



Security Council

Seventy-seventh year

8962nd meeting

Monday, 7 February 2022, 10 a.m.

New York

Provisional

President: Mr. Polyanskiy/Ms. Evstigneeva (Russian Federation)

Members:

Albania	Mr. Hoxha
Brazil	Mr. Costa Filho
China	Mr. Zhang Jun
France	Mrs. Broadhurst Estival
Gabon	Mr. Biang
Ghana	Mr. Agyeman
India	Mr. Tirumurti
Ireland	Ms. Byrne Nason
Kenya	Mr. Kiboino
Mexico	Mr. De la Fuente Ramírez
Norway	Ms. Heimerback
United Arab Emirates	Mr. Abushahab
United Kingdom of Great Britain and Northern Ireland . .	Mr. Kariuki
United States of America	Mrs. Thomas-Greenfield

Agenda

General issues relating to sanctions

Preventing their humanitarian and unintended consequences

Letter dated 2 February 2022 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (S/2022/86)

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

2224425 (E)



Accessible document

Please recycle



The meeting was called to order at 10.05 a.m.

Expression of thanks to the outgoing President

The President (*spoke in Russian*): I should like to take this opportunity to pay tribute, on behalf of the Council, to Her Excellency Ambassador Mona Juul, Permanent Representative of Norway, for her service as President of the Council for the month of January 2022. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Juul and her team for the great diplomatic skill with which they conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

General issues relating to sanctions

Preventing their humanitarian and unintended consequences

Letter dated 2 February 2022 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (S/2022/86)

The President (*spoke in Russian*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of the Iraq, Mali, South Sudan, the Sudan and the Bolivarian Republic of Venezuela to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Ms. Rosemary DiCarlo, Under-Secretary-General for Political and Peacebuilding Affairs; and Mr. Martin Griffiths, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2022/86, which contains the text of a letter dated 2 February 2022 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General, transmitting a concept note on the item under consideration.

I now give the floor to Ms. DiCarlo.

Ms. DiCarlo: I thank you, Mr. President, for the opportunity to address the Security Council on this important issue.

Sanctions remain a vital Charter of the United Nations-based tool available to the Council to ensure the maintenance of international peace and security. As stressed when the Council last met to discuss this topic (see S/PV.8018), they are not an end in themselves. To be effective, sanctions should be a part of a comprehensive political strategy, working in tandem with political dialogue, mediation, peacekeeping and special political missions.

There are currently 14 Council sanctions regimes. They support conflict resolution in Libya, Mali, South Sudan and Yemen. They aim to deter unconstitutional changes of Government in Guinea-Bissau. They curb the illicit exploitation of natural resources that funds the activities of armed groups in the Central African Republic, the Democratic Republic of the Congo and Somalia. They constrain the proliferation activities of the Democratic People's Republic of Korea and the terrorist threat posed by the Islamic State in Iraq and the Levant, Al-Qaida and their affiliates.

United Nations sanctions are no longer the blunt instrument they once were. Since the 1990s, they have undergone considerable changes to minimize their possible adverse consequences on civilian populations and third States. The most-applied targeted measures include standardized humanitarian and other exemptions. In the case of arms embargoes, exemptions are routinely granted for the import of non-lethal equipment necessary for humanitarian actors to operate in conflict zones. In the case of travel bans, exemptions are routinely provided for medical or religious reasons or to participate in peace processes. Exemptions to assets freezes allow payment for food, utilities and medicines.

Moreover, the Security Council has instituted standing humanitarian exemptions in the Somalia and Afghanistan regimes, as well as case-by-case humanitarian exemption systems in the Libya, Yemen and Democratic People's Republic of Korea regimes. The Committee established pursuant to resolution 1718 (2006), which oversees sanctions on the Democratic People's Republic of Korea, has approved 85 of the 100 exemption requests received since 2017. The Committee has also granted multiple timeline extensions in recognition of the logistical challenges created by the coronavirus disease pandemic.

In recent years, the Council and its sanctions committees have increasingly sought to obtain first-hand information on possible adverse consequences for civilian populations and third States. They have done so through regular briefings by the Office for the Coordination of Humanitarian Affairs and by the Secretary-General's Special Representatives for Children and Armed Conflict and on Sexual Violence in Conflict. Sanctions committee Chairs also regularly travel to countries under sanctions, and the committees frequently meet with country as well as neighbouring officials.

