanctions is concerned with the design, application, implementation, and consequences of sanctions, rather than their adjustment or relaxation. Several recent publications explore how sanctions end<sup>1</sup> or ways that sanctions relief has occurred,<sup>2</sup> but they do not focus on how delistings could be employed to facilitate negotiations and mediation efforts. Recent research by the Sanctions and Mediation Project has identified examples in which individuals changed their behaviour when they faced the prospect of potential delisting or were formally delisted by sanctioning authorities.<sup>3</sup>

**“A promise to ease measures can convince otherwise reluctant parties to participate in talks, sign agreements, and abide by them. The desire of an individual to regain a status as a legitimate or (inter)nationally recognized member of a community is an important precondition.”<sup>4</sup>**

The UN and US efforts to bring members and close associates of the Taliban “back in from the cold” provides an illustration. Gulbuddin Hekmatyar, a prominent leader of the Mujahideen and former Prime Minister of Afghanistan, was designated by the UN for an asset freeze, travel ban, and arms embargo due to his close association with the Taliban in the early 2000s. Seeking a path towards domestic political rehabilitation and an end to international (and national) isolation, Hekmatyar signed an agreement with the Ghani Government in September 2016 and returned to Kabul as a “reconciled” individual. The Government of Afghanistan had offered to advocate on his behalf for the lifting of sanctions, if he reconciled with them according to the terms set out by the Government for normalization of relations. UN sanctions against Hekmatyar were subsequently lifted in February 2017.

There may be other instances when a delisting could facilitate mediation goals, since sanctions listings and delistings can alter the conditions under which negotiations take place. In addition to serving as threats and incentives in negotiation processes, listings and delistings can interact with negotiations in additional ways. The designation of terrorist is particularly delicate because many States refuse to negotiate with designated terrorists. At a simpler level, sanctions can have logistical impacts on negotiations: for instance, it may be necessary to obtain an exemption to a travel ban in order for a designated person to be able to travel to the negotiation venue. Should a settlement be reached, the continued presence of sanctions can inhibit “peace spoilers” from gaining influence, but they can also create additional financial or economic challenges for a post-conflict government.

Despite the ways in which sanctions listings and delistings can facilitate political settlements, relatively little is known about the general listing and delisting patterns employed by the UN Security Council. Even less is known about their relationship with simultaneous listings by other actors (such as the US, EU, or UK) and how this might further complicate mediation efforts. As individual sanctions have increasingly become the predominant form of new sanctions measures in recent years, an understanding of the listing and delisting of individuals is crucial to the strategic application of sanctions, and particularly their potential use by mediators.

This study draws on a newly created dataset, combining information on the listing and delisting of individuals by the UN, as well as listings by the EU, the US, and other autonomous sanctions regimes. It highlights their interrelationships and overlaps, and it explores potential consequences of these overlaps for mediators operating in different conflict settings. When mediators engage with listed individuals or groups and deem that delistings would facilitate the process, they will need to know where to take their request for an exemption or potential delisting. It will also be important for them

to know which other sanctioning authorities may be involved in imposing restrictions in a particular case, since the potential benefits of sanctions relief will not be realized unless delistings occur by all of them.

While this study focuses on UN sanctions, it places them in context with sanctions imposed by other authorities, thus incorporating the additional targets from the growing number of autonomous (Australia, Canada, UK, and US) and regional (EU)<sup>5</sup> sanctions. These autonomous sanctions regimes are often applied to the same countries and for the same purposes as UN sanctions. They might target additional persons or entities (i.e., in addition to targets listed under the UN regime), impose additional measures on the same persons/entities, or continue to target persons/entities after their delisting by the UN. To a person/entity under sanctions, the precise authority behind sanctions may be a secondary concern, meaning that local stakeholders to peace processes are concerned with the overall constellation of sanctions, rather than with UN sanctions only. Mediators need to understand this wider context of restrictive measures. They have to know the overall “sanctions landscape” and be ready to engage with sanctions authorities beyond the UN.

This report aims to inform UN and other mediators, providing them with analysis of the broader delisting dynamics of the UN and other authorities (Australia, Canada, EU, UK, and US).

The report:

- Explains listing and delisting procedures at the UN and interactions with different types of autonomous sanctions regimes by the US, EU, UK, Australia, and Canada.
- Maps out listing constellations across all fifteen current UN sanctions regimes: how many persons/entities are listed by the UN, how many by other authorities (US, EU, UK, Australia, Canada)? When do those listings happen?
- Analyses listing and delisting dynamics by the UN and other authorities on a case-by-case basis.
- Concludes with considerations for mediators.

## Data, Methods, and Scope

The analysis covers the 15 ongoing UN sanctions regimes and those US, EU, Australia, Canada, and UK sanctions regimes with an overlapping scope. It draws on a database of all current Australia, Canada, EU, UK, UN, and US listings, as well as delistings by the UN. Listing data is based on the consolidated sanctions lists issued by the respective authorities. The data in this report is based on the sanctions lists as of 9 December 2021.

Unfortunately, there is a significant amount of missing data in many consolidated lists. This not only relates to identification data that may not be known to authorities, but also to information that is known to authorities but for some reason has not been transferred onto the lists, such as listing dates or the specific sanctions regime under which a target is listed. For instance, the consolidated list of the US (referred to as the “Specially Designated Nationals” or SDN list) does not indicate the relevant sanctions regime for several hundred entries. This information had to be reconstructed by using the search tool on the website of the Office of Foreign Assets Control (OFAC).<sup>6</sup>

Once targets are delisted, they are removed from the consolidated lists, making it harder to generate data on delistings than on initial listings. The UN delistings data used in this report has been generated on the basis of press releases by the UN and with the help of a web scraper and a text-extraction Python 3 tool built for this purpose. Given these methods of reconstructing missing data, a small margin of error may apply to some of the figures included in this report.



# UN LISTINGS AND DELISTINGS, NATIONAL (NON-)IMPLEMENTATION, AND AUTONOMOUS SANCTIONS.

This section explains the processes behind UN listings and delistings, and how some major countries and the EU implement them. It also describes the blurring boundaries between UN and autonomous designations, given some current designation practices. Knowing these procedures and practices is important to understand the dynamics of listings and delistings and how delistings can be used in mediation processes. This section also provides insights on data availability and certain transparency issues that can be relevant for practitioners and scholars.

## Scope of UN Sanctions Designations

The UN has designated a total of 1486 individuals or corporate entities since its first individual sanction on Osama bin Laden in 2000. Of that number, 516 have been delisted, leaving a total of 970 active designations as of December 2021. Most of the targets are individuals (714), but there are also 256 entities (firms, government departments, non-State armed groups) on the list.

Table 1. Scope of UN individual and entity designations

Current UN targets	970
Individuals	714
Entities	256
Delistings	516
Total number of targets (incl. delisted) since the advent of individual designations in 2000	1486

## Listing Processes at the UN

There are two listing procedures for UN sanctions regimes. These two procedures can sometimes be found within the same regimes.

**Sanctions Committee designations:** Most commonly, designations are made by the Sanctions Committee, which is typically formed following a Security Council decision to create a new sanctions regime via a Chapter VII (Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression) resolution. This is the most common case for sanctions applying to situations of armed conflict, as well as in the case of the Islamic State of Iraq and the Levant (ISIL)/Al-Qaeda and the Taliban regimes. When the Security Council establishes a new sanctions regime through a Chapter VII resolution, it typically also establishes a Sanctions Committee. In most cases, the Chapter VII resolution then creates a sanctions regime without designated targets, instead delegating designations decisions

to the Sanctions Committee – hence, the time delay between the passage of the initial Chapter VII resolution and the first designations in most regimes. Panels of Experts are also typically created along with Sanctions Committees, and in many cases the Committee awaits the Panel’s first report and recommendations before designating the first targets.

**Security Council designations:** Sometimes, the Security Council designates targets directly in Chapter VII resolutions, typically as appendixes to those resolutions that impose or renew a sanctions regime. This procedure is found in the two non-proliferation regimes – Iran and the Democratic People’s Republic of Korea (DPRK), which are also the two regimes with the highest political salience and sensitivity. In both the Iran and the DPRK regimes, the Security Council has responded to new advances in the nuclear and weapons programmes of these States with Chapter VII resolutions that tightened sanctions measures and designated additional targets.

Given the significance of Chapter VII resolutions in international law, there may be a particular symbolism to designations made right in the texts of the resolutions rather than in separate decisions by the Sanctions Committee. Such a measure signals immediate concern of the Security Council not only with the conflict at large but with specific actors in it. This symbolism may be increased by the ceremonial character that the passing of a Chapter VII resolution has. In contrast, decisions by the Sanctions Committee may appear to have a more administrative character. That said, voting modalities are actually even stricter in the Committees than in the Council, since Committees decide unanimously, thus de facto equipping every State with a veto right. At the Security Council, a nine-out-of-15 majority and the absence of a “No”-vote by any of the five permanent members is required to pass a resolution.

## DESIGNATION CRITERIA

Different UN sanctions regimes feature slightly different ways of spelling out designation criteria. The division again runs between the more politicized and high-profile regimes (Iran, DPRK, but also Taliban and ISIL/Al-Qaeda) and the generally less politicized regimes relating to situations of internal armed conflict. It must be stressed, however, that designation criteria are not formulated in a way that would bind either the Security Council or the respective Committee to sanction anyone who meets the necessary minimum criteria. The typical formulation in Security Council resolutions is that the Council “decides that States shall [implement measure X] concerning individuals or targets designated by the Security Council or Sanctions Committee for [designation criteria].”

In **sanctions regimes relating to internal armed conflict** where designations are, in practice, always made by the Sanctions Committee, Security Council resolutions provide growing sets of listing criteria, and there is a high similarity of these listing criteria across sanctions pertaining to internal armed conflict. Over time, these listing criteria have become more numerous, beginning with the indiscriminate killing of civilians and the commitment of serious human rights violations (sometimes linked to a particular massacre) and later also including child recruitment and sexual and gender-based violence as specific listing criteria. In some instances, the listing criteria outnumber the designees, and regimes do not necessarily include designations under each of the criteria. The listing criteria thus provide a catalogue for the Sanctions Committees on the basis of which they can designate individuals. These growing sets of listing criteria also allow the Security Council to signal norms with higher precision, and they reflect general developments that have taken place over the last one or two decades within the Council, including the growing importance of both the Women, Peace and Security and Youth, Peace and Security agendas.

Other regimes – i.e., the two **non-proliferation regimes, the Taliban regime, and the ISIL/Al-Qaeda regime** – do not have equally long catalogues of designation criteria, their much longer target lists notwithstanding. For the DPRK and Iran, the designation criteria are primarily for involvement in the countries’ nuclear and ballistic missiles programmes, whereas the ISIL/Al-Qaeda regime can potentially target anyone associated with and providing material support to these two groups or their affiliates.

Over time, the focus of designations within a regime can shift. A particularly striking example is the Libya regime, which initially, in 2011, targeted Muammar Qadhafi, his family, and key supporters, and in 2018 added five migrant smugglers to the list. The migrant smugglers were targeted without there being a dedicated designation criterion to this effect. That said, their targeting is consistent with past Council practices targeting the sources of conflict finance.

Narrative summaries of listing reasons are published for each target on the Security Council Affairs Division website.<sup>7</sup>

## DELISTING PROCESSES AND PATTERNS AT THE UN

If mediators, negotiators, or actors supporting a particular peace process wish to initiate or support delisting procedures, they require either a State to forward the request to the respective Sanctions Committee or for the sanctioned individual or entity to petition for delisting themselves. For both paths, State support is crucial since delisting requests are only granted by consensus decision of the Committee, with the exception of the ISIL/Al-Qaeda Sanctions Committee.

**Member States** can submit delisting requests to the respective Sanctions Committee at any time. The request will then be voted on by the Sanctions Committee, where it requires a consensus decision. These procedures are spelled out in the work guidelines of the Sanctions Committees. Regarding the content of delisting requests, the guideline of the Somalia Sanctions Committee specifies:

**“Delisting requests should explain why the designation does not or no longer meets the Listing Criteria particularly through countering the reasons for listing as stated in the narrative summary and the publicly releasable portion of the statement of case.”<sup>8</sup>**

**Listed individuals or entities** who wish to petition for delisting may either do so through their State of residence or nationality, which can then make a delisting request to the Sanctions Committee. Or they can resort to one out of two possible direct means, depending on the regime under which they are listed. All regimes except the ISIL/Al-Qaeda regime have access to a focal point in the Secretariat to manage the distribution and circulation of information for delisting requests. Delisting requires that a State places a delisting request on the Sanctions Committee’s agenda, followed by a *unanimous confirmative* vote by the Sanctions Committee to grant the delisting request. Only the ISIL/Al-Qaeda regime has an Ombudsperson that can directly place a delisting request on the Committee’s agenda, which can then only be overturned with a *unanimous* negative vote against the recommendation.

### ***Focal Point for Delisting (all regimes except ISIL/Al-Qaeda)***

In 2006, Security Council Resolution 1730 established a focal point for delisting and spelled out the required procedure. Listed individuals and entities can petition for delisting through the focal point. The focal point first forwards the request for delisting to the government(s) that proposed the initial designation and the government(s) of citizenship and/or residence, giving them the possibility to follow up by providing information relevant to the petition. These governments can either recommend to the Sanctions Committee to delist the petitioner, express their opposition to the request, or leave the request unanswered. If any government recommends delisting, the item will be placed on the Committee’s agenda. If no government responds within three months, the entire Committee is informed of the request, giving any Member State the possibility to place it on the Committee’s agenda if they so wish. Once on the agenda, the item is voted on under the Committee’s rules of unanimous decision-making, which means it is accepted only if no Member State objects to it. If no Member State on the Committee recommends delisting within one month, the request is deemed rejected. In short, requests are rejected if no member of the Committee places the request on the agenda within the defined time period, or if none vote against it. As such, obstacles to delistings via the focal point are significant.

***Ombudsperson (ISIL/Al-Qaeda regime)***

The office of the Ombudsperson was created through Security Council Resolution 1904 (2009) as an “independent and impartial” institution to review requests for delisting. Currently, the mandate of this institution only extends to individuals designated under the ISIL/Al-Qaeda regime (established through Security Council Resolutions 1267 in 1999 and 1889 in 2009). Similar to the focal point for delisting, the Ombudsperson can be appealed to directly by targeted individuals and entities. After reviewing the petition and potentially meeting with the petitioner, the Ombudsperson makes a recommendation on whether to propose delisting.

A further important difference from the procedure with the focal point is the fact that the Ombudsperson’s recommendation to delist can only be overturned by a unanimous vote of the Committee (a reverse consensus procedure). The Office of the Ombudsperson has concluded 88 cases since it was created in 2009. Of these, 65 petitions have been recommended for delisting and 23 have been denied.<sup>9</sup> To date, the recommendations of the Ombudsperson have never been rejected by a vote of the Council. The ISIL/Al-Qaeda regime has historically been the UN sanctions regime with the highest number of delisted targets, apart from the Iraq regime that is currently being scaled back. Despite the actions of the Ombudsperson’s office, delistings at the UN level are not necessarily followed up on at the national level, as will be discussed in the following sections.<sup>10</sup>

**Table 2. Delistings by UN sanctions regime**

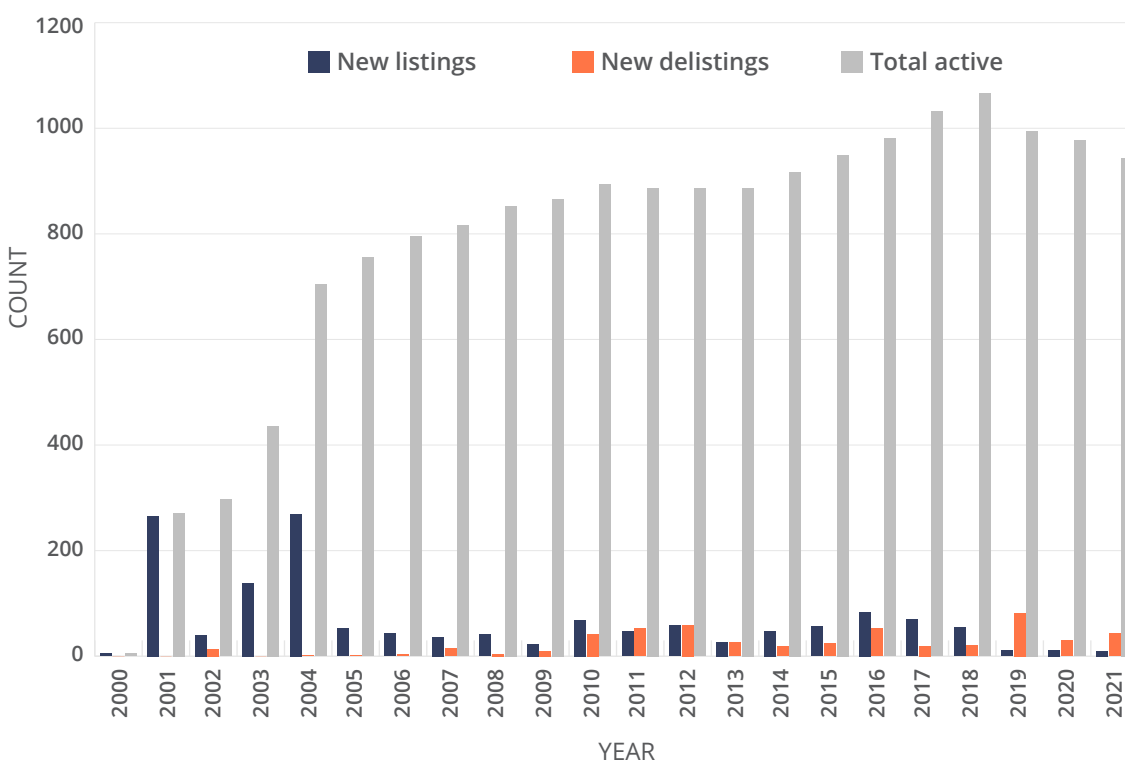
Regime	Listings (currently active)	Listings (total)	Delistings	Share of delistings to total listings	Average time from listing to delisting in months*
Central African Republic	14	16	2	12.5%	38
Democratic People's Republic of Ko-rea	155	164	9	5.5%	6
Democratic Republic of the Congo	45	46	1	2.2%	13
Guinea-Bissau	10	11	1	9.1%	65
Iran	84	121	37	30.6%	N/A
Iraq	94	294	200	68%	181
ISIL/Al-Qaeda	350	601	251	41.8%	104
Libya	31	34	3	8.8%	6
Mali	8	8	0	0%	None
Somalia	19	21	2	9.5%	41
South Sudan	8	8	0	0%	None
Sudan	3	4	1	25%	179
Taliban	140	186	46	24.7%	100
Yemen	9	9	0	0%	None
<b>Total</b>	<b>970</b>	<b>1486</b>	<b>516</b>	<b>34.7%</b>	<b>132</b>

\*Only calculated for delisted targets; active listings are not included in the average.

### Delisting Patterns

Most delistings have been made since 2010 (see Figure 1). There are different drivers behind this observation. First, the creation of the Office of the Ombudsperson in December 2009 led to an increasing number of delistings, spiking in the first three years after the creation of the office, then falling to a lower but steady level.<sup>11</sup> It is noteworthy that the introduction of the focal point for delisting in 2006 across all panels did not have a similar effect on delisting numbers.

Figure 1: New listings and delistings per year (all regimes)



Second, in an effort to advance negotiations with the Taliban, delistings were used to facilitate talks between 2009 and 2011. The splitting of the Al-Qaeda/Taliban sanctions regime into two separate sanctions programmes in 2011 facilitated the use of delistings to advance negotiations, further contributing to the increase in the general pattern of delistings. Talks began secretly in 2009, and between 2009 and 2011 there were a dozen different mediation efforts underway. The US and coalition forces attempted a differentiated strategy that included: more pressure on belligerent Taliban, rewards for relatively moderate Taliban, and various attempts at direct and indirect talks. In the UN regime, this strategy is reflected in an increase in both listings and delistings at this time.

Third, the most recent increase in delistings is due to the Iraq regime currently being considerably scaled back. This gradual relaxation has occurred by reducing the number of targets rather than the scope of the measures. As a consequence of the low listing numbers across all regimes since 2019 (caused at least partly by increased tensions within the Security Council) and the high delisting numbers over the same period, for the first time delistings have outnumbered listings for three years in a row (2019 through 2021).

In sum, major waves of delisting by the UN have taken place since 2010 and for the following purposes:

- to address due process concerns and “clean up” lists or improve the quality of the designations in a large list facing legitimacy challenges (ISIL/Al-Qaeda);
- to facilitate negotiations (Taliban);
- to wind down an entire sanctions regime (Iraq).

The overall pattern of delistings is thus strongly shaped by a small number of sanctions regimes and does not necessarily allow robust conclusions on the prospects for using delisting to facilitate negotiations in other contexts where UN sanctions regimes apply. In particular, the regimes related to situations of internal armed conflict have exhibited few delistings. That said, only the Mali, South Sudan, and Yemen regimes have been without any delistings thus far. Delistings have been used to facilitate negotiations in at least one instance, with the Taliban. Their general lack of success in that instance need not deter consideration of their potential use in other situations.

It is important to note that UN sanctions are embedded in other sanctions regimes and vary both in their implementation and their relationships with those other regimes. This increases considerably the complexity for mediators and negotiators, should they wish to employ delistings in support of negotiations. The following sections will therefore explain the implementation of UN sanctions (including listings and delistings) by Member States, and how States use autonomous sanctions in parallel.

## Member State Implementation

Member States are required to implement UN sanctions adopted under Chapter VII of the UN Charter, i.e., they must implement the restrictive measures defined by the Security Council, freezing the assets or blocking the travel of designated individuals and entities. However, how countries fulfil this obligation varies, particularly with regards to the implementation of the UN sanctions lists and their translation into domestic regulations. Countries can impose additional autonomous measures on UN targets and, in some cases, they continue to target *former* UN targets autonomously after their delisting by the Security Council.

### NATIONAL/EU IMPLEMENTATION OF UN LISTINGS

Countries implement UN listings in different ways, both regarding legal adoption and administrative implementation. In terms of handling the lists, most countries (an exception being Canada) “copy” UN designations into their own domestic lists. Often, countries have an equivalent sanctions regime and list in place. This is the preferred way of the EU, UK, and Australia. While some of these national lists implementing UN designations perfectly “mirror” the UN lists, others contain provisions for additional autonomous targets, resulting in lists that combine UN designations and autonomous designations. For instance, the EU’s Iran and Libya regimes contain the UN’s respective designations plus additional EU designations. Australia, likewise, has UN regimes, autonomous regimes, and mixed regimes (for DPRK, Iran, Libya, and Syria) in place.<sup>12</sup>

The US gives effect to UN sanctions and listings through Executive Orders (EOs) and Acts of Congress. In many cases, there is not a direct US-equivalent to a UN regime (as other countries would typically do it), but the sanctions measures and designations foreseen by the UN may be ensured across multiple US sanctions regimes, each of which may have a slightly different scope. For instance, numerous US regulations impose sanctions on Iran, some of which are aimed at the country, others at the region (including Syria as well), and still others at global nuclear proliferation. There is, thus, no single US sanctions regime on Iran that would implement all UN designations. Instead, multiples of these sanctions regimes give effect to UN designations, while all of them might also contain autonomous US designations.

Canada, in turn, only features autonomous designations on its sanctions lists. As for UN designations, Canada has a legal clause in place that makes all UN sanctions lists domestically binding without need for implementation through Canada's own lists. As a consequence, UN *delistings* are thus effective immediately. That said, Canada has also "double-designated" a handful of UN targets: thus, a few UN targets feature on the thematic Canadian list under its *Justice for Victims of Corrupt Foreign Officials Regulations*. Interactions between UN regimes and such autonomous thematic regimes are discussed below (see, Autonomous Thematic Sanctions).

In addition to designating additional targets, countries also at times impose additional measures on UN-designated targets. For instance, the EU imposes travel bans and assets freezes on the individuals listed under the UN's Guinea-Bissau regime, while the UN only applies a travel ban. Principally, however, the combination of travel ban and assets freeze has become the standard practice of individual targeted sanctions at both the UN and most Western States. That said, sanctions measures in Security Council resolutions leave some leeway for different interpretations at the national level, such that some countries may be stricter than others in their implementation.<sup>13</sup> This is only to speak of implementation at the regulatory level: *enforcement*, of course, is a further issue and can vary significantly across countries.

## IMPLEMENTATION OF DELISTINGS

There is no ambiguity as to the obligation of countries to implement UN sanctions along with the issued target lists. However, the situation is not as clear with regard to the delisting of targets. Certainly, the Security Council communicates delistings in a less authoritative manner than listings, as the latter are explicitly made an international obligation through Chapter VII-based Security Council resolutions (with the targets themselves being identified either within those same resolutions or separately by the Sanctions Committee). In cases of delistings, however, there is no such Security Council resolution demanding Member States to delist any given targets (although there can be resolutions ending a sanctions regime in its entirety that would have this effect). After a delisting, the UN Secretariat uploads an updated version of the consolidated list (a file combining the target lists from all UN regimes) from which the delisted target has been removed. Additionally, a press statement publicly announces the delisting. Under the current practice, it appears that delistings are interpreted as a cessation of the obligation to sanction, not an obligation to end the sanctions. Whether the Security Council's decision to delist a target affects the right to continue – but now autonomous – sanctioning of that target is a legal question that is not part of this study (while most States hold that autonomous sanctions are legal under international law, some States like Russia have challenged this interpretation).

Importantly, delistings at the level of the UN are not always reflected at the level of Member States. In other words, **Member States (or regional organizations) sometimes continue to sanction individuals or entities after they have been delisted by the UN.** It is important for mediators to know that a person or entity delisted by the UN can still remain on autonomous lists of countries or regional organizations.

For instance, checking UN delistings against US listings for this analysis reveals that the US did not remove its autonomous sanctions on at least 103 delistings by the UN: this includes 94 out of 251 delistings under the ISIL/Al-Qaeda regime, meaning that a delisting by the Ombudsperson may have no practical consequences for delisted persons and entities that still remain subject to the powerful US sanctions. For the EU, the authors could only verify this for two individuals (both from the ISIL/Al-Qaeda regime, one being Osama bin Laden who remains subject to an assets freeze by both the US and the EU). For the UK, the authors found none.

It is not surprising that most cases are to be found under the ISIL/Al-Qaeda regime, given the salience of the issue and the sheer number of targets. In all other regimes, a Security Council member that is unhappy with a proposed delisting can "veto" that delisting at the level of the Sanctions Committee. In the case of the ISIL/Al-Qaeda regime, however, a unanimous negative vote is needed in the

Sanctions Committee to overrule the recommendation of the Ombudsperson to delist a target. The above discrepancies between UN and national delistings might be produced in such cases where a country does not agree with the delisting of a target by the Sanctions Committee and thus continues to sanction the target autonomously. Further investigation of the respective cases is necessary, however, before drawing definite conclusions.

## Additional Autonomous Sanctions

The simultaneous presence of autonomous and UN sanctions in a political or geographic context can add significantly to the complexity of the situation faced by mediators and negotiators.

Sometimes, autonomous sanctions are imposed precisely in those contexts where UN sanctions cannot be imposed, such as when no agreement on sanctions could be found at the Security Council, for example relating to Syria, Myanmar, and Belarus. In other settings, autonomous sanctions are directed against permanent members of the Security Council, such as the sanctions against Russia by the EU, UK, and US, or the human rights sanctions targeted at certain Chinese officials. As permanent members hold veto power, they are not subject to any UN sanctions.

However, *autonomous sanctions can overlap with UN sanctions in the sense that they target additional individuals or entities within the same political and/or geographic context to which UN sanctions already apply.* For instance, even if the Security Council agrees on imposing sanctions in response to a given political crisis, there may be disagreements as to the number and selection of specific targets. Where specific designations are blocked at the Security Council or Sanctions Committee level, countries may unilaterally decide to add those designations to their autonomous sanctions lists. For instance, the UN has designated 45 targets under its DRC sanctions regime, but the US, UK, and EU all have designated 56 targets under their respective DRC regimes, an additional 11 targets.

In most cases, the number of additional autonomous targets in country-based regimes is easy to discern by comparing the length of country-based UN lists with the respective national equivalents. This straightforward discernability of additional targets makes it relatively easy for practitioners and analysts to understand a given country's (or the EU's) sanctions approach with regards to the targeted country.

Much harder to discern, however, is the overlap between UN sanctions designations and those emanating from autonomous *thematic* sanctions. It can be difficult for observers to identify all the geographic and political contexts to which a thematic sanctions regime applies – or, conversely, to know whether any autonomous thematic sanctions apply to persons within a given context (in addition to UN sanctions). This can be challenging for mediators who would need to know the full universe of sanctions that apply to persons relevant to a given negotiation process. Autonomous thematic sanctions and their transparency challenges are discussed in the following section.

## AUTONOMOUS THEMATIC SANCTIONS

The US, the EU, the UK, and Canada have introduced thematic sanctions regimes in addition to their country-based restrictive measures. The US list of Specially Designated Nationals dates back to the “war on drugs” in the 1980s when the US began listing and freezing the assets of narcotics traffickers and drug kingpins. It also has lists of suspected terrorists, transnational criminal organizations, and more recently has begun applying sanctions for cyberattacks, corruption, and human rights violations (Magnitsky and Global Magnitsky) on individuals regardless of their location in the world. These sanctions regimes are thematic, because they are global in reach and not territorially focused like country-based sanctions regimes.

The EU has five thematic sanctions regimes in place: for human rights violations, chemical weapons use, two for counter-terrorism, and cyber sanctions. Since it left the EU, the UK has introduced new thematic sanctions regimes and is currently considering others. Australia amended its Autonomous



Sanctions Act (2011) on 24 November 2021 in order to enable the imposition of autonomous thematic regimes, specifically with the intent of creating a Magnitsky-style regime.<sup>14</sup> The most widespread type of thematic regime are international human rights regimes, also referred to as “Magnitsky-style” sanctions after the US prototype.

The introduction and expansion of thematic sanctions regimes is important for negotiators that are interested in using delisting because they further complicate the environment in which delistings might be employed. Table 3 provides an overview of autonomous thematic sanctions regimes currently in place across different jurisdictions.

**Table 3. Overview of autonomous thematic sanctions**

*Sanctions regimes may be mixed, i.e., contain autonomous and UN designations.*

Jurisdiction	Thematic Regimes
<b>Australia</b>	<i>[Legislation enabling autonomous thematic sanctions passed in November 2021.]</i>
<b>Canada</b>	<ul style="list-style-type: none"> <li>• Justice for Victims of Corrupt Foreign Officials Regulations</li> </ul>
<b>EU</b>	<ul style="list-style-type: none"> <li>• Chemical Weapons</li> <li>• Cyberattacks</li> <li>• Global Human Rights</li> <li>• Terrorism <ul style="list-style-type: none"> <li>▪ Restrictive measures with respect to ISIL and Al-Qaeda</li> <li>▪ Specific measures to combat terrorism.</li> </ul> </li> </ul>
<b>UK</b>	<ul style="list-style-type: none"> <li>• Chemical Weapons</li> <li>• Domestic Counter-terrorism</li> <li>• Cyber</li> <li>• Global Anti-corruption</li> <li>• Global Human Rights</li> <li>• International Counter-terrorism</li> </ul>
<b>US<sup>15</sup></b>	<ul style="list-style-type: none"> <li>• Counter Narcotics Trafficking (Foreign Narcotics Kingpin Designation Act)</li> <li>• Counter-terrorism</li> <li>• Cyber</li> <li>• Foreign Terrorist Organizations (under the Immigration and Nationality Act).</li> <li>• Global Magnitsky (Human Rights)</li> <li>• Non-proliferation</li> <li>• Transnational Criminal Organizations</li> </ul>

## PARALLEL USES OF UN SANCTIONS AND AUTONOMOUS THEMATIC SANCTIONS

Autonomous thematic regimes can create additional difficulties for mediators and other practitioners as well as for scholars and analysts. These regimes can interact with UN regimes in different ways, thus complicating the overall constellation of sanctions applicable to a given context. For instance, it is possible that an individual is designated for their criminal activities, like narcotics trafficking, rather than their participation in a non-State armed group engaged in a conflict. It can therefore be difficult to discern where to look when approaching sanctioning authorities for potential delistings. Scanning the country-based sanctions regimes may therefore be insufficient in some cases.

Some countries may implement UN designations through thematic regimes. This is practiced by the US. For example, the US does not have a dedicated Afghanistan or Taliban sanctions regime but covers those designations mainly through its counter-terrorism regimes and, in several instances, the Foreign Narcotics Kingpin Designation Act. Furthermore, some of the targets under the UN's Somalia regime are designated under US counter-terrorism regimes (instead of, or in addition to, being listed under the US Somalia sanctions regime). Sometimes, these actors have been targeted by the US first and by the UN later.

Such scenarios can render delistings more complicated: when a Member State adds a UN target under an autonomous thematic list, it may consider this an autonomous designation (or double autonomous and UN-designation) and may be less likely to implement a delisting of that target by the UN.

Countries can also use thematic regimes to designate additional autonomous targets in contexts where UN sanctions also apply. For instance, the large US non-proliferation regime contains numerous targets in Iran and the DPRK that are not listed by the UN. Although Member States and regional organizations can also introduce additional autonomous targets through country-based regimes, thematic regimes can create specific transparency challenges as the following section will demonstrate.

## TRANSPARENCY CHALLENGES OF AUTONOMOUS THEMATIC SANCTIONS

Autonomous thematic regimes – in particular large ones – can pose transparency challenges. It is difficult to identify a country's application of sanctions to different national contexts when targets are subsumed under large, globally applicable thematic regimes. The data contained on each of the targets in consolidated sanctions lists may not allow one to determine to which political and geographic contexts these targets relate. Most lists try to record the targets' citizenship and country of residence, but this data is often missing and, where it exists, is of limited value given the global nature of the phenomena that are addressed with these sanctions.

For instance, the US currently has 389 targets on its Global Magnitsky list, 164 of whom are individuals. Mapping out the citizenship of targets might offer some insights: for instance, observers of international politics might attempt to conclude that some of the 18 Saudi Arabian citizens under the Global Magnitsky regime relate to the murder of Jamal Khashoggi.<sup>16</sup> However, there are serious caveats to this type of inference. First of all, there are at least 37 nationalities among the targets, often not clearly related to any easily identifiable political conflict. Furthermore, the transnational nature of this regime and of its targets cautions us not to jump to conclusions based on citizenship, in particular where targets are not government officials. Lastly, the consolidated list does not indicate citizenship information for some targets: according to the data for this analysis, the US consolidated list records citizenship for 130 out of 164 targets under the Global Magnitsky regime. For the US counter-terrorism regime, this number stands at 384 out of 1014.

Finally, it is possible to retrieve further details from legal documents and press statements, yet this becomes an arduous task when the targets figure in the dozens or hundreds, as with the 389 entries-long Global Magnitsky regime (combining persons and entities) or the US non-proliferation regime and its 401 targets. For negotiators, mediators, and analysts, it is therefore difficult to get a quick view of which US autonomous sanctions may apply to a given context and they may have to resort to screening individual names against the various US sanctions lists.<sup>17</sup>

The situation is better for the EU's recent Global Human Rights sanctions list that only features targets since 2021. The small number of 14 targeted individuals is made up from citizens of countries that are clearly linked to recent political and diplomatic conflicts: China, DPRK, Libya, Russia, and South Sudan. What also makes the targeting strategies behind these designations easier to discern is the fact that the European regime has been focused on foreign *officials*; since officials tend to be citizens of the countries whose government they represent, it is easier for observers to draw conclusions on the political strategies behind sanctions just by mapping out the citizenships of targets. That said, the EU's Global Human Rights Sanctions regime does permit the designation of non-State persons and entities, as set out in Council Regulation 2020/1998.

Table 5 shows two further important autonomous thematic regimes of the US. The same caveats as above apply. The given data provide practitioners (including mediators) and analysts with some, albeit imperfect, indication as to which thematic sanctions regimes may interact with which country contexts. Note that Tables 4 and 5 only relate to individuals, since they summarize nationalities. All included sanctions regimes also target entities, however.