Sanctions are continually adjusted in response to changes on the ground, with due regard for their impact on civilian populations. In recent years, the Council terminated the Eritrea sanctions and significantly narrowed down the scope of the arms embargo on the Central African Republic. On the other hand, in response to a new serious threat to peace and security in Somalia, in 2019 the Council imposed a ban on improvised explosive device components.

I should also note that, in the past decade, only one Member State has reported facing special economic problems arising from Council sanctions.

The past decade has also shown that sanctions can do more than limit the influx of arms and ammunition or the financing of armed groups in conflict-based situations. Almost all the sanctions regimes supporting conflict resolution now include designation, or listing, criteria intended to uphold international humanitarian law and international human rights law. They have served as leverage to bring about positive outcomes for people at risk. For example, the prospect of sanctions has opened the space for child-protection actors to negotiate the release of children by armed groups in the Democratic Republic of the Congo.

Importantly, more than 50 individuals and entities have been designated or put on sanctions lists by the Council or its committees for involvement in conflict-related sexual violence, the use of children in armed conflict, migrant trafficking, attacks on humanitarian workers and obstruction of the delivery of humanitarian assistance, among other international humanitarian law criteria. They include Sultan Zabin, the director of the criminal investigation department in Sana'a for torture and sexual violence in conflict, and Ahmed Ag Albachar, self-proclaimed president of the humanitarian

commission of the Kidal region in Mali, for obstructing the delivery of humanitarian assistance.

The imposition of sanctions solely for such acts is a relatively recent and welcome step. Its use sends an unmistakable signal about the Council's commitment to ensure accountability for violations and abuses of international humanitarian law and international human rights law.

The evolution from comprehensive to targeted sanctions has marked a sea change in this area of the Council's work, but some concerns remain about unintended consequences and adverse effects of Council sanctions. De-risking policies and over-compliance are probably two of the most important problems facing humanitarian actors. Financial actors and other service providers may impose additional conditions, increase their costs or simply refuse to provide the requested goods and services, thereby inhibiting the delivery of humanitarian assistance.

The continued difficulty in reviving the banking channel for humanitarian transfers to the Democratic People's Republic of Korea since its collapse in 2017 is a prime example of such challenges. Such difficulties can be compounded when financial actors and other service providers are obliged to comply with multiple sanctions regimes as well as counter-terrorism and anti-money-laundering regulations across the globe. In trying to abide by a wide range of applicable measures, such actors sometimes adopt an overly broad interpretation of what is required by sanctions regimes, often in contradiction with the interpretation of humanitarian actors.

More can be done to reduce the possible adverse consequences of sanctions. The humanitarian community, and much of the world, warmly welcomed resolution 2615 (2021), which carves out a humanitarian exemption to the sanctions regime on Afghanistan. Similar standing exemptions in other sanctions regimes could go a long way to respond to the critical needs of civilian populations.

Various Council resolutions make it clear that sanctions are,

“not intended to have adverse humanitarian consequences for the civilian populations”.

Other resolutions require that Member States ensure that their implementation measures comply with their obligations under international law, including

humanitarian and human rights laws, as applicable. It is extremely important to recall those provisions at every opportunity.

Member States can further minimize the burden of additional due-diligence and reporting requirements on humanitarian actors by keeping their domestic legislation as close as possible to Security Council language. In addition, the continued monitoring by sanctions committees of the possible humanitarian impact of sanctions is vital. Their Groups of Experts may assist by gathering information about the possible unintended impact of sanctions on humanitarian activities, as appropriate.

It is also essential to increase cooperation with humanitarian actors and the private sector. The Inter-Agency Working Group on United Nations Sanctions, established in 2014, has helped promote a better understanding of, and a system-wide approach to, sanctions. My Department, through the Security Council Affairs Division, has launched other initiatives, including training, to build capacities and increase synergies among those key constituencies.

Lastly, allow me to touch briefly on the role of the Office of the Ombudsperson. Its establishment in 2009 introduced a more robust due-process mechanism available to individuals and entities seeking to be removed from the Islamic State in Iraq and the Levant/ Da'esh and Al-Qaida sanctions list. Providing fair and clear procedures to all other designated entities and individuals would render the sanctions tool even more effective.

The President (*spoke in Russian*): I thank Ms. DiCarlo for her briefing.

I now give the floor to Mr. Griffiths.