### Table 4. Nationalities of targets under autonomous human rights sanctions

*Table showing nationality of targets (individuals only) as indicated in the respective authority's consolidated sanctions list.*

Autonomous human rights sanctions regime	Nationality and number of targets	Total number of nationalities and targets
<b>US Global Magnitsky sanctions</b>	<ul style="list-style-type: none"> <li>• [Not indicated]: 34</li> <li>• Belgium: 1</li> <li>• Bosnia and Herzegovina: 1</li> <li>• Bulgaria: 3</li> <li>• Burma: 1</li> <li>• Cambodia: 2</li> <li>• China: 4</li> <li>• <i>DRC*</i>: 2</li> <li>• Cuba: 8</li> <li>• Dominican Republic: 1</li> <li>• El Salvador: 3</li> <li>• Eritrea: 1</li> <li>• Guatemala: 3</li> <li>• Haiti: 2</li> <li>• India: 1</li> <li>• Iraq: 8</li> <li>• Kosovo: 4</li> <li>• Kyrgyzstan: 1</li> <li>• Latvia: 1</li> <li>• Lebanon: 1</li> <li>• Liberia: 1</li> <li>• <i>Libya*</i>: 2</li> <li>• Mexico: 4</li> <li>• Morocco: 1</li> <li>• Nicaragua: 4</li> <li>• Pakistan: 2</li> <li>• Paraguay: 2</li> </ul>	Min. 37 nationalities, 164 individual targets out of 389 targets

Autonomous human rights sanctions regime	Nationality and number of targets	Total number of nationalities and targets
<b>US Global Magnitsky sanctions</b>	<ul style="list-style-type: none"> <li>• Russian Federation: 4</li> <li>• Saudi Arabia: 18</li> <li>• Serbia: 16</li> <li>• Slovakia: 1</li> <li>• South Africa: 3</li> <li>• <i>South Sudan</i>*: 6</li> <li>• <i>Sudan</i>*: 2</li> <li>• The Gambia: 1</li> <li>• Uganda: 12</li> <li>• Uzbekistan: 1</li> <li>• <i>Yemen</i>*: 2</li> </ul>	
<b>EU Global Human Rights sanctions</b>	<ul style="list-style-type: none"> <li>• China: 4</li> <li>• <i>DPRK</i>*: 2</li> <li>• <i>Libya</i>*: 1</li> <li>• Russian Federation: 6</li> <li>• <i>South Sudan</i>*: 1</li> </ul>	Min. 5 nationalities, 14 individual targets out of 17 targets
<b>Canadian Justice for Victims of Foreign Corrupt Officials Regulations</b>	<ul style="list-style-type: none"> <li>• Not indicated: 70</li> </ul>	70 individuals out of 70 targets
<b>UK Global Human Rights Sanctions &amp; Global Anti-Corruption Sanctions</b>	<ul style="list-style-type: none"> <li>• Belarus: 7</li> <li>• China: 4</li> <li>• Colombia: 1</li> <li>• Colombia/Venezuela: 1</li> <li>• Equatorial Guinea: 1</li> <li>• Gambia: 2</li> <li>• Guatemala: 1</li> <li>• Honduras: 1</li> <li>• India: 3</li> <li>• Iraq: 1</li> <li>• Morocco: 1</li> <li>• Myanmar: 2</li> <li>• Nicaragua: 1</li> <li>• Pakistan: 1</li> <li>• Russia: 37</li> <li>• Saudi Arabia: 19</li> <li>• South Africa: 1</li> <li>• <i>Sudan</i>*: 1</li> <li>• Ukraine: 3</li> <li>• Unknown: 7</li> <li>• Venezuela: 3</li> <li>• Zimbabwe/South Africa: 1</li> </ul>	Min. 22 nationalities, 99 individual targets out of 105 targets

\* Country has a UN sanctions regime in place.

**Table 5. Nationalities of targets under further autonomous US sanctions (non-proliferation and counter-terrorism)**

*Table showing nationality of targets (individuals only) as indicated in the respective authority's consolidated sanctions list.*

<b>Targets by citizenship (further US thematic sanctions)</b>			
<b>US: Non-proliferation (162 individuals out of 401 targets)</b>		<b>US: Counter-terrorism (1014 individuals out of 1505 targets)</b>	
[Not indicated]:	57	[Not indicated]:	384
<i>DPRK*</i> :	20	<i>Afghanistan*</i> :	23
China:	10	Algeria:	12
Germany:	1	Australia:	4
<i>Iran*</i> :	48	Bahrain:	6
Lebanon:	4	Belgium:	3
Pakistan:	2	Bosnia and Herzegovina:	3
Russia:	6	Brazil:	1
Switzerland:	1	Canada:	5
Syria:	3	Chad:	1
Taiwan:	3	China:	3
Turkey:	4	Colombia:	6
United Kingdom:	3	Comoros:	1
		Egypt:	21
		Eritrea:	1
		France:	7
		Georgia:	1
		Germany:	9
		Guinea:	1
		India:	6
		Indonesia:	26
		<i>Iran*</i> :	49
		<i>Iraq*</i> :	42
		Jordan:	10
		Kenya:	4
		Kosovo:	1
		Kuwait:	14
		Kyrgyzstan:	1
		Lebanon:	53
		<i>Libya*</i> :	9
		Macedonia:	1
		Malaysia:	6
		Maldives:	1
		<i>Mali*</i> :	7
		Mauritania:	3
		Morocco:	11
		Mozambique:	1
		New Zealand:	1
		Niger:	1
		Nigeria:	1
		Norway:	1

Targets by citizenship (further US thematic sanctions)	
US: Non-proliferation (162 individuals out of 401 targets)	US: Counter-terrorism (1014 individuals out of 1505 targets)
	Oman: 1
	Pakistan: 55
	Palestinian: 12
	Philippines: 16
	Qatar: 11
	Russia: 11
	Saudi Arabia: 38
	Sierra Leone: 1
	<i>Somalia*</i> : 10
	South Africa: 1
	Spain: 5
	<i>Sudan*</i> : 5
	Sweden: 1
	Syria: 15
	Tajikistan: 2
	Tanzania: 2
	The Gambia: 1
	Trinidad and Tobago: 2
	Tunisia: 35
	Turkey: 10
	Uganda: 1
	United Kingdom: 13
	United States: 3
	Uzbekistan: 3
	Yemen: 19
Min. 13 nationalities, 162 individual targets	Min. 66 nationalities, 1014 individual targets

\*Country has a UN sanctions regime in place.

## BLURRING BOUNDARIES BETWEEN UN SANCTIONS AND AUTONOMOUS SANCTIONS

To summarize, the boundaries between UN sanctions and autonomous sanctions often blur. Countries can *de facto* “double-designate” UN targets by imposing autonomous sanctions on them rather than only fulfilling their obligation to implement the UN designations; they can add autonomous sanctions to their national implementations of UN regimes or address the same contexts through additional regimes (particularly through thematic regimes). Countries can also impose stricter measures than foreseen by the UN. While UN sanctions define clear *minimum* standards for implementation, individual Member States are able to impose stricter measures. There are no explicit international obligations or guidelines as to when and whether countries have to implement UN delistings. The obligations resulting from UN delistings for countries are even more ambiguous where targets are “double-designated” or on mixed UN/autonomous lists.

# UN SANCTIONS REGIMES

In the next section of the report, details of the designations in each of the UN's fifteen current sanctions regimes are considered, identifying the scope of the UN measures and illustrating how they are interrelated with other, autonomous, restrictive measures. This is intended as a case-by-case potential guide to mediators and negotiators interested in considering the use of delistings to facilitate their bargaining and negotiation efforts.

For each UN regime, additional autonomous measures (by Australia, Canada, the EU, the UK, or the US) are indicated. Additional autonomous measures are divided into country-based regimes and thematic regimes.

- **Country-based sanctions regimes** are confined to a national context.
- **Overlapping autonomous thematic regimes** are defined here as autonomous thematic regimes (including by the EU) that have at least one target in common with the respective UN regime. The authors choose this more restrictive definition because, in theory, some autonomous regimes, like Magnitsky-style human rights sanctions, could apply to almost all contexts to a smaller or larger extent. For mediators and negotiators, it can therefore still be important to go beyond the lists indicated here for each given case and consider any other autonomous thematic lists that may apply to other (non-UN) targets within the same country (see, Autonomous Thematic Regimes).

For country-based regimes, the number of *additional* designees (i.e., exceeding the number of UN designations) is indicated. This number is not given for overlapping autonomous thematic regimes because there is, with regards to the existing regimes, no straightforward way of determining how many targets on an autonomous thematic regime correspond to the same context as a UN country-based or thematic regime (see, Transparency Challenges of Autonomous Thematic Sanctions).

## CENTRAL AFRICAN REPUBLIC

<b>Current targets</b>	<b>14</b>
Individuals	13
Entities	1
<b>Delistings</b>	<b>2</b>
Total number of targets (incl. delisted)	16

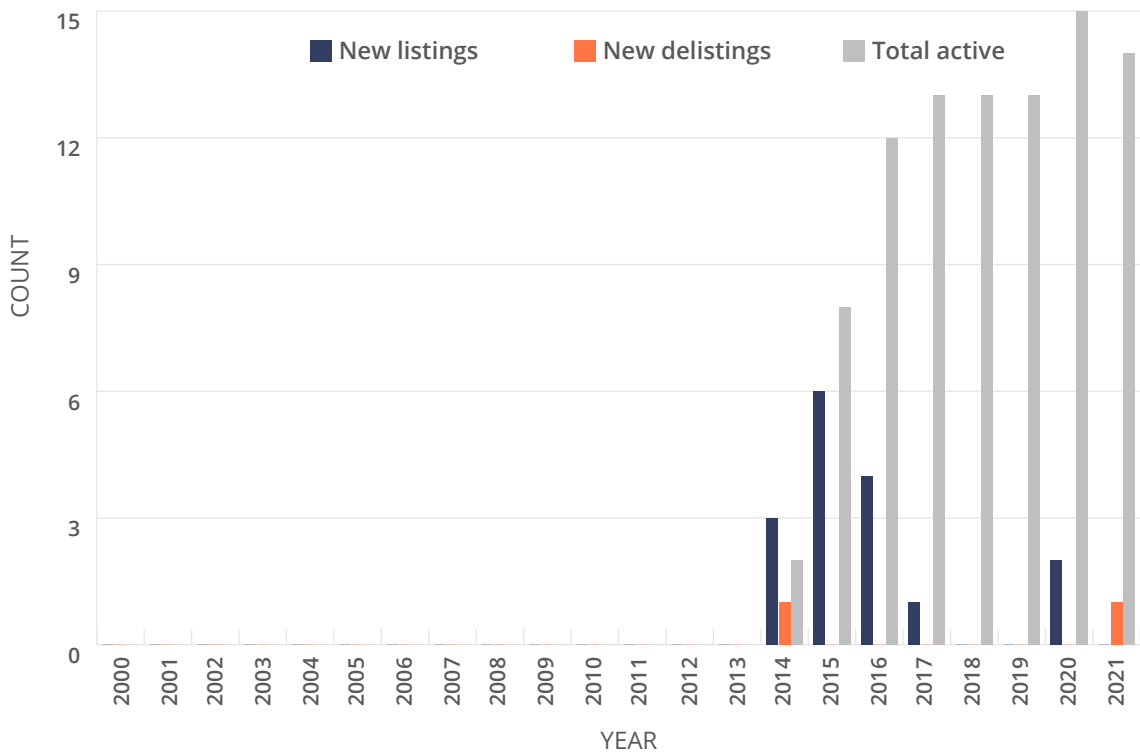
**Additional autonomous designations through country-based**

- USA: +6

**Overlapping autonomous thematic regimes**

- USA: Counter-terrorism

Figure 2: New listings and delistings per year: Central African Republic





## PURPOSE

The sanctions regime for the Central African Republic (CAR) was established with Security Council Resolution 2127 in 2013 in response to internal armed violence and human rights violations and in support of the peace process.<sup>18</sup>

## DESIGNATION CRITERIA

The CAR regime features 9 designation criteria, last updated in Security Council Resolution 2399 (2018), consisting of the typical criteria applied to armed conflict settings. Criteria include the undermining of peace, stability, and security in CAR; violation of the arms embargo; participation (planning, directing, or committing) in the violation of international human rights and humanitarian law; participation in acts of sexual and gender-based violence; recruitment of children; support of armed groups or criminal networks through the illicit exploitation or trade of natural resources; obstruction of humanitarian assistance; attacks against international security forces; support of a designated entity.

## DESIGNATIONS

With a total of 14 targets and another two that have meanwhile been delisted, the list has a typical size for a UN regime taken in response to armed conflict. Currently, the regime lists mostly individuals that have taken an active and leading role in violence and human rights violations. The only listed entity is the Lord's Resistance Army, a group originally emerging in Uganda before becoming involved in the conflict in CAR (a further entity has been delisted in 2021). Overall, this regime's target list has seen little change after the first years in 2014 to 2017 – another feature that is typical for the UN's armed conflict regimes.

## DELISTINGS

There have been two delistings under the CAR regime. In 2014, an individual was removed within the same year of his designation, having died shortly after the listing.<sup>19</sup> In 2021, a diamond trading company was delisted, six years after its original listing for trading with non-State armed forces.<sup>20</sup>

## ADDITIONAL AUTONOMOUS DESIGNATIONS

Among the countries included in this study, only the US lists additional individuals. With six additional listings, its list is almost 50 per cent larger than that of the UN. One designation was made under the US counter-terrorism regime, the target being the Ugandan Joseph Kony. Kony was designated a terrorist by the US in 2008 and in 2016 was designated under the UN's CAR sanctions regime for undermining "peace, stability, and security" in the CAR. Despite this listing, counter-terrorism regimes do not seem to be likely locations for future designations relating to CAR.

The additional designations by the US also include the entity *Bureau d'achat de diamant en Centrafrique*, which has been delisted in April 2021 by the UN but continues to be under US sanctions as of December 2021.

The other countries included in this report do not have additional designations and appear to accept the UN's lead with regards to sanctions in CAR. With human rights and anti-corruption regimes now found in a growing number of countries, however, frameworks are in place for potential additional designations through autonomous thematic regimes in the future.

## DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

<b>Current targets</b>	<b>155</b>
Individuals	80
Entities	75
<b>Delistings</b>	<b>9</b>
Total number of targets (incl. delisted)	164

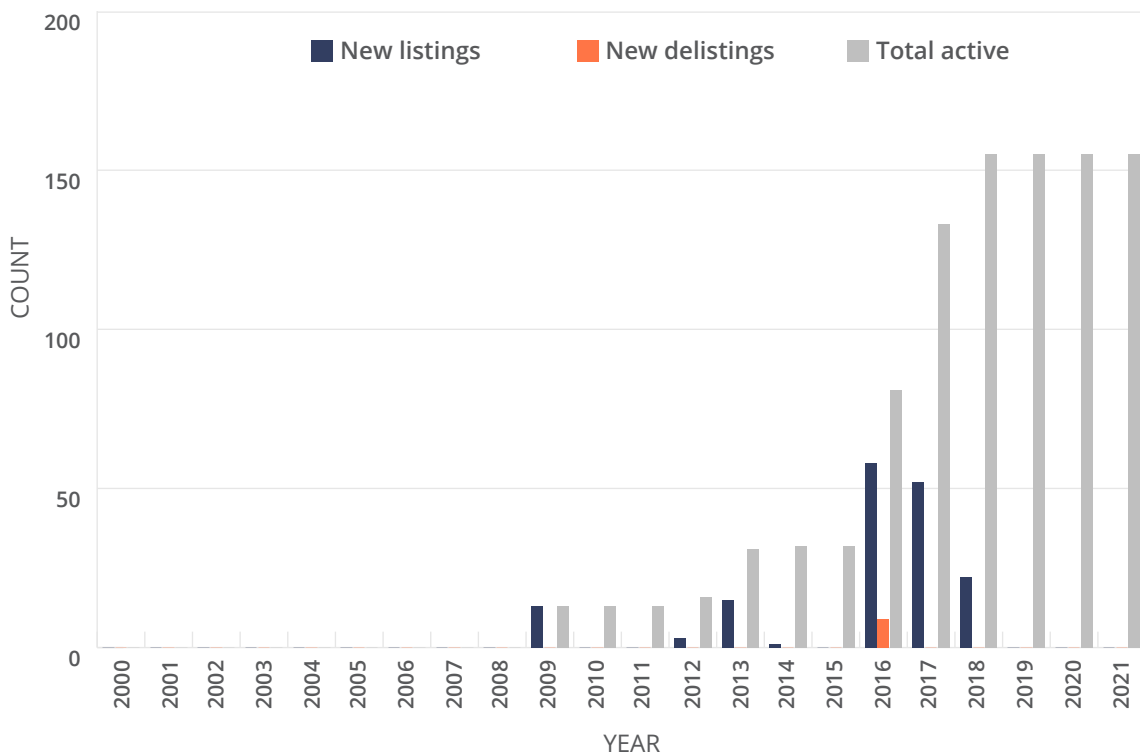
**Additional autonomous designations through country-based regimes:**

- Australia: + 89
- EU: + 69
- UK: + 103
- USA: + ca. 200<sup>21</sup>

**Overlapping autonomous thematic regimes**

- USA: Non-proliferation

Figure 3: New listings and delistings per year:  
Democratic People's Republic of Korea



## PURPOSE

The DPRK regime is among the UN's largest regimes. In place since 2006, its main purposes are to coerce DPRK to halt its weapons of mass destruction (WMD) programmes and to abandon nuclear tests and ballistic missile launches. The regime has been expanded steadily over time, particularly in 2016 and 2017, with measures including an arms embargo and large number of sectoral sanctions, in addition to asset freezes and travel bans for designated individuals and entities. The first individual designations under the UN regime were only made in 2009.

## DESIGNATION CRITERIA

Designation criteria under the DPRK regime include the participation in and support of DPRK's WMD, nuclear, and ballistic missile programmes. The travel ban extends to the family members of those designated, although the family members are rarely explicitly identified and listed (Security Council Resolution 1718 from 2006). Individuals and entities assisting in sanctions evasion are also eligible for sanctions (Security Council Resolution 2094 from 2013).

## DESIGNATIONS

Although Security Council Resolution 1718 from 2006 authorized sanctions on persons "designated by the Committee or by the Security Council," such designations were not made until 2009: on 13 April 2009, a statement by the President of the Security Council gave the Committee until 24 April to identify target entities and banned goods; should the Committee not act by then, the Security Council would proceed itself to designate targets by 30 April.<sup>22</sup> On 24 April, the day of the deadline, the Sanctions Committee thus designated three entities, and another five entities and five individuals on 16 July 2009.

Since then, designations have been done in "waves" immediately following nuclear tests or ballistic missile tests. While the 2012 designations were still made by the Committee, the Security Council was directly responsible for the spike in designations in 2016 and 2017, where it passed strongly worded resolutions condemning North Korean nuclear tests, strengthening sanctions measures, and designating new targets. The Committee, by contrast, designated only four vessels in 2017.<sup>23</sup> The Committee became more involved again in 2018, designating 22 targets plus 30 vessels during that year.<sup>24</sup> Note that the vessels in this case are not included in the UN's consolidated list but indicated in a separate file; they are thus not part of the graphs and figures above.<sup>25</sup>

Designated entities include mainly those that are involved in the development of nuclear weapons and in the procurement of goods to support the nuclear programme. This ranges from banks, trading and shipping companies to government institutions (e.g., the Ministry of Atomic Energy Industry, the Ministry of the People's Armed Forces, and the Military Supplies Industry Department). Likewise, individuals linked to such entities are particularly targeted through this sanctions regime.

There have been no new listings since 2018. As the détente between North Korea and the West – namely between Kim Jong Un and Donald Trump – was of a short-lived nature, the freeze in new listings is more likely due to rising tensions within the Security Council than to improved relations with the DPRK. In particular, China and Russia are less willing to support new sanctions, designations, or strongly worded resolutions. Instead, Russia and China have, on 16 December 2019, tabled a draft resolution to relax sanctions on the DPRK. This proposal was, however, met with resistance at the Security Council and the resolution was never adopted. A similar resolution was tabled again in November 2021 with the same outcome.

## **DELISTINGS**

While designation numbers under the DPRK regime are high, there have been few delistings. All nine delistings made so far have been of vessels where the Security Council could establish that they were not, or no longer, operated by a sanctioned shipping agency. Those delistings happened within the same year as the listings (in 2016). There is no empirical evidence of the conditions under which the Security Council would delist other types of targets from the DPRK list.