Mr. Griffiths: I thank you very much, Sir, for the opportunity to speak to the members of the Security Council today on this very important issue. I respect the weighty responsibility that the Council holds under Chapter VII of the Charter of the United Nations. It is the Council's vital prerogative to devise measures under Article 41 in the pursuit of international peace and security, as we just heard so clearly from Rosemary DiCarlo. I thank the Council for its recent decision to confirm exemptions that have however allowed humanitarian operations to continue in Afghanistan, again as we just heard, through resolution 2615 (2021), adopted only in December.

Sanctions are a fact of life in many humanitarian relief operations. They affect our operations directly and indirectly, as well as civilians, even when those impacts are unintended. However smart and however targeted they are, compliance with sanctions is a daily element in the work of humanitarian agencies. They can impact our logistics, our finances and our ability to deliver. They can have such impacts. They can lead to humanitarian projects delaying or stalling. Some can threaten the well-being of a wider section of the population in civilian society. I therefore welcome this opportunity to provide a perspective on how sanctions can affect humanitarian needs and our response.

United Nations sanctions and many of those enacted by Member States are not the blunt instruments of the past, as we heard clearly from Ms. DiCarlo. I stand with her on all her assertions. As we also heard, the Security Council moved from broad economic and sectoral sanctions to more targeted sanctions in the 1990s.

We have seen cases where sanctions can positively impact compliance with international humanitarian law and international human rights law. As Ms. DiCarlo mentioned, the threat of sanctions has pushed a number of non-State armed groups to release children from their ranks in the Democratic Republic of the Congo.

United Nations sanctions are also designed to limit unintended consequences, and I welcome the Council's clear consistent signals that they are not intended to have adverse humanitarian consequences. I also welcome the Council regular reaffirming that measures to implement sanctions need to comply with international humanitarian law and international human rights law. That should translate into ensuring that sanctions do not indeed impede exclusively humanitarian activities when conducted by impartial humanitarian actors.

In Somalia and, as mentioned, now in Afghanistan, the United Nations sanctions regimes have shown themselves able to adapt and carve out space for humanitarian activities to continue. Those are two very welcome examples.

Despite the attention to such risks and frequent dialogue with the humanitarian community, United Nations sanctions can nevertheless have negative consequences for civilians and humanitarian operations. Sanctions applied by Member States carry similar risks and, in fact, often have a wider reach than sanctions imposed by the United Nations.

Allow me to summarize some concerns over the use of sanctions in countries already affected by humanitarian crises, where already civilians are vulnerable and institutions frequently fragile.

First, humanitarian access and principles can be put under pressure by the demands of sanctions. Sanctions can make it harder for humanitarian agencies to engage and transact with listed individuals or entities that hold significant control over the lives of entire populations. In addition, humanitarian independence, neutrality and, ultimately, impartiality can be undermined — for example, by demands to vet and, potentially, exclude individual recipients of humanitarian aid.

Secondly, banks and other commercial operators, aiming to avoid any risk of penalty or prosecution, can effectively deny services to humanitarian customers. They may sever commercial relationships or make routine transactions excessively slow and bureaucratic, even when they are well within the permitted rules. Broad exemptions — for example, those that we now have on Afghanistan, adopted by the Security Council and by some States — have provided essential reassurances to humanitarian organizations. However, as we again heard from Ms. DiCarlo in the context of the Democratic People's Republic of Korea, service providers and financial flows can remain throttled due to overcompliance and de-risking.

Thirdly, commercial operators that trade food, fuel and other necessities can also decide to err on the side of caution, or overcomply. That can lead to shortages and price rises. That is especially disastrous in fragile countries already heavily dependent on food imports and experiencing a humanitarian crisis.

Humanitarian carveouts, as we now have on Afghanistan, can allow us to continue our programmes for those at greatest risk. But, as we have said so vividly in the case of Afghanistan, those cannot substitute for commercial imports and basic State services.

Finally, when ministries and departments are run by listed individuals, sanctions aimed at political movements and figures can limit the provision of social services and economic stability. In Afghanistan, neither the Central Bank nor any Government entity is sanctioned. Nevertheless, the risk that sanctioned actors may benefit from transactions led financial institutions in that case to effectively blacklist the Afghan financial and commercial sectors. The same chilling effect led many internationally funded projects

to pause, withholding, for example, the payment of teachers and hospital workers via ministry accounts. As we know, a great deal of work and attention have gone into rectifying precisely that situation. We are much better off now that we were.

Mitigating the humanitarian impact of sanctions therefore requires us to continue to review both the way in which sanctions are designed and how they are implemented and impact. I would like to suggest some priorities.

I urge the Security Council and States Members of the United Nations to ensure that sanctions applicable in armed conflict do not impede the assistance and protection activities of impartial humanitarian organizations for persons who are not fighting, irrespective of their allegiance or designation. In all contexts, they should ensure that sanctions do not restrict the enjoyment of economic, social and cultural rights, including the right to food, water, shelter and health. Sanctions should not have cascading secondary implications that go beyond the focus of the action.

The Security Council and other jurisdictions implementing sanctions should build comprehensive humanitarian carveouts into the original legislation from the outset, rather than through case-by-case authorization procedures, which can be cumbersome and inefficient. Carveouts should be smoothly translated into national legislation to lessen the concerns of humanitarian donors, non-governmental organizations (NGOs) and private companies. We saw that recently with the United Kingdom's very welcome swift domestication of the United Nations carveout regarding Afghanistan, which provides broad reassurances to United Kingdom NGOs and their partners.

However, implementation is sometimes as important as design, to which I just referred. I welcome proactive efforts to build confidence — for example, the European Union's recent letters of comfort, which provide reassurance to financial institutions. We also saw that recently from the United States Administration with regard to Afghanistan. I recall the United States guidance that incidental payments and cases of aid diversion to Al-Shabaab in Somalia would not be a focus for sanctions enforcement, which was most welcome.

For their own part, humanitarian agencies can also boost confidence by investing in risk management and due diligence. Operations in Syria's north-west — so often discussed in the Chamber — are highly monitored,

as the Council knows. That gives confidence that humanitarian resources are used to provide assistance to those who need it and not for any other purpose; it is the essence of principled humanitarian action.

I have frequently used the words “can” and “may” in these remarks, and I emphasize that the worries that we have are often about the unintended consequences of the chilling effect of sanctions where action is needed. I think that action is beginning to be taken more often.

It is indeed our collective responsibility to ensure that sanctions can be used to improve compliance with international humanitarian law and international human rights law and, equally, to ensure that they do not have those unintended consequences for civilians already caught up in humanitarian crises. I look forward to continuing engagement with Member States as we pursue efforts to that end.

The President (*spoke in Russian*): I thank Mr. Griffiths for his briefing.

I shall now make a statement in my capacity as representative of the Russian Federation.

I wish to thank Under-Secretary-General Rosemary DiCarlo and Under-Secretary-General Martin Griffiths for their assessments of the humanitarian aspects of sanctions, which align with our approaches in many ways.

Security Council sanctions are an important instrument for the implementation of the functions vested in the Council for the maintenance of international peace and security. As one of the strongest forms of response to threats to peace, such sanctions must be applied with extreme care, as well as irreproachably substantiated and nuanced. Leveraging sanctions as a punitive weapon is unacceptable. International sanctions should reflect the situation on the ground and serve to further political processes, while sanctions regimes should be subject to regular review and modification, up to and including their full lifting, where applicable.

We emphatically call for the targeted and flexible nature of Security Council restrictions to become standard practice. It is necessary to listen more attentively to, and heed the views of, the authorities of sanctioned States, as well to more realistically formulate so-called benchmarks to prevent their morphing into deliberately unattainable objectives.

Based on our assessments, many of the Security Council sanctions regimes currently in force no longer correspond to the situation on the ground, hindering the plans of national Governments in terms of State-building as well as socioeconomic development. Two examples in that vein are the situations in the Central African Republic and the Sudan. Moreover, the persisting sanctions against Guinea-Bissau are completely anachronistic.

The collateral damage resulting from sanctions measures should be taken seriously, as it manifests in detrimental impacts on the national economy and the lives and well-being of the population. That issue has been further exacerbated against the backdrop of the raging coronavirus disease pandemic. Unfortunately, despite declarations that restrictive Security Council measures should not affect the lives of ordinary people, in practice international restrictions often lead to a deterioration in the socioeconomic situation in countries under sanctions.

In that connection, there is a need to fine-tune the range of humanitarian exemptions provided for in Council resolutions, including those that could be leveraged for humanitarian organizations on a permanent basis. It would be possible to consider drafting lists of goods — not individual appellations — such international commodity classification codes, which should under no circumstances be listed as prohibited.