## **ADDITIONAL AUTONOMOUS DESIGNATIONS**

The high political salience of the North Korean nuclear and ballistic missiles programmes translates into large numbers of additional autonomous designations. This holds for all sanctioning countries included in this report with the exception of Canada. While the US has a North Korea regime in place, further relevant designations are made under its counter-proliferation regime. As the section on Autonomous Thematic Sanctions explains, it is not easy to know under such circumstances how many designations on a thematic regime correspond to which case. Table 5 shows, however, that individuals with North Korean citizenship make up the largest share, second to Iranian individuals, on the US non-proliferation list.

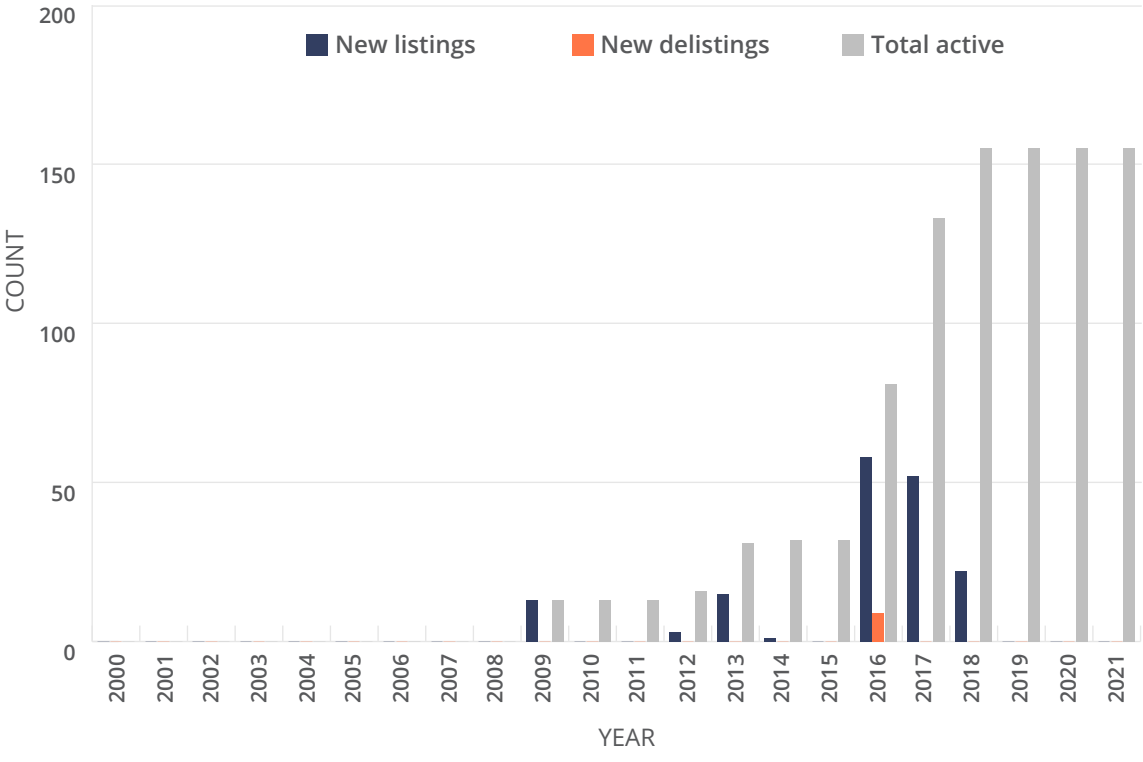
## DEMOCRATIC REPUBLIC OF THE CONGO

<b>Current targets</b>	<b>45</b>
Individuals	36
Entities	9
<b>Delistings</b>	<b>1</b>
Total number of targets (incl. delisted)	46

**Additional autonomous designations through country-based regimes:**

- EU: +11
- UK: +11
- US: +11

Figure 4: New listings and delistings per year: Democratic Republic of the Congo



## PURPOSE

Imposed in 2003, the DRC sanctions regime is the second oldest active UN sanctions regime on the African continent after Somalia. That said, individuals and entities have been designated for sanctions since 2005 in the DRC and only since 2010 in Somalia. The sanctions are aimed at ending the conflict (or multiple conflicts) in the eastern DRC, although the exact objectives have changed over time along with developments on the ground.

## DESIGNATION CRITERIA

The designation criteria were gradually expanded until 2008. Initially, targeted sanctions were directed at entities and leaders of armed groups impeding disarmament, demobilization, and reintegration (DDR) (Security Council Resolution 1649 from 2005). Security Council Resolution 1698 (2006) expanded those criteria to include individuals and entities responsible for the recruitment of child soldiers as well as for serious violations of international law, explicitly including sexual violence. Security Council Resolution 1857 (2008) further included individuals and entities involved in the financing of non-State armed groups through exploitation of national resources (an issue that had been addressed with sectoral sanctions early on). With the same resolution, the designation criteria were also extended to leaders obstructing humanitarian assistance.

## DESIGNATIONS

A look at the number of sanctions targets shows that the Security Council has taken a different approach towards designations in the DRC than in other armed conflicts in Sub-Saharan Africa. In several other cases (Mali, Sudan, and South Sudan), the Council has designated fewer than ten individuals, targeting only the main parties to the conflict and major peace spoilers (among the medium-sized regimes in Africa are CAR with 14 active designations and Somalia with 19 designations). In contrast, the DRC has by far the largest list among these cases. The sheer complexity of the situation in the DRC, the many warring parties, and the fact that the Council has addressed different sub-conflicts over such an extended period of time may help to explain the size of the DRC sanctions list.

## DELISTINGS

There has only been one delisting under the DRC regime, relating to a deceased person. Kambale Kisoni, owner of Butembo Airlines and Congomet Trading House (formerly Congocom Trading House), was delisted in 2008 after his death in 2007. Mr Kisoni's companies remain on the list.<sup>26</sup>

## ADDITIONAL AUTONOMOUS DESIGNATIONS

The EU, UK, and US have each made 11 additional designations. The 11 EU and UK designations concern the same 11 individuals. The authors could verify five of those targets to also be among the 11 designations by the US. These include the provincial Police Commissioner for Kinshasa,<sup>27</sup> the Vice Prime Minister in charge of the interior and security,<sup>28</sup> and the Director of the National Intelligence Agency,<sup>29</sup> the former National Inspector of the Congolese National Police,<sup>30</sup> and a former Chief of Staff of the army of the DRC.<sup>31</sup> They were all listed in 2016 and 2017 for participating in acts of violent government repression.<sup>32</sup>

## GUINEA-BISSAU

<b>Current targets</b>	<b>10</b>
Individuals	10
Entities	0
<b>Delistings</b>	<b>1</b>
Total number of targets (incl. delisted)	11

**Additional autonomous designations through country-based regimes:**

- EU: + 8 (plus additional measures on UN targets)
- UK: + 2 (plus additional measures on three of the UN targets)

**Overlapping autonomous thematic regimes**

- US: Counter Narcotics Trafficking (Foreign Narcotics Kingpin Designation Act)

Figure 5: New listings and delistings per year: Guinea-Bissau



## PURPOSE

Following a military coup in Guinea-Bissau on 12 April 2012 by the so-called “Military Command,” the Security Council adopted Resolution 2048 on May 18, 2012. This resolution demanded that the “Military Command” step down from Government and enable a return to constitutional order and democratic elections. The resolution imposed a travel ban and designated five members of the Military Command (the Sanctions Committee was to follow with a further six designations in the same year).

Resolution 2048 (2012) is the only resolution on the Guinea-Bissau regime to date. The resolution does not contain a “sunset clause” by which measures would either have to be renewed or run out by a specified date. Instead, its termination is conditional on the military Government’s relinquishing of power and a return to constitutional government. There have, therefore, been no new resolutions regarding this sanctions regime since the initial one.

The Guinea-Bissau regime is the only regime that has only a travel ban in place without financial sanctions. The EU and the UK, however, additionally impose financial sanctions on the targets.

The Guinea-Bissau regime is also one of the only UN sanctions regimes without a Panel of Experts attached to it (along with Lebanon, Iraq, and the partial exception of Iran after 2015, when the monitoring mechanism was no longer organized in the form of a Panel of Experts, but instead integrated within the UN Secretariat following the adoption of the Joint Comprehensive Plan of Action).

## LISTING CRITERIA

Listing criteria are set out in Resolution 2048 (2012) and consist of undermining the stability of Guinea-Bissau, in particular involvement in the coup d’état of 12 April 2012; acting on behalf of or financing sanctioned targets is also defined as sanctionable behaviour, although no one has been sanctioned purely on the basis of this second criterion.

## DESIGNEES

All designees are members of the “Military Command” that was responsible for the coup d’état of 12 April 2012. Following the coup, five individuals were designated by the Security Council itself (not the Sanctions Committee) through Resolution 2048 in 2012, which also installed the sanctions regime. The Committee added another six individuals in July of the same year. There are only individuals and no entities on the Guinea-Bissau list.

## DELISTINGS

On 20 December 2017, the UN delisted one person under the Guinea-Bissau regime after five years on the list. Like the other designees, this person had been listed for their involvement in the military coup in 2012. The respective press statement does not indicate the reasons for this delisting.

## ADDITIONAL AUTONOMOUS DESIGNATIONS

It is unusual for the UN to impose only a travel ban without any other sanctions measures. Indeed, several States have imposed additional measures on the individuals designated under the Guinea-Bissau regime. The EU has imposed an additional assets freeze on the UN targets under this regime. The UK has done so for three of the UN targets, according to its consolidated list.<sup>33</sup> Both have also designated additional targets (the EU has designated eight, and the UK with two additional targets).

The US does not have a dedicated Guinea-Bissau regime in place and most UN designees under this regime do not feature on the US consolidated list. The authors could only identify one person who is designated under the US Foreign Narcotics Kingpin sanctions regulations.<sup>34</sup> The fact that the other UN targets do not figure on the US consolidated list may also be due to the UN having only imposed a travel ban, as the US consolidated list (or SDN list) is particularly intended for use by the financial sector to implement assets freezes.



# IRAN

Current targets	84
Individuals	23
Entities	61
<b>Delistings</b>	<b>37</b>
Total number of targets (incl. delisted)	121

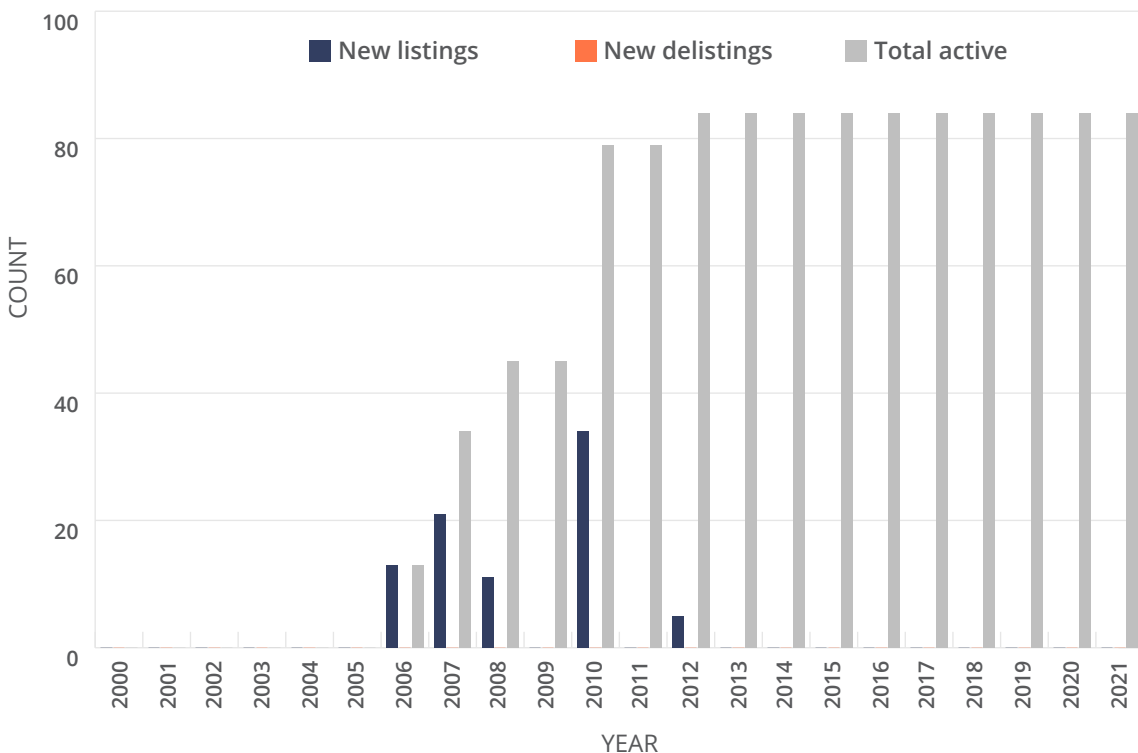
### Additional autonomous designations through country-based regimes:

- Australia: + 90
- Canada: + 202
- EU: + 219
- UK:
  - + 117 on Iran (Nuclear) regime
  - + 81 on Iran (Human Rights) regime
- USA:
  - + 722 on Iran regimes<sup>35</sup>
  - + 0 - 99 on “Iran Threat Reduction and Syria Human Rights Act” (TRA)<sup>36</sup>
  - +12 on “Countering America’s Adversaries through Sanctions” (CAATSA) regime

### Overlapping autonomous thematic regimes

- USA: Non-proliferation

Figure 6: New listings and delistings per year: Iran



(Graph does not include delistings. See paragraph on delistings below for explanation.)

## PURPOSE

Sanctions on Iran were imposed in 2006 (Security Council Resolution 1737) with the aim of coercing it to comply with requirements by the International Atomic Energy Agency (IAEA) and to suspend proscribed nuclear activities. Before and after the imposition of sanctions, various negotiation attempts took place between Iran and France, Germany, the UK, China, Russia, and the US. Negotiations only bore fruit in 2013, when the Geneva Interim Agreement was signed, paving the way for the Joint Comprehensive Plan of Action (JCPOA) to be signed in 2015. The JCPOA contained a gradual suspension or termination of sanctions measures by the UN and the EU conditional upon Iran's cooperative behaviour regarding its nuclear and ballistic missiles programmes.

Although restrictive measures on Iran are still in place, there have been efforts on behalf of the UN to make them "look less like sanctions." For instance, there is no independent Panel of Experts anymore. Instead, additional people were hired by the UN Secretariat to monitor developments and assist with the preparation of reports of the Secretary-General on the implementation of Security Council Resolution 2231. Likewise, the regime is no longer included in the UN sanctions architecture and featured alongside the other regimes on the website of the Security Council Affairs Division, rendering it difficult to access comprehensive information about the regime.<sup>37</sup> However, restrictive measures equivalent to sanctions continue to apply and all Iranian targets and they are still featured on the UN's consolidated list.

As preferences and policies on both the Iranian and the US side have been volatile over the past years through changing governments, the further evolution of sanctions at the UN and autonomous level, as well as the future of the JCPOA, are unclear.

## DESIGNATION CRITERIA

The Iran regime mainly targets individuals and entities who contribute to or participate in Iran's nuclear and ballistic missile programmes. Security Council Resolution 1747 (2007) also added entities and persons affiliated with the Iranian Revolutionary Guard Corps.

## DESIGNEES

From 2006 to 2012, the Security Council repeatedly made new designations in response to setbacks in the negotiation process and new revelations about progress in Iran's nuclear enrichment programme. Designations were made directly by the Security Council (rather than the Sanctions Committee) and were included as annexes to the same resolutions that imposed or tightened sanctions regulations. There have been no new designations since 2013, the year when the Geneva Interim Agreement was struck.

## DELISTINGS

There have been at least 37 delistings under the UN's Iran sanctions regime. This figure is given with a higher degree of uncertainty than the figures of other UN sanctions regimes due to particular data challenges in the case of Iran. In line with the approach of making Iran sanctions look less sanctions-like after the JCPOA, information on this regime has been removed from the website of the Security Council Affairs Division, including the record of press statements on the basis of which the authors reconstructed delisting numbers and dates for the other sanctions regimes. The figure given here (37 delistings) constitutes the difference between the number of current listings (84) and the maximum number of simultaneously listed targets at any given time, namely 121 between 2010 and 2016, as recorded by the SanctionsApp.<sup>38</sup> However, this method does not recognize potential turnovers in the list, i.e., delistings by some targets and subsequent listings by other targets. The indicated numbers of 37 delistings and 121 total listings might therefore be slight underestimates.

## **ADDITIONAL AUTONOMOUS DESIGNATIONS**

While the UN Iran regime has fewer targets than the UN's other non-proliferation regime (DPRK), there are significantly more additional autonomous designations in place. Canada – often refraining from designating additional targets where UN sanctions already apply – has an autonomous Iran regime in place with around 200 targets. The EU and the UK have designated similar numbers. As for the US, most UN targets are found under two US regimes: the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) and its non-proliferation regime, which have a total size of 142 and 400 respectively. Given the different scopes of these regimes as compared to the UN regime (the first one being regional, the second being thematic), there is no simple way of identifying which or how many additional autonomous targets relate to Iran and its nuclear programme. As a possible indicator: citizenship is indicated for 105 out of 162 individuals under the non-proliferation regime on the US consolidated list; of those, 48, or almost 50 per cent, are Iranian. Many other individuals not of Iranian citizenship are also likely to relate to the Iranian case.