In addition, we draw inspiration from experiences in the early 2000s, when, even before the imposition of sanctions, preliminary assessments of their humanitarian consequences were carried out. A daunting obstacle to the full functioning of humanitarian exemptions are so-called secondary unilateral restrictions, which are introduced in addition to Security Council sanctions.

Under the threat of falling under harsh national and sometimes extraterritorial restrictions, counterparties refuse to conclude contracts for the procurement of humanitarian assistance authorized by the Security Council and transport operators to deliver it. There are also difficulties with cargo insurance, and banks say that it is impossible to conduct routine monetary transactions.

Such problems can clearly be seen in the situation in the Democratic People’s Republic of Korea, where secondary sanctions imposed by large Western countries created a toxic atmosphere around Pyongyang and resulted in widespread unwillingness to cooperate

with it, even in those areas that are not subject to international restrictions. It is no coincidence that the Russian Federation, together with the People's Republic of China, is putting forward specific initiatives aimed at overcoming that disastrous trend. If the Council is truly thinking about ordinary Koreans, and not about geopolitics, then those proposals warrant support.

It is impossible not to mention the situation in Yemen, rightly characterized as the largest humanitarian catastrophe of our time. The sanctions-related measures, imposed due to the unwillingness of stakeholders to abandon their reliance on military force, have interrupted supplies of food and fuel. As a result, millions of people are suffering from malnutrition and have limited access to drinking water.

It is unacceptable for the banking systems of third countries to profit off of Libya's frozen assets, which should be preserved for future generations of the country in its post-crisis era. It is inhumane for those that are elderly or terminally ill, who pose no threat to security, to be forced to waste time waiting for permission to travel abroad. Do such situations contribute in any way to the Council's credibility?

As for Afghanistan, resolution 2615 (2021) was of key significance in clarifying that humanitarian aid is not a violation of the sanctions regime provided for by resolution 1988 (2011). We hope that it will help to avert a humanitarian catastrophe in the country.

We are convinced that the Security Council sanctions apparatus requires a strong dose of humanization. In that regard, it is necessary to consider ways to minimize the broad interpretation of sanctions provisions, including perhaps through the fine-tuning of terminology; by conducting a comprehensive impartial assessment of the humanitarian consequences of international restrictive measures; and by mandating personnel on sanctions committees' groups of experts to monitor the impact of sanctions on the humanitarian situation and increasing the required level of expertise in that area. The authority to report to the Council on the negative consequences of sanctions should also be granted to specific Secretariat bodies, such as, for example, the United Nations Office for the Coordination of Humanitarian Affairs.

The Russian Federation is traditionally guided by the understanding that the only legitimate sanctions regimes are those of the Security Council. In that connection, the practice of applying unilateral coercive

measures by individual countries and groups of countries is of growing concern. We view such measures as an encroachment upon the prerogatives of the Council, and thereby as hindering the maintenance of peace. We interpret the practice of using such restrictions as an infringement of the sovereignty of States and as interference in their internal affairs.

The trend of the increasing use of unilateral sanctions undermines the norms and institutions of international law. Particularly intolerable are those situations whereby individual countries, demanding the implementation of their own sanctions restrictions, target third-country economic operators operating within the framework of their national legislation. The extraterritorial implementation of sanctions runs counter to the most basic norms of international law — and there are many examples of that.

The sanctions war against Syria has had an extremely negative impact on the country's internal situation, provoking a further aggravation of the socioeconomic crisis. Broad sectoral restrictions against Belarus are aimed at destroying its competitive enterprises and destabilizing the sociopolitical situation. A stark example of the discriminatory policy of applying unilateral coercive measures is the situation in Cuba, which has withstood the blockade by its northern neighbour for more than 60 years. Genuine economic terror was unleashed a few years ago against the country and legitimate Government of Venezuela, which, owing to the imposed measures, is not able to contribute to the United Nations regular budget and is therefore illegally denied a voice in the General Assembly.

Sanctions pressure also has an adverse impact on the socioeconomic situation in Iran. The decisions taken by a number of countries to freeze the Afghan Government's accounts in Western banks following the Taliban's takeover is a major obstacle to the normalization of the lives of ordinary Afghans. We view attempts by certain international actors to leverage the sanctions stick to put pressure on the leaders of Myanmar and Mali as illegitimate.

Extraterritorial unilateral measures are causing enormous damage to developing countries throughout the world and undermine their ability to achieve the Sustainable Development Goals. They also run counter to their efforts to combat climate change. It is supremely inhumane to apply unilateral restrictions in the current epidemiological

situation. Our call for the creation of green corridors for the unimpeded movement of medical personnel and goods remains in force.

There is an increasingly urgent need for a multilateral effort to seek collective approaches to curbing unilateral sanctions in order to avoid a total loss of trust in international institutions and the irreversible collapse of the global economy and the long-term deterioration of the socioeconomic situation of ordinary citizens. At a minimum, the social and humanitarian sphere should be exempted from any restrictive barriers.

The Russian Federation has been addressing this issue at key multilateral forums for a long time. On the basis of the rejection of the sanctions philosophy, a broad group of like-minded people who embrace this approach is forming in the international community. The Russian Federation has traditionally co-sponsored draft resolutions introduced in the General Assembly and the Human Rights Council on behalf of the Movement of Non-Aligned Countries on the adverse impact of unilateral coercive measures on respect for human rights. Similar positions have been advanced by our partners in the Group of Friends in Defence of the Charter of the United Nations, whose representatives will have an opportunity to speak today.

Today's discussion, even as it was being prepared, has inspired lively interest among States Members of the United Nations. We call on the Secretary-General and other senior officials of the Organization to pay close attention to the issues raised today and to speak openly in favour of a sanctions policy that focuses on individuals and respect for their fundamental rights.

I now resume my functions as President of the Council.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Kariuki (United Kingdom): Let me start by wishing you, Mr. President, the best for your presidency this month. I thank Under-Secretary-General DiCarlo and Under-Secretary-General Griffiths for their briefings.

The Security Council has a unique responsibility for the maintenance of international peace and security. It is right that we make full and judicious use of every tool at our disposal in the pursuit of this goal. Targeted sanctions are one such tool, set out in the Charter of the United Nations. As our briefers said today, they can play

an important role as part of a comprehensive approach alongside diplomacy, peacebuilding and peacekeeping.

The value of sanctions has been proven. In Angola, Côte d'Ivoire, Liberia and Sierra Leone, they helped to end conflict and supported the transition to peace and democracy, following which sanctions were duly lifted. In the Central African Republic, they have improved the practices of a mining company. In Somalia, the arms embargo has enabled the seizure of thousands of ammunition rounds, anti-tank guided missiles and sniper rifles reportedly intended for Al-Shabaab.

Today sanctions are an important means of countering the threat of transnational terrorism and preventing the proliferation of weapons of mass destruction. The Council is deploying them to constrain the activities of some of the world's worst terrorists under the sanctions regime of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015), concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities. We call on all parties to implement fully the sanctions the Security Council has agreed.

Any use of sanctions has to take account of humanitarian factors. The United Kingdom was one of the top five humanitarian donors globally in 2021. We champion international humanitarian law and humanitarian access in conflict and crisis situations. The United Kingdom is committed to minimising any unintended consequences of sanctions, including on the delivery of humanitarian assistance. To achieve that, we advocate for carefully targeted sanctions, aimed at specific goals, as part of a comprehensive approach to conflict resolution.

We support a range of humanitarian exceptions and licensing grounds in the application of sanctions. For example, and this was mentioned by Under-Secretary-General Griffiths today, we welcome the unanimous support for the recent adoption of resolution 2615 (2021), establishing the United Nations Afghanistan humanitarian exception, which was a good demonstration of how sanctions regimes can be tailored to address any unintended consequences as they emerge, and ensure they do not hinder the delivery of urgently needed humanitarian assistance.

And domestically, we have a dialogue with banks and humanitarian actors in the Tri-Sector Working Group to find legal, safe and transparent ways to ensure

that humanitarian aid reaches its intended beneficiaries and is not disrupted by sanctions.

The United Kingdom believes that sanctions are most effective when adopted multilaterally, but where collective United Nations action is blocked, the United Kingdom is prepared to act with allies and partners, or unilaterally, to apply sanctions aimed at providing deterrence and accountability to the most severe behaviours, such as gross human rights violations or abuses — for example, the Al-Kaniyat militia, responsible for the torture and murder of civilians in Libya. For this reason, the United Kingdom has its own legally robust targeted sanctions regime, which it seeks to use as part of a broad international response.

Let us not forget that conflict, violence and economic mismanagement are the main triggers of humanitarian crises. Sanctions are an important tool of the Council to help change the behaviour of regimes or individuals responsible for those conflicts, and to help us fulfil our collective responsibility to maintain international peace and security.