Over 700 further autonomous targets are under various acts and Executive Orders aimed at Iran, mainly the Iranian Transactions and Sanctions Regulations. Over the past years, the US has been subverting the intended ease and phase out of UN sanctions on Iran with strong autonomous measures that are enforced extraterritorially.<sup>39</sup>

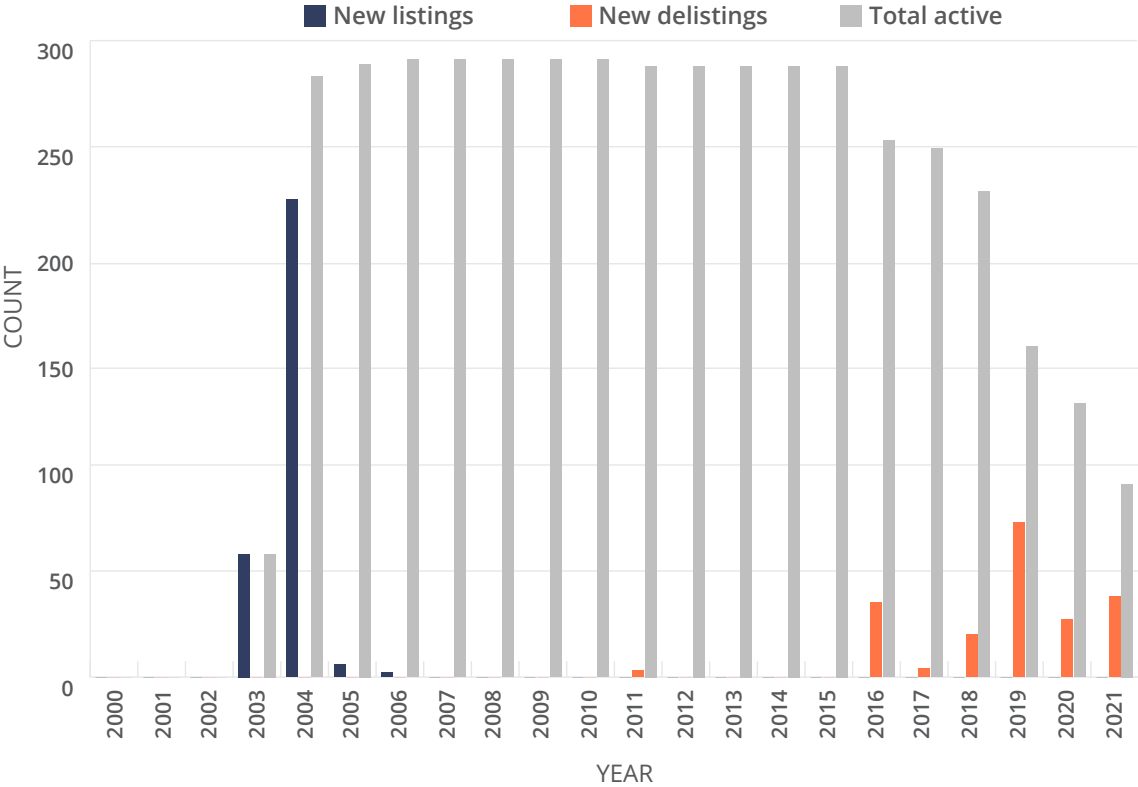
# IRAQ

<b>Current targets</b>	<b>94</b>
Individuals	81
Entities	13
<b>Delistings</b>	<b>200</b>
Total number of targets (incl. delisted)	294

**Additional autonomous designations through country-based regimes:**

- USA: + 108

Figure 7: New listings and delistings per year: Iraq



## PURPOSE

In 2003, the Security Council imposed targeted sanctions against members and supporters of the former Iraqi regime that had just been ousted by occupying forces under the leadership of the US (Security Council Resolution 1483). In addition to an arms embargo, Member States were asked to freeze financial assets and economic resources owned or controlled by the listed persons or entities and to transfer them to the Development Fund for Iraq.

## DESIGNATION CRITERIA

Iraq sanctions have been targeted at the Iraqi Government under Saddam Hussein, including Saddam Hussein himself, his senior officials, and their immediate family members, as well as entities directly or indirectly controlled by them (Security Council Resolution 1483 of 2003).

## DESIGNATIONS

In line with this sanctions regime's focus on Saddam Hussein, his Government, and his supporters, nearly all listings were made in 2003 and 2004, and there have been no new listings since 2007.

## DELISTINGS

The Security Council has been phasing out (or at least scaling back) the Iraq regime through extensive delisting since 2016. As a result, the Iraq regime constitutes the regime with the highest share of delistings by far (68 per cent of all targets have been delisted). These numbers contribute to the fact that over the past three years (2019 through 2021) delistings outnumbered listings.

## ADDITIONAL AUTONOMOUS DESIGNATIONS

The Iraq regimes of Australia, Canada, the UK, and the EU implement the UN regime without additional autonomous designations. The Iraq regime of the US, in contrast, contains a total of 202 designations, surpassing the UN list by 108 designations. Furthermore, multiple thematic autonomous regimes can apply to the Iraqi context at present or in the future. This includes non-proliferation and counter-terrorism regimes as well as anti-corruption and Human Rights regimes. The authors could not identify any individual with Iraqi citizenship under the non-proliferation regime, but this is likely due to missing entries in the US consolidated list. The authors could, however, identify 42 Iraqi individuals on the US counter-terrorism list (some of these individuals may be outside of Iraq).

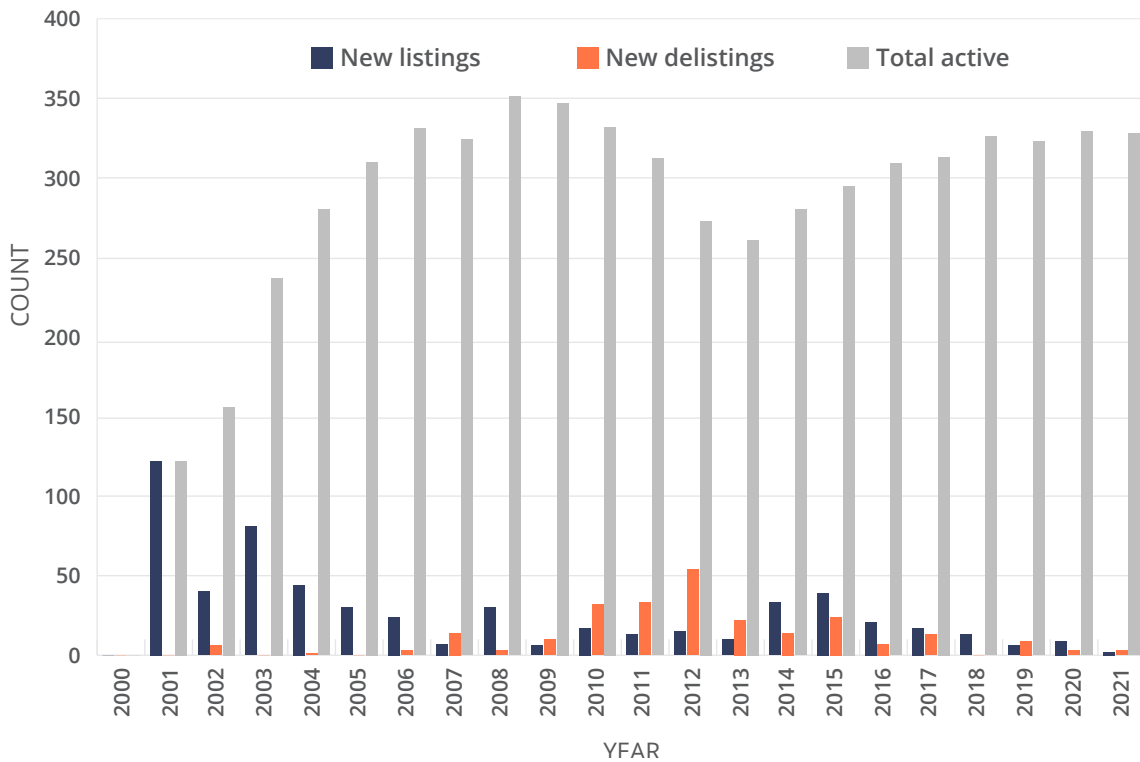
## ISLAMIC STATE OF IRAQ AND THE LEVANT, AL-QAEDA, AND AFFILIATES

<b>Current targets</b>	<b>350</b>
Individuals	261
Entities	89
<b>Delistings</b>	<b>251</b>
Total number of targets (incl. delisted)	601

### Overlapping autonomous thematic regimes

- USA:
  - Counter-terrorism
  - Foreign Terrorist Organizations under the Immigration and Nationality Act
  
- EU: Restrictive measures with respect to ISIL and Al-Qaeda + 33

**Figure 8: New listings and delistings per year: Islamic State of Iraq and the Levant, Al-Qaeda, and Affiliates**



## PURPOSE

The sanctions regime against ISIL, Al-Qaeda, and affiliates constitutes the regime with the largest number of current and former designations. It originated out of a combined Taliban/Al-Qaeda regime that was created by Security Council Resolution 1267 of 1999. In 2011, this regime was split into a Taliban regime with the purpose of ending violence in Afghanistan (Security Council Resolution 1988) and a separate Al-Qaeda regime that continued the counter-terrorism mandate of Security Council Resolution 1267 with a more global perspective (Security Council Resolution 1989). The latter regime also addressed affiliated and splinter groups of Al-Qaeda; one of those splinter groups became known as the ISIL. After ties between Al-Qaeda and ISIL were officially cut, the Security Council reiterated that ISIL continued to fall within the scope of the 1267/1989 regime (Security Council Resolution 2170 of 2014).<sup>40</sup> Among the UN regime, the ISIL/Al-Qaeda regime is what comes closest to a thematic regime.

## DESIGNATION CRITERIA

There are fewer listing criteria for this sanctions regime than for the smaller regimes applied in situations of armed conflict. The latest version of the criteria is spelled out in Security Council Resolution 2368 of 2017. According to these criteria, anyone associated with ISIL, Al-Qaeda or its affiliated groups is eligible for inclusion on the 1267/1989 sanctions list. Acts indicating such an association include: participating in the financing, planning, facilitating, etc., of acts and activities by any of these groups; supplying, selling, or transferring arms to them; and recruiting on behalf of these groups.

## DESIGNATIONS

The fairly steady designation of new targets is characteristic of the ISIL/Al-Qaeda regime. Since its creation in 2000, new designations have been made every year, a unique feature among UN sanctions regimes. Nonetheless, the yearly numbers of listings have been declining over past years. As of 9 December, there have only been two listings for 2021.

## DELISTINGS

In an important episode of institutional innovation within the UN sanctions architecture, Security Council Resolution 1904 of 2009 created the office of the Ombudsperson with the mandate to process requests for delistings by individuals or entities in an “independent and impartial manner.” As of 2021, the ISIL/Al-Qaeda regime is the only one to have such a mechanism in place.

There have been delistings every year since 2006, except for 2018, making this the list with the highest turnover of designees. Delistings spiked between 2010 and 2012 (included), that is, within the first three years following the creation of the Office of the Ombudsperson. Some of the delistings during this period are also attributable to the Security Council Resolution 1822 of 2008 process that established periodic review of all the names on the 1267 list.

The initial designations of 2001, many of which were hastily proposed, have been particularly often overturned by the Ombudsperson. By the end of 2001, there were 122 Al-Qaeda listings under the Taliban/Al-Qaeda regime, only ten of which had been made before 9/11 (note that listing dates are missing for 30 delisted targets). Of those 122 targets, 84 – just over two-thirds – have meanwhile been delisted. In comparison, 145 out of 457 targets – or about one-third – designated after 2002 have been delisted (again, note that there are 30 missing entries). The initial listings in 2001 – the year with most new designations by far – have thus proven to be less durable. Many designations were made without much scrutiny in the immediate aftermath of 9/11 and were thus more vulnerable to being overturned by the Ombudsperson.

More than under any other UN regimes, delistings by the UN under the ISIL/Al-Qaeda regime might not be taken over by Member States. A name search, followed by manual verification of search results, revealed that 94 of the 251 delistings were not taken over by the US. For the EU, the authors could only verify this for two individuals (both from the ISIL/Al-Qaeda regime, one being Osama bin Laden who remains subject to an assets freeze by both the US and the EU after his death). For the UK, the authors could not verify any such case.

### **ADDITIONAL AUTONOMOUS DESIGNATIONS**

In addition to the 1267/1989 regime, several States have one or multiple autonomous counter-terrorism sanctions regimes in place. These regimes are not necessarily limited to Al-Qaeda, ISIL, and affiliated groups. For instance, the US has around 1500 targets on its counter-terrorism lists. However, these lists also cover individuals and entities that do not fall under the scope of the ISIL/Al-Qaeda regime, making it difficult to identify the number of relevant additional designations. The US also covers 12 entities from the UN list through its Immigration and Nationality Act, on the basis of which foreign organizations can be declared terrorist organizations (this regime has a total of 33 designees at the time of writing).

Since 20 September 2016, the EU can make autonomous designations against individuals and entities linked to ISIL and Al-Qaeda within the same regime through which it implements the UN regime.<sup>41</sup> Currently, the EU has listed 383 targets on its ISIL/Al-Qaeda list, exceeding the UN designations by 33. Given the matching scope of the EU's and UN's thematic regimes, a precise figure can be given here, which is not otherwise possible for overlaps between UN sanctions regimes and autonomous thematic regimes. The EU furthermore has an additional terrorism regime in place that does not overlap with the UN regime (as per the author's definition of "overlap," see beginning of this section).<sup>42</sup> The UK implements the UN's ISIL/Al-Qaeda sanctions under its The ISIL (Da'esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019 and furthermore makes autonomous designations under its Counter-terrorism (International Sanctions) (EU Exit) Regulations 2019.

Additional autonomous designations are also produced where countries or the EU do not remove from their autonomous lists targets that are delisted by the UN.



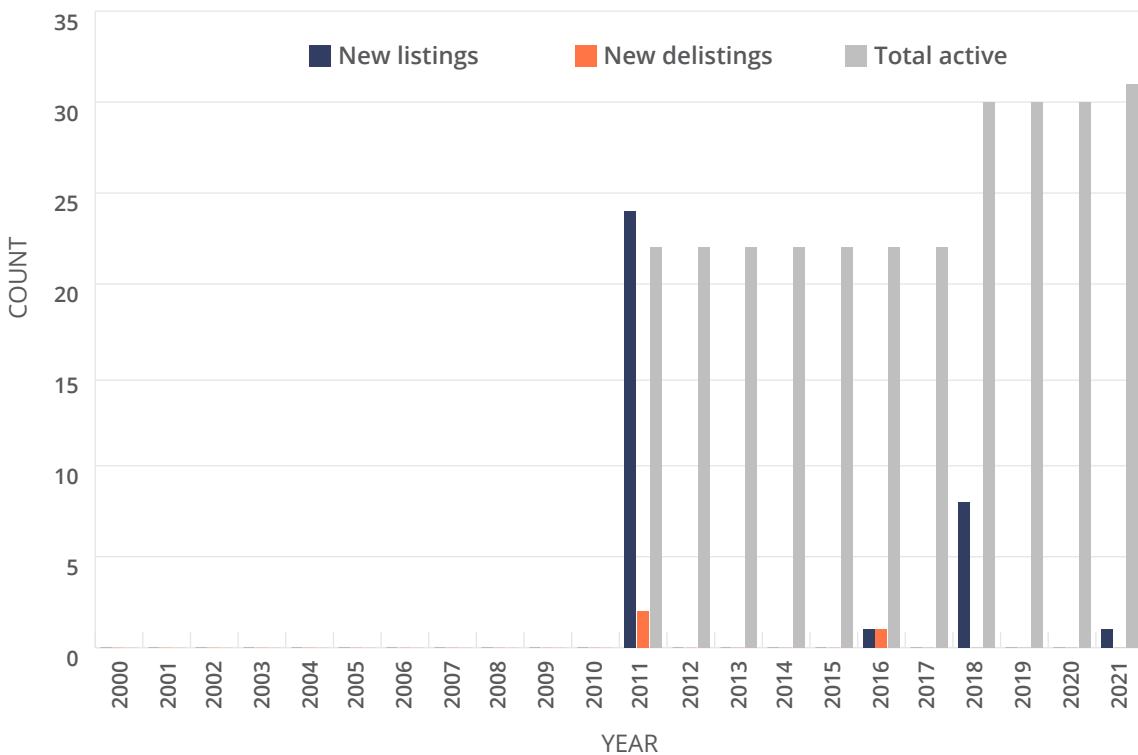
# LIBYA

<b>Current targets</b>	<b>31</b>
Individuals	29
Entities	2
<b>Delistings</b>	<b>3</b>
Total number of targets (incl. delisted)	34

**Additional autonomous designations through country-based regimes:**

- Australia: + 20<sup>43</sup>
- EU: + 30
- UK: + 36
- USA: + 35

Figure 9: New listings and delistings per year: Libya



## PURPOSE

The UN Security Council imposed sanctions on Libya in response to the rapid escalation of events in 2011, when Muammar Qadhafi and his regime resorted to the use of armed force against civilian protests and the uprising of oppositional clans. After the ousting of Qadhafi's Government in the same year, sanctions remained in place with the purpose of quelling further violence and to support the transition process.

## LISTING CRITERIA

Listing criteria on the Libyan regime reflect the changing scope of the sanctions over time, that is, during the civil unrest and its aftermath. Sanctions were first targeted at individuals and entities complicit in attacks against civilian populations or serious human rights abuses, or against individuals acting on behalf of aforementioned actors (Security Council Resolution 1970 of 2011). These criteria reflect the central concern with the Libyan regime's attacks on protesters and other civilian populations during the uprising. Later in 2011, violation of the arms embargo was added as a listing criterion (Security Council Resolution 1973).

After the civil war broke out, Security Council Resolution 2146 of 2014 then added the possibility to designate vessels involved in attempted or actual illicit exports of crude oil from Libya. The ongoing concern with various armed groups undermining the post-Qadhafi Government is reflected in the designation criteria that were also added in 2014, including violation of international human rights law and humanitarian law, attacks against air, land, or seaports in Libya, and the support of armed groups or criminal networks through illicit exploitation of crude oil and other natural resources (Security Council Resolution 2174 of 2014). Threat to Libyan State financial institutions and the National Oil Company as well as misappropriation of public funds were added as designation criteria in 2015, showing the shift in interest towards State-building and "good governance." Finally, Security Council Resolution 2362 of 2017 added attacks against UN personnel and Security Council Resolution 2441 of 2018 added sexual and gender-based violence to the designation criteria. In practice, the Sanctions Committee also designated five migrant smugglers in 2018 (there was no specific designation criterion to this extent, other than the initial criterion of serious human rights abuses).

## DESIGNATIONS

With 31 designees, the Libya regime is one of the largest country-based UN sanctions regimes in Africa, second only to the DRC regime in terms of designees (with 45 designations). Designations were made in two waves, in 2011 and 2018. Early designations targeted Qadhafi and members of his regime and family, including a number of financial institutions that served as channels for Qadhafi's private interests. The 2018 designations include five migrant smugglers and one leader of a regional coast guard committing violence against migrants, suggesting an additional priority for the sanctions regime once Libya became a hub for migration and human trafficking towards Europe. Later in the same year, two further individuals were designated for being involved in violent attacks against government entities (oil facilities). On 25 October 2021, a further person was sanctioned in Libya, Osama Al Kuni Ibrahim, for being the *de facto* manager of the Al Nasr detention centre and deemed responsible for violations of human rights law.<sup>44</sup>

## DELISTINGS

Despite the overthrow of the Qadhafi regime and thus the removal from the Government of many of the early designees, there have been few delistings. On 16 December 2011, the asset freezes on the Central Bank of Libya and the Libyan Foreign Bank were lifted, given that those entities were now no longer under the control of Qadhafi regime and were needed for the functioning of the new Government. The 2016 delisting concerned a vessel that had been sold to an unknown buyer.

**ADDITIONAL AUTONOMOUS DESIGNATIONS**

The strong concern of Western countries with the Libyan conflict also shows in the high number of additional autonomous designations. Except for Canada, the countries treated here have around as many additional individual designations as there are designations on the UN list. Libya therefore has the highest ratio of additional autonomous designations to UN designations after Iran.