Mr. Zhang Jun (China) (*spoke in Chinese*): At the outset, I would like to congratulate the Russian Federation on its assumption of the presidency of the Security Council for this month. China will fully support your delegation's work, Mr. President. I would also like to thank Norway for its outstanding work as President of the Security Council last month.

China welcomes the initiative of the delegation of the Russian Federation to convene today's important meeting. I thank Under-Secretary-General DiCarlo and Under-Secretary-General Griffiths for their briefings. We welcome the participation of the representative of Venezuela on behalf of the Group of Friends in Defence of the Charter of the United Nations. We also welcome the participation of the representatives of the Sudan, South Sudan, Mali and Iraq.

Sanctions are a special tool available to the Security Council under the Charter of the United Nations. It has been China's consistent position that, while all States Members of the United Nations have the obligation to implement in good faith the sanctions authorized by the Security Council, the Council should take a prudent and responsible approach to the use of sanctions.

For over 20 years, there has been a trend of expanding the Security Council's sanctions regimes, whose adverse impacts on humanitarian issues and

livelihoods cannot be ignored and increasingly cause disruptions to normal economic and social activities of ordinary citizens and third countries. The briefings of both Under-Secretaries-General also reflect that phenomenon. The Council has yet to give this issue its due attention. Today's meeting is long-overdue and indeed provides a rare opportunity. We need to seriously consider how to take steps to improve the design and implementation of the Council's sanctions in order to minimize their adverse impact. In that context, China wishes to offer several proposals.

First, we must bear in mind that sanctions are a means to an end and not an end in themselves. Sanctions are meant to create conditions conducive to a political solution. They are not a substitute for diplomatic efforts. The Council should keep in check the impulse to resort too readily to sanctions or the threat of sanctions and should give precedence to non-compulsory measures, such as good offices, mediation and negotiation.

Second, it is important to design sanctions mechanisms that dovetail precisely with the core issues at hand and the desired objectives. The intensity and scope of compulsory measures should be carefully calibrated, with clear and unequivocal provisions to minimize collateral damage. Humanitarian assistance should not be construed as a violation of Security Council sanctions.

Third, Member States must faithfully implement the Council's sanctions. They should not detract from the value of sanctions by cutting corners or add value by giving themselves license to interpret or overcomply with such measures. We are particularly opposed to diplomatic pressure and coercion against any country in the name of ensuring compliance with Council resolutions, to the detriment of the sovereignty and security of the country in question.

Fourth, the Security Council should closely monitor and comprehensively assess the humanitarian, economic and social impact of sanctions. The Office for the Coordination of Humanitarian Affairs and the United Nations missions deployed in the sanctioned countries should be requested to monitor any adverse impact of sanctions and report such impact to the Council in a timely manner so that the Council can then make timely arrangements and adjustments.

Fifth, transparent, standardized and actionable extension provisions should be established. There are three common challenges to this — a high threshold for

humanitarian exemptions, unclear criteria and a lengthy application process. Those issues must be resolved as a matter of urgency. For certain humanitarian agencies and suppliers, a standing mechanism for humanitarian exemptions is in order.

Sixth, special arrangements should be made in certain circumstances or in the case of force majeure, such as the serious and ongoing coronavirus disease pandemic. The Council should actively consider lifting or easing sanctions in order to help mitigate the impact of the pandemic on the livelihoods and well-being of the communities affected by the sanctions.

Seventh, as a basic principle, Security Council sanctions should not be open-ended. Instead, all new sanctions mechanisms must include a sunset clause. For existing sanctions, clear and actionable exit benchmarks should be established, with regular reviews by the Council and the lifting of sanctions as and when those benchmarks are met.

Eighth, the experts for Council sanctions committees must be selected through the consistent use of the highest professional standards and in line with the principles of diversity and equitable geographical distribution. Emphasis should be placed on improving the representation of candidates from developing countries. Those experts should perform their duties impartially and maintain confidentiality during and after their tenure. Any breach of confidentiality should be addressed in a serious manner by the sanctions committees.

Ninth, from 2000 to 2006 the Council had an informal working group on general issues of sanctions, which did crucial work in order to help fine-tune and improve Council sanctions. China proposes that the Security Council re-establish a working group on general issues of sanctions, tasked with the comprehensive review of adverse humanitarian and other impacts of Council sanctions and the issuance of specific recommendations for improvement. The Council should request the Secretariat to submit comprehensive assessment reports; in turn, the Secretariat should improve the relevant assessment mechanisms accordingly so that the assessments are truly comprehensive, impartial and objective. China believes that, following this meeting, the Council should have a comprehensive document in order to guide our next steps.