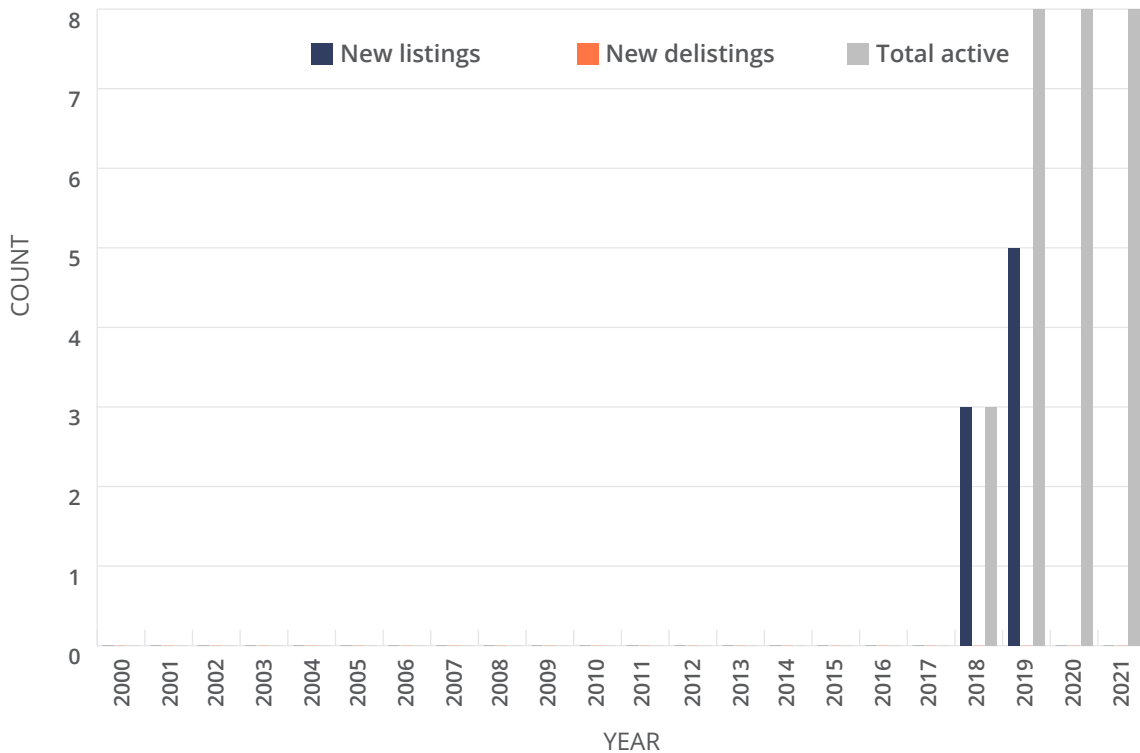
## MALI

<b>Current targets</b>	<b>8</b>
Individuals	8
Entities	0
<b>Delistings</b>	<b>0</b>
Total number of targets (incl. delisted)	8

(No additional autonomous designations.)

(No overlapping autonomous thematic list)<sup>45</sup>

Figure 10: New listings and delistings per year:  
Mali



## PURPOSE

Mali is the UN's most recent sanctions regime. The main purpose of the sanctions is to enforce compliance with the Agreement for Peace and Reconciliation (also known as the Algiers Agreement) by its signatory parties, the Coordination of Awazad Movements (CMA) and the Government of Mali. The Mali sanctions regime thus points at a further way in which sanctions can relate to negotiations, namely by attempting to stabilize or enforce the negotiation outcomes.

## LISTING CRITERIA

Listing criteria were specified in Security Council Resolution 2374 of 2017 and include obstruction of the peace agreement, violation of the ceasefire, attacks against the UN peacekeeping force (the Multidimensional Integrated Stabilization Mission in Mali, MINUSMA), the recruitment of child soldiers, and other violations of international human rights law, notably the targeting of civilians.

## DESIGNATIONS

After the Security Council spelled out the designation criteria in 2017, the first three actual designations were made by the Sanctions Committee in December 2018, taking into account the results of the first Panel of Experts report. These designations targeted a senior commander of a militant Tuareg group, a businessman involved in organized crime and violent activities, and the Secretary General of another Tuareg group who had been linked to armed attacks, including against peacekeepers.

Today, the target list comprises eight individuals, after another five individuals were added to the list in July 2019. Individual sanctions initially only included travel bans, but asset freezes were added to the measures in December 2019.

## DELISTINGS

There have been no delistings under the Mali regime so far. However, in Security Council Resolution 2484 of 2019, the Security Council took note of "the intention of the [Sanctions] Committee to consider the removal of [listed] individuals from the 2374 [Mali] Sanctions List if the priority measures listed in paragraph 4 of resolution 2480 (2019) are fully implemented and the individuals designated cease all illicit activities." The Security Council also stressed, however, that it "has not yet seen sufficient progress to merit such consideration." It is unusual that delisting criteria are spelled out in this way in Security Council resolutions.

## ADDITIONAL AUTONOMOUS DESIGNATIONS

There are no autonomous sanctions in addition to the UN's Mali regime. However, armed groups operating in the north of Mali and affiliated with ISIL and Al-Qaeda are (potential) targets to both UN and autonomous counter-terrorism sanctions.

## SOMALIA

<b>Current targets</b>	<b>19</b>
Individuals	18
Entities	1
<b>Delistings</b>	<b>2</b>
Total number of targets (incl. delisted)	21

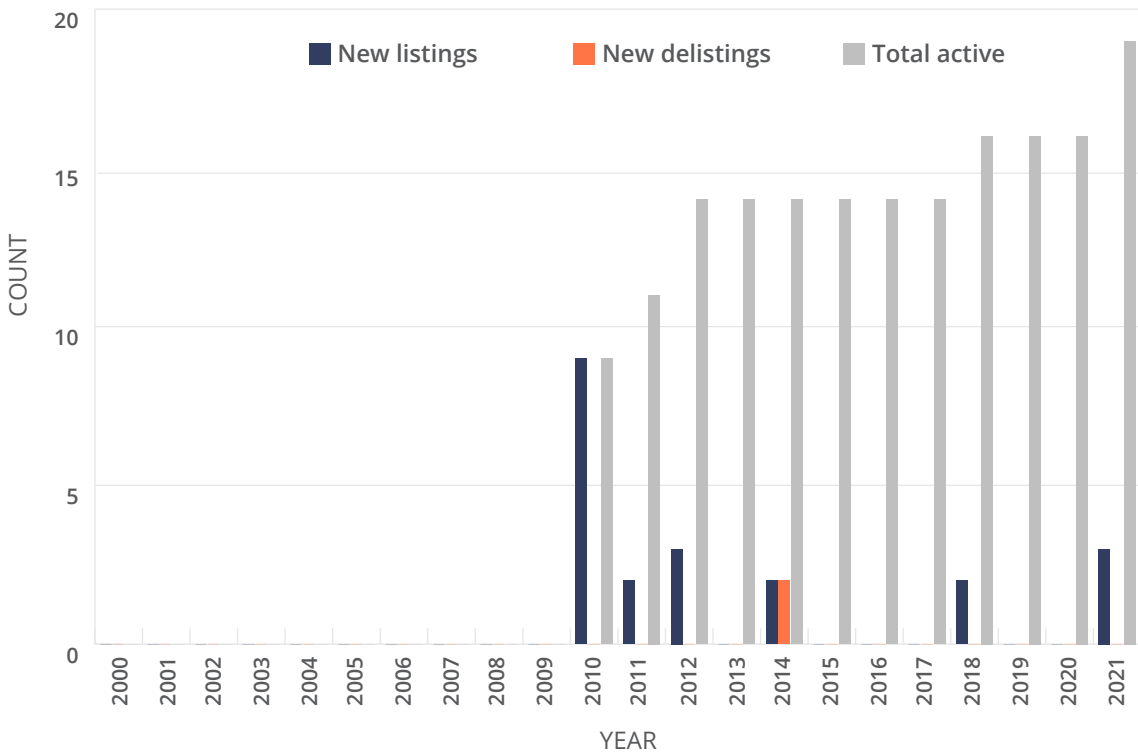
**Additional autonomous designations through country-based regimes:**

- USA: + 6

**Overlapping autonomous thematic regimes**

- USA:
  - Counter-terrorism
  - Foreign Terrorist Organizations under the Immigration and Nationality Act

Figure 11: New listings and delistings per year: Somalia



## PURPOSE

Having been in place since 1992, the Somali sanctions regime is the oldest UN sanctions regime still in place. As a result, the sanctions regime has adapted to various phases of the Somali conflict with slightly varying objectives and geographic scope over time (e.g., including secondary sanctions on Eritrea from 2009 to 2018). The overall purpose, however, has always been to promote peace and stability in Somalia. That said, designations for targeted sanctions have only been made since 2010 and thus later than in other sanctions regimes on the African continent. The latest additions to the list were made in February 2021, a time where the Security Council and its Sanctions Committees have been making relatively few new designations.

## LISTING CRITERIA

Listing criteria include involvement in, and support of, “acts that threaten the peace, security or stability of Somalia” and the obstruction of the federal Government of Somalia as well as of the peacekeeping forces (the African Union Mission to Somalia, AMISOM, and UN Assistance Mission in Somalia, UNSOM) by force (Security Council Resolution 1844 of 2008). Furthermore, criteria include the obstruction of humanitarian assistance (Security Council Resolution 1844 of 2008), recruitment of child soldiers, and targeting of civilians, including through sexual and gender-based violence (Security Council Resolution 2002 of 2011); sexual and gender-based violence has subsequently been reinforced as a listing criterion of Security Council Resolution 2444 of 2018. Evasion of sectoral sanctions, namely the arms embargo and the charcoal ban, are likewise among the criteria (Security Council Resolution 1844 of 2008 and Security Council Resolution 2060 of 2012, respectively), as is the misappropriation of public funds (Security Council Resolution 2060 of 2012) and engagement in “non-local” commerce through Al-Shabaab controlled ports (Security Council Resolution 2060 of 2012).

## DESIGNATIONS

Even though the listing criteria do not emphasize a strong counter-terrorism component of the Somalia sanctions, the first listings in 2010 mainly focused on individuals linked to Al-Shabaab. There is, therefore, an overlapping focus between the UN’s Somali regime and its terrorism regime (i.e., it’s Al-Qaeda/ISIL or 1267 regime) since Al-Shabaab is officially linked with Al-Qaeda. As an illustration, consider the case of a Somali individual named Sheikh Hassan Dahir Aweys Ali, who was added to the UN terrorism list in 2001 and, additionally, to the Somalia list in 2010.<sup>46</sup> The Somali sanctions list thus comprises Al-Shabaab members as well as various other parties to the conflict. This is different from the situation in Mali, where Al-Qaeda/ISIL-affiliated groups are targeted through the UN’s terrorism regime, while the dedicated Mali sanctions regime targets various other parties to the conflict.

## DELISTINGS

There have been two delistings under the Somalia regime. These delistings include Mohamed Said Atom, a former leader of Al-Shabaab who defected from the insurgency in 2014 and was subsequently delisted in the same year.<sup>47</sup> The second delisting concerned Ali Ahmed Nur Jim’ale, who held leadership roles in the Somali Council of Islamic Courts, out of which Al-Shabaab later emerged, and subsequently engaged in business with Al-Shabaab in various ways.<sup>48</sup> The dataset used for this analysis shows that Ali Ahmed Nur Jim’ale was listed under the 1267 regime (back then the Al-Qaeda and Taliban regime) on 9 November 2001, and was transferred to the Somalia regime in 2012, from where he was delisted in 2014. He remained on the US counter-terrorism list until 2016.<sup>49</sup> The authors were not able to corroborate the reasons for his delisting.

### **ADDITIONAL AUTONOMOUS DESIGNATIONS**

The strong counter-terrorism element in Somali sanctions means that there is a high likelihood of further individuals involved in the Somali conflict to be found on autonomous terrorism sanctions lists, presently and in the future. As of now, the US implements 11 UN designations from the UN's Somalia list through the US Somalia list and the remaining eight UN designations solely or additionally through its terrorism list. Al-Shabaab has been targeted by the US through its terrorism list since 2008 and is also listed as a Foreign Terrorist Organizations under the Immigration and Nationality Act. In 2010, it was added to the UN Somalia list.



## SOUTH SUDAN

Current targets	8
Individuals	8
Entities	0
<b>Delistings</b>	<b>0</b>
Total number of targets (incl. delisted)	8

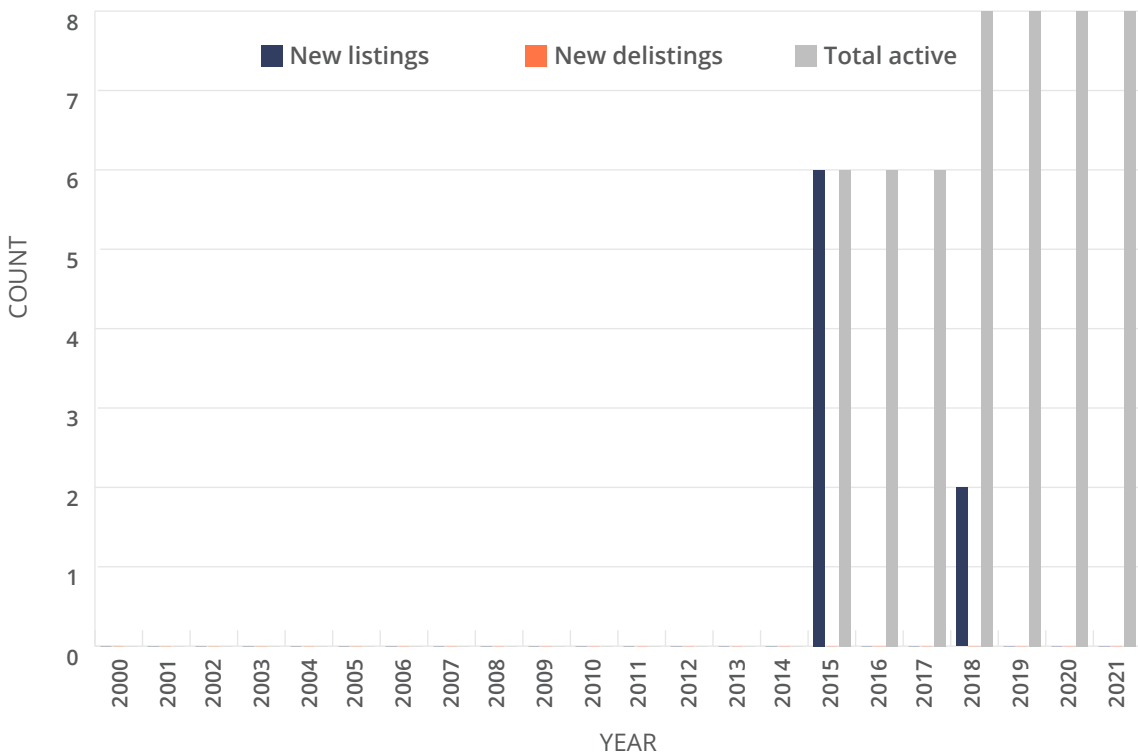
**Additional autonomous designations through country-based regimes:**

- EU: + 1
- UK: + 1
- USA: + 12

**Overlapping autonomous thematic regimes**

- Canada: Justice for Victims of Corrupt Foreign Officials Regulations (JCVFOR)

Figure 12: New listings and delistings per year: South Sudan



## PURPOSE

The South Sudan sanctions regime targets two political factions that have been engaging in armed conflict since shortly after the country's independence in 2011, led by Salva Kiir and Riek Machar respectively. A central purpose of the sanctions is to push these two sides to agree to a political settlement and a ceasefire.

## DESIGNATION CRITERIA

Listing criteria are similar to other sanctions applied to internal armed conflict, featuring obstruction of the peace process, obstruction of international peacekeeping, diplomatic, and humanitarian missions, and violation of international human rights, including recruitment of children and sexual and gender-based violence, as well as illicit exploitation of natural resources. In fact, the current number of listing criteria (11 sub-paragraphs in Resolution 2521 of 2020, paragraphs 14 and 15) exceeds the relatively low number of eight designees.

## DESIGNATIONS

The sanctions list targets senior figures on both sides, but not Kiir and Machar themselves. In a first round in July 2015, the Sanctions Committee designated six individuals in a balanced fashion, targeting three individuals from Kiir's Government and three from Machar's oppositional forces. In a rare move in May 2018, the Security Council then threatened six individuals with sanctions through Security Council Resolution 2418. The appendix to this resolution contains the identifying details and descriptions of those individuals in the same fashion as is usual for listed individuals. In July 2018, the Security Council only added two of those six individuals to the list through Security Council Resolution 2428, this time both being members of the Government.

## ADDITIONAL AUTONOMOUS DESIGNATIONS

The EU and UK both target only one additional person in the South Sudanese context. One of the individuals who were warned but not listed by the Security Council (as illustrated above), Michael Makuei Lueth, had already figured on the EU's and US's South Sudan list as well as on Canada's Magnitsky-style list, the Justice for Victims of Corrupt Foreign Officials Regulations. After Brexit, the individual has also been kept on the UK's South Sudan list.

While for the EU and UK this is the only additional target under the South Sudan list, the US has a total 12 additional targets. Six of them are private companies. A further two also figure among the four individuals that were threatened but never sanctioned by the Security Council in 2018 (Kuol Juuk and Martin Lomuro); as for those two individuals, the date figuring in the so-called SDN consolidated list by the US indicates that they were only listed by the US in 2019.

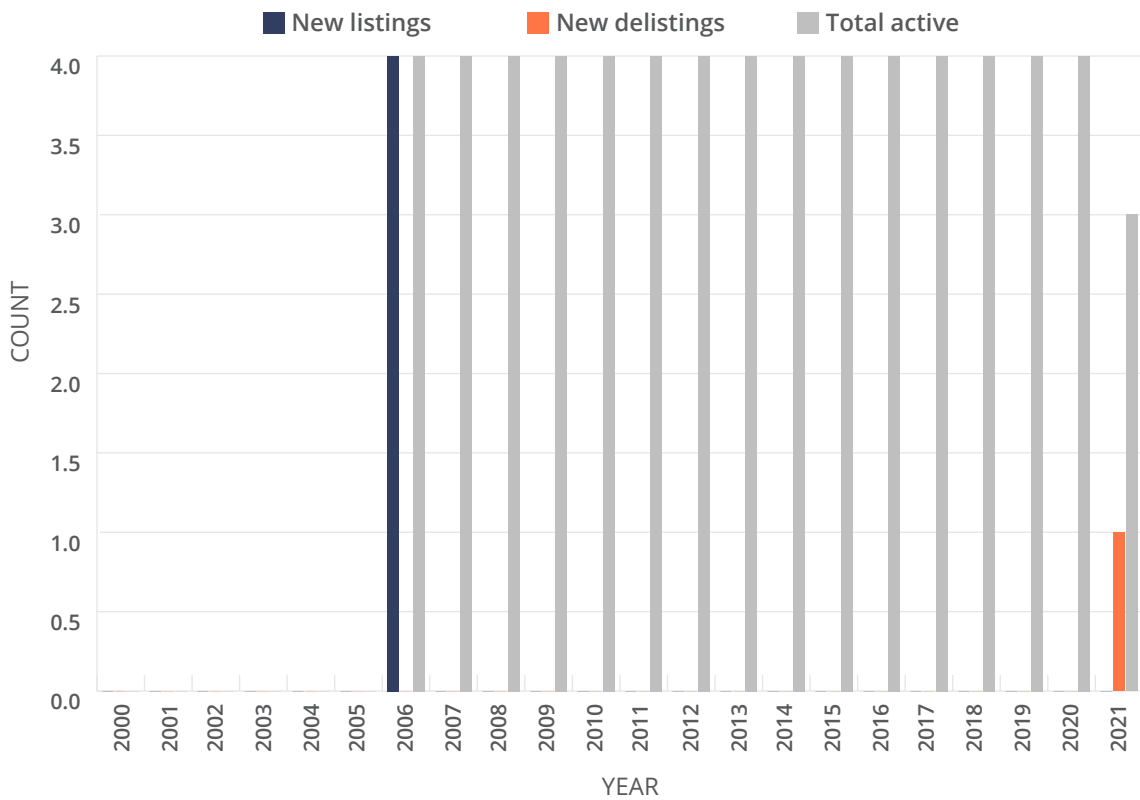
## SUDAN

<b>Current targets</b>	<b>3</b>
Individuals	3
Entities	0
<b>Delistings</b>	<b>1</b>
Total number of targets (incl. delisted)	4

**Additional autonomous designations through country-based regimes:**

- USA: + 5 (under the Darfur regime)

Figure 13: New listings and delistings per year:  
Sudan



## PURPOSE

Purposes of the Sudan sanctions regime have been to coerce the conflicting parties in Sudan to reach a ceasefire and a political settlement to the Darfur conflict, to constrain their capacities to engage in violence, and to signal support of human rights and international humanitarian law.

## DESIGNATION CRITERIA

On 29 March 2005, Security Council Resolution 1591 authorized asset freezes and travel bans against individuals or entities who “impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities,” or who violate the sanction measures spelled out in Security Council Resolution 1556 of 2004, namely the arms embargo on non-State entities in Darfur and the embargo on technical support “related to the provision, manufacture, maintenance or use” of arms and military and paramilitary gear.

## DESIGNATIONS

The Sudan list is the shortest of all UN sanctions lists, featuring only four listings in total, of which one was removed in 2021. With no new entries on the list since 2006, the Sudan list has also been the least dynamic.

All four designations were made in 2006. A senior commander of the Sudanese Armed Forces was sanctioned for violating the arms embargo against non-State armed groups in Darfur, a militia leader for his involvement in attacks on civilians, and a further militia leader for kidnapping personnel of the African Union Mission in Sudan. A commander of the Sudanese Liberation Army was sanctioned at the same time.

## DELISTINGS

The commander of the Sudanese Liberation Army sanctioned in 2006 was delisted in 2021, as his death is reported to have occurred in 2012.

## ADDITIONAL AUTONOMOUS DESIGNATIONS

Only the US has designated additional targets (a total of five) under its Darfur regime. This includes an aviation company called Azza Transport, a tribal leader (Musa Hilal), a commander from the Sudanese Liberation Army that was delisted in March 2021 by the UN but at the time of writing still figures on the US list (Adam Yacub Shant), the founder of the Justice and Equality Movement (Khalil Ibrahim) who was killed in 2011, A former Minister of Interior wanted by the International Criminal Court (Ahmad Muhammad Harun),<sup>50</sup> and Oaf Awad Mohamed Ahmed Ibn, a high-ranking military and politician who took a leading role in the 2019 coup d'état.<sup>51</sup>

# TALIBAN

<b>Current targets</b>	<b>140</b>
Individuals	135
Entities	5
<b>Delistings</b>	<b>46</b>
Total number of targets (incl. delisted)	186

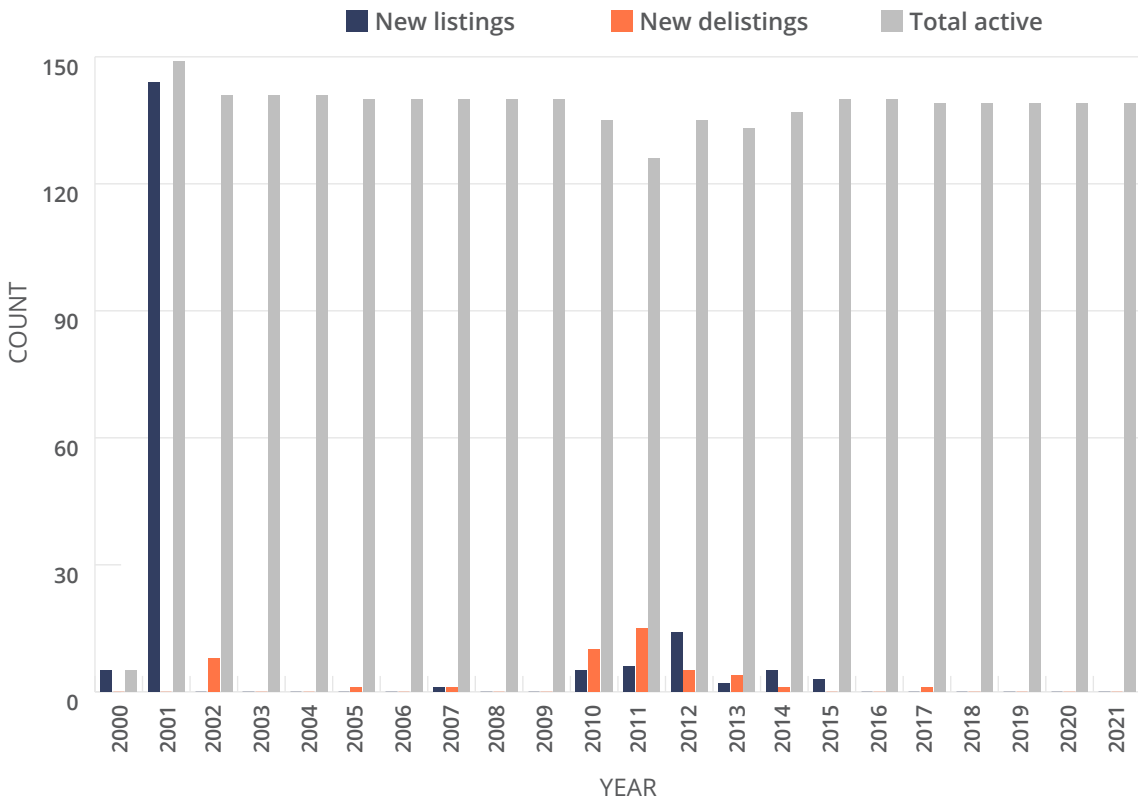
**Additional autonomous designations through country-based regimes:**

- Australia: + 1

**Overlapping autonomous thematic regimes**

- US:
  - Counter-terrorism
  - Foreign Narcotics Kingpin Designation Act

Figure 14: New listings and delistings per year: Taliban



## PURPOSE

The Security Council sanctioned the Taliban in 1999, in the aftermath of the bombings of US embassies in Tanzania and Kenya in 1998, for which the US deemed Osama bin Laden responsible. Sanctions were directed at the Taliban with Security Council Resolution 1267 of 1999 for harbouring terrorists, refusing to turn over bin Laden, and a range of other proscribed activities. Security Council Resolution 1333 of 2000 tightened sanctions (adding, amongst others, an arms embargo) and broadened them to include bin Laden. Just before 9/11, in July 2001, Security Council Resolution 1363 established the Monitoring Team to monitor the implementation of sanctions.

While the purpose of Al-Qaeda designations remained to constrain this group as much as possible, the purpose of Taliban designations shifted towards pressuring them into peace talks with the Afghan Government. In 2011, the Security Council decided to split the Taliban and Al-Qaeda sanction into two separate regimes, with Security Council Resolution 1988 establishing a separate Taliban regime and Security Council Resolution 1989 establishing a separate Al-Qaeda (and associates) regime. Security Council Resolution 1988 thus allowed a dedicated recalibration of sanctions purposes with regards to the Taliban, while Security Council Resolution 1989 continued the 1267 counter-terrorism regime.

## DESIGNATION CRITERIA

Designation criteria of this relatively old regime with its different targets and purposes have been changing over time. The criteria currently in place were defined in Security Council Resolution 2255 of 2015 and comprise “individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan.” The criteria are thus specifically aimed at those Taliban-associated actors that are engaging in violent and destabilizing acts, sparing moderate Taliban and intended to encourage a shift towards political settlement.

## DESIGNATIONS

Most Taliban designations (153) were made in 2001, two years after the creation of the regime. It is worth noting that all 153 targets designated as members of the Taliban in 2001 had been designated before 9/11. Smaller but frequent rounds of designations happened between 2010 and 2015. The following table of members of the new Taliban Government (as of 7 September 2021) and their sanctions status indicates that senior ranks of the Taliban are relatively densely targeted by sanctions.

## DELISTINGS

35 of the 46 delistings happened between 2010 and 2014, which was also a busier time for new designations. The increase of delistings during those years reflects the attempt by the US and coalition forces to facilitate negotiations with the Taliban by placing differentiated pressure on the group, sanctioning belligerent Taliban, and rewarding moderate Taliban.

## ADDITIONAL AUTONOMOUS DESIGNATIONS

It is difficult to map out additional measures with certainty given the fact that several sanctioning authorities apply them through thematic lists. The UK and EU do not have any additional designations on their Afghanistan/Taliban lists. However, both have terrorism regimes in place that may apply to the context. It is theoretically possible that members of the new Taliban Government could be sanctioned under the British or European Human Rights regimes in future.

The US does not have a separate Taliban regime but covers UN listings through its terrorism list and other thematic lists, namely the Foreign Narcotics Kingpin Designation Act, making it particularly difficult to discern additional designations applicable to the context of the Taliban. Furthermore, the US and Australia have listed the Taliban in its entirety as an entity.

## Sanctioned members of the Taliban Government

Name <sup>52</sup>	Function	Sanct. by	Target ID	Sanctioned on
<b>Mohammed Hasan Akhund</b>	Prime Minister	UN	TAi.002	2001-01-25
<b>Abdul Ghani Baradar</b>	1st Deputy Prime Minister	UN	TAi.024	2001-02-23
<b>Abdul Salam Hanafi</b>	2nd Deputy Prime Minister	UN	TAi.027	2001-02-23
<b>Amir Khan Muttaqi</b>	Foreign Minister	UN	TAi.026	2001-01-25
<b>Mohammad Yaqoub</b>	Defence Minister	UN	TAi.052	2001-02-23
<b>Saraj Haqani</b>	Interior Minister	UN	TAi.144	2007-09-13
<b>Nurullah Nuri</b>	Borders and Tribal Affairs Minister	UN	TAi.089	2001-01-25
<b>Abdul Haq Wasiq</b>	Head of Intelligence	UN	TAi.082	2001-01-31
<b>Abdul Latif Mansoor, a.k.a. Mohammad Wali</b>	Energy & Water Minister	UN	TAi.078	2001-01-31
<b>Mohammad Essa Akhund</b>	Mines and Petroleum	UN	TAi.060	2001-01-25
<b>Khairullah Khairkhwah</b>	Culture & Information Minister	UN	TAi.093	2001-01-25
<b>Najibullah Haqani</b>	Communications Minister	UN	TAi.071	2001-02-23
<b>Abdul Baqi Haqqani, a.k.a. Baqi Basir Awal Shah *</b>	Higher Education Minister	UN	TAi.038	2001-02-23
<b>Khalil Al-Rahman Haqqani</b>	Refugee & Repatriation Minister	UN	TAi.150	2011-02-09
<b>Qari Din Mohammed Hanif</b>	Economy Minister	UN	TAi.043	2001-01-25
<b>Abdul Hakim Sharie</b>	Justice Minister	None		
<b>Hedayatullah Badri</b>	Finance Minister	None		
<b>Mohammed Idris</b>	Central Bank Governor	None		
<b>Younus Akhundzada</b>	Rural Rehabilitation Minister	None		
<b>Abdul Manan Omari</b>	Public Works Minister	None		
<b>Zabihullah Mujahid</b>	Deputy Culture and Information Minister	None		

Note: The US and Australia additionally sanction the Taliban as an entity.

\* Listed by UN as "Abdul Baqi Basir Awal Shah," appears to be the same person.<sup>53</sup>

## YEMEN

<b>Current targets</b>	<b>9</b>
Individuals	9
Entities	0
<b>Delistings</b>	<b>0</b>
Total number of targets (incl. delisted)	9

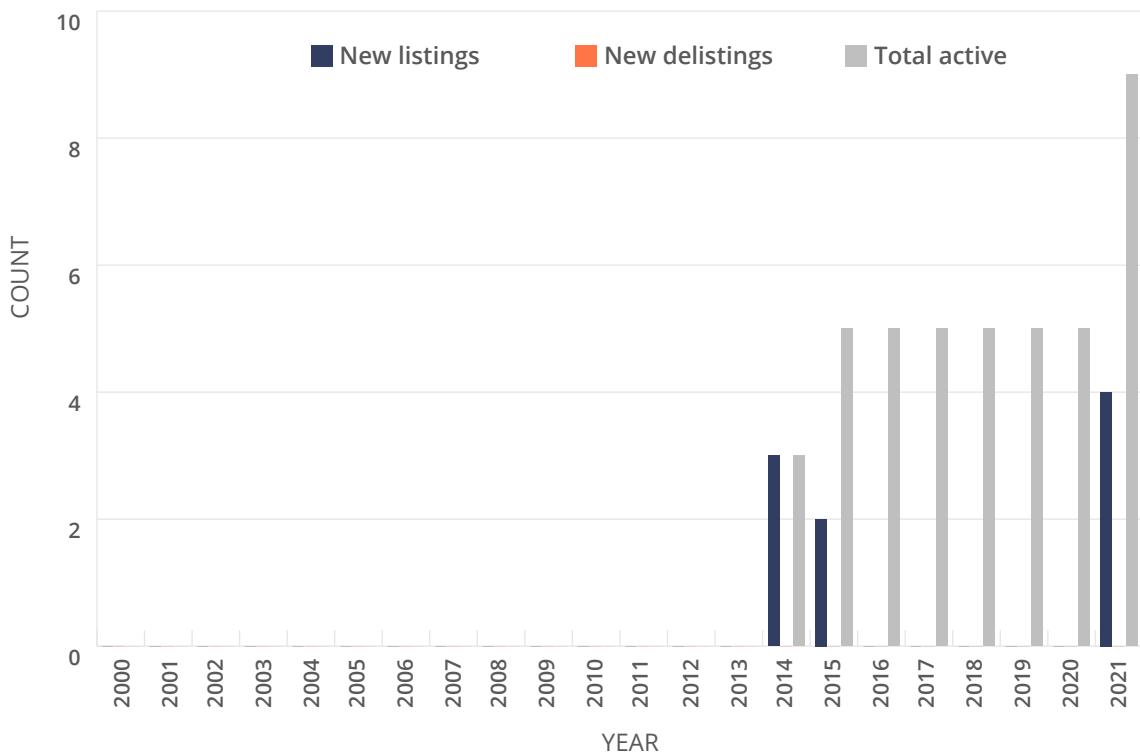
**Additional autonomous designations through country-based regimes:**

- US: +2

**Overlapping autonomous thematic regimes**

- US:
  - Global Magnitsky
  - Counter-terrorism

Figure 15: New listings and delistings per year: Yemen





## PURPOSE

In 2014, the Security Council responded with targeted sanctions to violent challenges to the Yemeni Government by Houthi rebel forces. The targeted sanctions are directed at the Houthi forces, intended to coerce them into ending their hostilities against the Government and participate in negotiations. Although from 2015 (with Security Council Resolution 2216), the Security Council demanded that all Yemeni conflict parties abstain from the use of violence, the sanctions have remained focused on the Houthis.

## LISTING CRITERIA

Listing criteria, typical for armed conflict situations, include acts that threaten the peace, security or stability in Yemen, the undermining of Yemen's political transition, obstruction of negotiations and of the implementation of negotiation outcomes, and violation of human rights and international humanitarian law. Later, violation of the targeted arms embargo and obstruction of humanitarian assistance (Security Council Resolution 2216 of 2015) and engaging in sexual violence and recruiting children (Security Council Resolution 2511 of 2020) were added to the listing criteria.

## DESIGNATIONS

In a first round of designations in 2014, sanctions were targeted directly at the highest opposition leaders, former President Saleh and two commanders from the Houthi military. Two further individuals were added to the list in 2015, again chosen from the highest level of the Houthi movement. These included the new leader of the Houthi movement and the son of former President Saleh. A top Houthi police official was added to the list in 2021. All individuals were designated at least for violating the first criterion (supporting acts that threaten peace, security, or stability). Further criteria also apply in several cases. For instance, the police official is also accused of engaging in sexual violence and violating international humanitarian law, while Saleh's son is accused of undermining peaceful political transition.<sup>54</sup>

## DELISTINGS

No delistings have occurred as of now, though former President Saleh was killed in a fire fight with his former allies, the Houthis, in December 2017.

## ADDITIONAL AUTONOMOUS DESIGNATIONS

The US has imposed two additional autonomous listings through its Yemen list. The US also covers one individual from the UN's Yemen list through its Global Magnitsky list and one through its counter-terrorism regime.

## Conclusion

This report began with the assumption that sanctions listings and delistings alter the conditions under which mediation processes take place. In designing their respective strategies, mediators, negotiators, and analysts of peace processes should therefore account for the various sanctions regimes that can apply to any given context of interest. Given their legal reach, inherent legitimacy, and symbolic value, UN sanctions stand out as particularly important here. However, the picture is more complicated than that, and continues to grow more complex as overlapping sanctions regimes proliferate. Almost all UN sanctions regimes exist in parallel with or are extended by autonomous sanctions regimes. Currently, only the UN's Mali regime is not matched by parallel autonomous sanctions regimes by the authorities studied in this report and per the author's definitions – that said, counter-terrorism sanctions can also apply to persons and entities within Mali.

The boundaries between UN-sanctions and autonomous sanctions often blur, which means that mediators (and other practitioners and analysts) may face even more complicated situations. While UN sanctions define clear *minimum* standards for implementation, individual Member States and regional organizations can impose stricter measures or designate additional targets. Countries can also *de facto* "double-designate" UN targets by imposing autonomous sanctions on them rather than only fulfilling their obligation to implement the UN designations; countries and regional organizations can also address the same contexts through additional regimes (particularly through thematic regimes).

To complicate matters further, there are no explicit international obligations or guidelines as to when and whether countries have to implement UN delistings. The report has pointed out numerous instances where persons or entities that were delisted by the UN remained on national or regional autonomous lists.

The report also explained specific challenges for practitioners and analysts that emanate from the use of autonomous thematic regimes. Especially when these regimes have long lists of designees, it becomes difficult to discern to which geographic and political contexts they apply. In some cases, these thematic regimes can therefore reduce transparency on an authority's sanctions policy. The section Autonomous Thematic Regimes gives an overview of the thematic regimes imposed by Canada, EU, the UK, and the US (with Australia to soon impose its own thematic regimes). It furthermore explains the way in which they interact with UN regimes and provides an overview of nationalities as a (non-perfect) indication of the contexts to which these autonomous thematic regimes might apply. For mediators, this can be a helpful starting point, although further investigation might be necessary to determine how autonomous thematic regimes interact in a given negotiation space.

As the case-by-case analysis of UN sanctions regimes in this report furthermore shows, every regime is *sui generis* and needs to be understood within its unique historical and political context. This historical uniqueness of each regime also shapes their overlap and interaction with autonomous sanctions. Different political issues (non-proliferation, terrorism, internal armed conflict), geopolitical contexts, timings, and priorities among the permanent members of the Security Council also lead to different parallel uses of autonomous sanctions. When the strategic use of sanctions threatens or promises of potential delisting are contemplated in peace talks, there is a need to tread a careful line in order to maintain the mediator's impartiality and effectiveness.

## CONSIDERATIONS FOR MEDIATORS

Practically speaking, what does this suggest for mediators or negotiators? If the negotiation space suggests that a promise of delisting could be productive to get someone to the table, to reach an agreement, to sign an agreement, or abide by an agreement, how should a mediator or negotiator proceed, given the complexity of the global sanctions environment? The following list summarizes considerations for mediators based on the analysis contained in this report. It is written with a focus on UN sanctions and interacting UN/non-UN sanctions. In case of sole national/regional sanctions, mediators will have to follow the respective national proceedings or the proceedings of the regional organization. The list furthermore proceeds from the assumption that there are substantive grounds to request a delisting in a given case, which remains up to the mediators or other actors to determine.

1. Which sanctions are relevant to a given negotiation space? This may include multiple overlapping sanctions regimes, so it is important to survey UN and non-UN sanctions regimes that might have the same target listed or that might list different targets within the same context.
  - a. The case specific indications given in this report on additional autonomous designations through country-based regimes as well as overlapping autonomous thematic regimes help mapping out the sanctions context.
  - b. Other autonomous thematic regimes might also be relevant to the context (see Autonomous Thematic Sanctions).
  - c. Screening individuals and entities against sanctions lists can be done by either using the consolidated sanctions lists provided by countries or resorting to online tools for sanctions screening.
    - i. Some countries provide online sanctions screening applications.<sup>55</sup>
    - ii. There are also a range of “sanctions screening” online applications with the benefit that they allow screening numerous lists simultaneously. These services are typically available only at a cost but may enable a number of individual searches for free. They also have the benefit of being constantly updated.
    - iii. Be aware of different name spellings that could produce false positives.
    - iv. It may not be sufficient to ask people directly whether they are subject to sanctions, because sanctions targets do not always know that they are designated for sanctions.

If you wish to proceed with a delisting request to the UN:

2. What are the designating State’s motivations for the original listings? What might be the benefits and costs of a potential delisting? The likelihood of a potential delisting is important to know in order to use the tool with credibility.
  - a. The best source on the motivations behind original listings are the designating States themselves; however, it may not always be easy to consult with them on their original motivations.
  - b. Other Member States may also be able to provide information on the purpose of the original listing (in particular States that were members of the Security Council at the time the listing was made).
  - c. Public information on listing reasons can be retrieved in the following ways:
    - i. The narrative summaries of listing reasons provided by the Security Council Affairs Division.<sup>56</sup>
    - ii. Panel of Experts reports on the respective sanctions regime.

3. What are the pathways to delisting at the UN? The section Delisting Processes and Patterns at the UN on delisting through the Ombudsperson (ISIL/Al-Qaeda sanctions regime) or the Focal Point for Delisting (all other regimes) provides information on the different paths towards delisting. The relevant Sanctions Committee Chair or the Security Council Affairs Division can also provide information on the procedures for considering delisting requests by a given committee.
4. Concerning autonomous sanctions:
  - a. What are the motivations of other sanctioning authorities and how might they be advised on the costs and benefits of delisting?
  - b. What are the pathways to delisting for those authorities?

This needs to be assessed in tandem with the consultations with designating States for UN listings, because the potential value of a UN delisting taken in isolation will be diminished if other listings remain. Getting someone delisted by the UN does not necessarily prevent other actors from continuing to apply sanctions on that same target.

5. Do exemptions provide a more viable alternative to formal delisting (for instance, a travel ban exemption)?<sup>57</sup> There might be instances in which a measure short of a formal delisting is able to achieve the same goals. exemptions for participation in peace talks are common to most regimes and in most instances would be easier to obtain than a formal delisting.

# REFERENCES

1. Julia Grauvogel and Hana Attia. "How Do International Sanctions End?: Towards a Process-Oriented, Relational, and Signalling Perspective," *German Institute of Global and Area Studies Working Papers* 302 (2020), <https://www.jstor.org/stable/resrep21217>.
2. Zuzana Hudakova, Thomas Biersteker, and Erica Moret, *Sanctions Relaxation and Conflict Resolution: Lessons from Past Sanctions Regimes* (Atlanta: The Carter Center, 2021). For sanctions in general also Jon Hovi, Robert Huseby, and Detlef Sprinz, "When Do (Imposed) Economic Sanctions Work?," *World Politics* 57 (2005): 479–99.
3. Thomas Biersteker and Rebecca Brubaker, and David Lanz, *UN Sanctions and Mediation: Establishing Evidence from Practice* (New York: United University, 2019): 53.
4. Thomas Biersteker, Rebecca Brubaker and David Lanz "Exploring the Relationships between UN Sanctions and Mediation," *Global Governance* (2022 forthcoming).
5. Other important regional sanctions not included in this report are by the Economic Community of West African States and the African Union, though both tend to avoid making individual designations.
6. US Office of Foreign Assets Control, "Sanctions List Search," last accessed 20 December 2021, <https://sanctionssearch.ofac.treas.gov/>
7. United Nations Security Council, "Subsidiary Organs Branch," last accessed 20 December 2021, <https://www.un.org/securitycouncil/content/subsidiary-organs-branch> (navigate to a sanctions regime, then click "Sanctions List Materials" and finally "Narrative Summaries").
8. Security Council Committee pursuant to Resolution 751 (1992) concerning Somalia, United Nations Security Council, "Resolution 751, adopted by the Security Council at its 3069th meeting," United Nations, 24 April 1992, S/RES/751. Guidelines of the committee for the conduct of its work as consolidated, revised and adopted by the Committee on 30 March 2010, 30 May 2013, 27 November 2013, 25 March 2014, 28 December 2016, 22 December 2017 and 25 February 2019, par. 7 (e).
9. United Nations Security Council, "Status of Cases," last accessed 20 December 2021, <https://www.un.org/securitycouncil/sc/ombudsperson/status-of-cases>.
10. On the Ombudsperson, see: Monika Heupel, "Judicial Policymaking in the EU Courts: Safeguarding Due Process in EU Sanctions Policy Against Terror Suspectism," *European Journal on Criminal Policy and Research* 18, 4 (2012): 311–27. <https://doi.org/10.1007/s10610-012-9185-z>. Gavin Sullivan, *The Law of the List: UN Counterterrorism Sanctions and the Politics of Global Security Law* (Cambridge: Cambridge University Press, 2020), <https://doi.org/10.1017/9781108649322>.
11. Some of the delistings during this period are also attributable to the Security Council Resolution 1822 (2008) process which established periodic review of all the names on the 1267 list. United Nations Security Council, "Security Council Committee pursuant to resolutions 1267 (1999) 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh) Al-Qaida and associated individuals groups undertakings and entities," United Nations, 30 June 2008, S/RES/1822.
12. Australian Department of Foreign Affairs and Trade, "Sanctions Regimes," last accessed 20 December 2021, <https://www.dfat.gov.au/international-relations/security/sanctions/sanctions-regimes>.

13. The most extensive set of international guidelines in the areas of money laundering, countering the financing of terrorism, and counter-proliferation financing are the 40 FATF recommendations. See, FATF “Topic: FATF Recommendations,” last accessed 20 December 2021, <https://www.fatf-gafi.org/publications/fatfrecommendations/>. Although these recommendations only touch upon sanctions to a limited extent, they formulate guidelines for the supervision of the financial sector that also affects (and presumably strengthens) the implementation of UN sanctions. The FATF’s evaluation of States along these criteria puts further pressure on States to comply. At the same time, this adds to the “regime complexity” and further blends the implementation and impact of UN sanctions with other national and international measures. See, Grégoire Mallard and Aurel Niederberger, “Targeting Bad Apples or the Whole Barrel? The Legal Entanglements Between Targeted and Comprehensive Logics in Counter-Proliferation Sanctions,” *Entangled Legalities Beyond the State*, ed. Nico Krisch (Cambridge: Cambridge University Press, 2021): 229–59, <https://doi.org/10.1017/9781108914642.013>.
14. Australian Department of Foreign Affairs and Trade, “Autonomous Sanctions Amendment (Magnitsky-style and Other Thematic Sanctions) Act 2021,” last accessed 20 December 2021, <https://www.dfat.gov.au/news/news/thematic-sanctions-reforms>; Geoff Wade, “Australia and Magnitsky legislation,” Parliament of Australia, 20 August 2021, [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/FlagPost/2021/August/Australia\\_and\\_Magnitsky\\_legislation](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2021/August/Australia_and_Magnitsky_legislation).
15. The labels used for the thematic regimes of the US often group a multiplicity of Executive Orders and Acts.
16. US Department of the Treasury, “Treasury Sanctions 17 Individuals for Their Roles in the Killing of Jamal Khashoggi,” 15 November 2018, <https://home.treasury.gov/news/press-releases/sm547>
17. Names can be screened on US Office of Foreign Assets Control, “Sanctions List Search,” last accessed 20 December 2021, <https://sanctionssearch.ofac.treas.gov/>
18. All general background on sanctions regimes is based on: Thomas Biersteker, Zuzana Hudakova, and Marcos Tourinho, “UN SanctionsApp: An Interactive Database of UN Sanctions,” last accessed 20 December 2021, <https://unsanctionsapp.com>.
19. United Nations Security Council, “Security Council Committee Concerning the Central African Republic Removes One Individual from Its Sanctions List,” 31 December 2014, SC/11724, <https://www.un.org/press/en/2014/sc11724.doc.htm>.
20. United Nations Security Council, “Security Council Sanctions Committee Concerning Central African Republic Removes One Entity from Its Sanctions List,” 5 April 2021, SC/14485 <https://www.un.org/press/en/2021/sc14485.doc.htm>; “RCA: un marchand de diamants sanctionné,” *BBC News*, 21 August 2015, [https://www.bbc.com/afrique/region/2015/08/150821\\_rca](https://www.bbc.com/afrique/region/2015/08/150821_rca).
21. The US has designated a total of 288 individuals and entities under its North Korea regime and another 400 targets under its non-proliferation regime. Many UN targets are found under the US non-proliferation regime rather than its North Korea regime. In addition, different spellings and identifiers are used on the UN and US list, making an exact calculation of the numbers difficult.
22. United Nations Security Council, “Statement by the President of the Security Council,” 13 April 2009, S/PRST/2009/7.
23. United Nations Security Council, “Security Council Committee Established Pursuant to Resolution 1718 (2006) Designates 4 Vessels Pursuant to Paragraph 6 of Resolution 2375 (2017),” 28 December 2017, SC/13149.
24. United Nations Security Council, “Security Council 1718 Sanctions Committee Adds 22 Entries to Its Sanctions List, Designates 27 Vessels,” 30 March 2018, SC/13272; United Nations Security Council, “Security Council 1718 Sanctions Committee Designates Three Vessels,” 16 October 2018, SC/13542.

25. United Nations Security Council, "1718 Designated Vessels List," last accessed 20 December 2021, [https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1718\\_designated\\_vessels\\_list\\_final.pdf](https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1718_designated_vessels_list_final.pdf).
26. United Nations Security Council, "Security Council Committee Concerning Democratic Republic of Congo De-Lists One Individual from consolidated assets freeze, travel ban list," 28 Apr 2008, SC/9312, <https://www.un.org/press/en/2008/sc9312.doc.htm>. Kambale Kisoni's disease is mentioned in the narrative summary reason for listing. United Nations Security Council, "Congomet Trading House," last accessed 20 December 2021, <https://www.un.org/securitycouncil/sanctions/1533/materials/summaries/entity/congomet-trading-house>.
27. Céléstin Kanyama.
28. Evariste Boshab.
29. Kalev Mutondo.
30. John Numbi.
31. Gabriel Amisi Kumba.
32. Human Rights Watch compiled an overview of government individuals targeted by the EU and the US following political unrest in 2016 and 2017. Human Rights Watch, "DR Congo: Profiles of Individuals Sanctioned by the EU and US," 16 December 2016, <https://www.hrw.org/news/2016/12/16/dr-congo-profiles-individuals-sanctioned-eu-and-us>.
33. António Injai, Daba Naulna, and Mamadu Ture.
34. Ibraima Camara.
35. Targets mainly fall under Office of Foreign Assets Control, "Iranian Transactions and Sanctions Regulations," Federal Register, 11 May 2018, 31 CFR 560. There are a number of acts and executive orders regarding Iran sanctions in place in the US, with many designations falling under multiple of them.
36. This estimate refers to designations under the "Iran Threat Reduction and Syria Human Rights Act" (TRA), which is strictly speaking a regional rather than a country-based regime. The US has designated a total of 142 individuals and entities through the TRA, 43 of which the authors classify as shared with the UN list, leaving 99 autonomous targets under this regime potentially applicable to either Iran or Syria (actual figures may slightly vary depending on identification of common targets). Another 400 targets are designated under the US non-proliferation regime, applying to both the Iranian and North Korean contexts. Further UN targets are found under the US non-proliferation regime. Given the different scopes of the thematic and regional US regimes and the country-based UN regime, and the fact that different spellings and identifiers are used on the UN and US list, it is difficult to give exact figures.
37. United Nations Security Council, "Subsidiary Organs Branch," last accessed 20 December 2021, <https://www.un.org/securitycouncil/content/subsidiary-organs-branch>
38. UN Sanctions App, "Iran," last accessed 20 December 2021, <https://unsanctionsapp.com/cases/iran>.
39. Clara Portela, "Creativity Wanted: Countering the Extraterritorial Effects of US Sanctions," *EUISS Policy Brief* 22 (2021), [https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief\\_22\\_2021\\_0.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief_22_2021_0.pdf).
40. UN Sanctions App, "AQ / ISIL / A – EP 4," last accessed 20 December 2021, <https://unsanctionsapp.com/cases/al-qaida-isil-associates/episodes/al-qaida-ep-4>.

41. European Union, "Council Regulation 2016/1686," Official Journal of the European Union, 21 September 2016, 32016R1686. In the EU's consolidated list, corresponding sanctions regime in the EU is often abbreviated as "TAQA"; further autonomous EU sanctions are also marked as "EUAQ." After the Taliban sanctions were split off into a separate list, the EU maintained this list as the equivalent of the UN's ISIL/Al-Qaeda list and introduced a second list (labeled AFG for Afghanistan in the consolidated list) for the UN Taliban sanctions.
42. European Union, "Council Common Position of 27 December 2001 on the application of specific measures to combat terrorism," Official Journal of the European Union, 28 December 2001, 32001E0931, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001E0931>.
43. In addition, 4 UN targets are listed under Australia's autonomous Libya list rather than its UN sanctions implementation list.
44. United Nations Security Council, "Libya Sanctions Committee: Narrative summaries of reasons for listing," last accessed 20 December 2021, <https://www.un.org/securitycouncil/sanctions/1970/materials/summaries>.
45. Overlapping autonomous thematic lists have been defined as lists containing at least one person designated by the UN in the given country / thematic context.
46. Named individual now features twice on the UN list, with different listing numbers (or "IDs"). The individual correspondingly also figures twice on the US SDN list and the EU list. See, United Nations Security Council, "Security Council Al-Qaida Sanctions Committee Amends Entry of One Entity and Two Individuals on Its Sanctions List," 18 March 2013, SC/10942, <https://www.un.org/press/en/2013/sc10942.doc.htm>
47. United Nations Security Council, "Security Council 751 and 1907 Committee on Somalia and Eritrea Removes Mohamed Sa'id Atom from Its Sanctions List," 19 December 2014, SC/11718, <https://www.un.org/press/en/2014/sc11718.doc.htm>; On atom defecting, see, Katharine Houreld, "Exclusive: Somalia lures defectors in new push against insurgents," Reuters, 24 January 2018, <https://www.reuters.com/article/us-somalia-defections-exclusive-idUSKBN1FD0KO>.
48. United Nations Security Council, "Security Council 751 and 1907 Committee on Somalia and Eritrea Deletes Ali Ahmed Nur Jim'ale from Its Sanctions List," 12 March 2014, SC/11313, <https://www.un.org/press/en/2014/sc11313.doc.htm>.
49. US Office of Foreign Assets Control, "Specially designated nationals list update," 30 June 2016, <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions/20160630>.
50. International Criminal Court, "Harun Case," last accessed 20 December 2021, <https://www.icc-cpi.int/darfur/harun>.
51. "Awad Ibn Auf, the head of Sudan's new ruling council," *Al Jazeera*, 11 April 2019, <https://www.aljazeera.com/news/2019/4/11/awad-ibn-auf-the-head-of-sudans-new-ruling-council>.
52. See, "Factbox: Taliban announces makeup of new Afghan government," Reuters, 7 September 2021, <https://www.reuters.com/world/asia-pacific/taliban-announces-makeup-new-afghan-government-2021-09-07/>.
53. See, United Nations, "Abdul Baqi Basir Awal Shah,": last accessed 20 December 2021, <https://www.un.org/securitycouncil/sanctions/1988/materials/summaries/individual/abdul-baqi-basir-awal-shah> and European Union, "Council Implementing Regulation (EU) No 263/2012," Official Journal of the European Union, 23 March 2012, L 87/1, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32012R0263&from=EN>.
54. United Nations Security Council, "2140 Sanctions Committee (Yemen): Narrative Summaries of Reasons for Listing," last accessed 20 December 2021, <https://www.un.org/securitycouncil/sanctions/2140/materials/summaries>.



55. US Office of Foreign Assets Control, "Sanctions List Search," last accessed 20 December 2021, <https://sanctionssearch.ofac.treas.gov/>; Swiss State Secretariat for Economic Affairs, "Searching for subjects of sanctions," last accessed 20 December 2021, [https://www.seco.admin.ch/seco/en/home/Aussenwirtschaftspolitik\\_Wirtschaftliche\\_Zusammenarbeit/Wirtschaftsbeziehungen/exportkontrollen-und-sanktionen/sanktionen-embargos/sanktionsmassnahmen/suche\\_sanktionsadressaten.html](https://www.seco.admin.ch/seco/en/home/Aussenwirtschaftspolitik_Wirtschaftliche_Zusammenarbeit/Wirtschaftsbeziehungen/exportkontrollen-und-sanktionen/sanktionen-embargos/sanktionsmassnahmen/suche_sanktionsadressaten.html)
56. United Nations Security Council, "Subsidiary Organs Branch," last accessed 20 December 2021, <https://www.un.org/securitycouncil/content/subsidiary-organs-branch> (navigate to a sanctions regime, then click "Sanctions List Materials" and finally "Narrative Summaries").
57. For further details, see the UNU-CPR technical paper on UN exemptions details procedures that are specific to each sanctions regime, Rebecca Brubaker, *Paving Pathways to Peace Talks with Sanctions and Exemptions?* (New York: United Nations University, 2020).



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