Speaking of the adverse impact of Council sanctions, I would be remiss if I did not mention the

Council's current sanctions against the Democratic People's Republic of Korea. Resolution 2397 (2017) has led to serious humanitarian consequences since its adoption. The import of humanitarian livelihood goods, such as agricultural machinery, medical equipment and water purification pipes, has been severely restricted. There is a serious food shortage, and the conditions for medical care leave much to be desired. The Panel of Experts of the Security Council Committee established pursuant to resolution 1718 (2006) have reported on those issues on many occasions.

In October, China and Russia co-sponsored a draft resolution on the Democratic People's Republic of Korea in the Security Council, aiming to eliminate the humanitarian and livelihood impacts of sanctions and to create conditions conducive to the resumption of dialogue and consultations in support of a solution. Regrettably, a very few Council members chose to refuse to discuss the draft resolution. China once again calls on those Council members to stop avoiding the issue and to participate in consultations on the draft resolution in a responsible and positive manner.

As we discuss how to improve the Council's sanctions, we should be all the more cognizant of the harm of unilateral sanctions imposed by certain countries. That is because unilateral sanctions, often in the glorified name of implementing Council sanctions, have led to great disasters and chaos — not only mistakenly putting the United Nations on the receiving end of the blame, but also undermining the authority and effectiveness of Council sanctions themselves.

The humanitarian crisis in Afghanistan following the withdrawal of foreign troops in August is a case in point. Some people assumed that the Council sanctions had been an impediment to humanitarian assistance to Afghanistan. But after the Council adopted resolution 2615 (2021) in December, clearing the legal obstacles, there was no significant increase in humanitarian assistance to Afghanistan. We are informed by facts on the ground that it is the unilateral sanctions of certain countries — and not the decisions of the Council — that have exacerbated the humanitarian crisis in Afghanistan.

Unilateral sanctions are extremely harmful. It is a matter of concern that a scant few countries have not only failed to reign in their unilateral sanctions but have instead been flinging them about left, right and centre in a frenzy. They seem to be addicted to

sanctions. We have seen that unilateral sanctions, imposed under various names, have thrown a wrench in the works of economic and social development and scientific and technological progress of targeted countries, created and aggravated humanitarian crises, violated the basic rights of civilians, including women and children, and caused great damage to the harmony and stability of international relations. They even affect the payment of United Nations assessed contributions and the participation of targeted countries in the work of the Organization. They have also greatly interfered with international economic and technological trade and cooperation.

There is no denying that unilateral sanctions run counter to the purposes and principles of the Charter of the United Nations, have no basis in international law and are a concrete manifestation of hegemonism and power politics. We solemnly urge the countries concerned to immediately cease and desist from the use of unilateral sanctions and to curb their severe consequences. We call on the international community to join hands to come together to resist such unlawful acts.

Ms. Byrne Nason (Ireland): I want to wish you, Mr. President, all the best for your presidency. I also congratulate Norway on an excellent presidency in January. I would like to thank our briefers this morning for their valuable briefings.

In a troubled international environment, we continue to witness serious human rights violations and terrorist acts where consequences for perpetrators are often remarkably absent. We believe that sanctions have a critical role to play in furthering accountability and in deterring unacceptable behaviour, including violent repression and violations of human rights and international humanitarian law.

Sanctions are a vital tool for the promotion and maintenance of international peace and security. Importantly, they can also support peaceful transitions and deter non-constitutional changes.

Sanctions do not and should not operate in a vacuum. Each time the Security Council has taken the decision to impose sanctions — some 30 times since 1966 — they have been applied as part of a comprehensive strategy of political dialogue, peacekeeping or peacebuilding.

Ireland recognizes that sanctions can inadvertently affect humanitarian action or have unintended consequences. Humanitarian organizations have

spoken out clearly about how sanctions can hinder their work, including with respect to bank de-risking, which can curtail the financing of humanitarian operations, burdensome compliance requirements and even the risk of criminalizing humanitarian activity more broadly. This is why we believe it is essential that sanctions be carefully targeted to have maximum impact on those whose behaviour we seek to influence, while importantly minimizing adverse humanitarian effects or unintended consequences.

For Ireland, ensuring that sanctions are targeted is not only a matter of effectiveness. Carefully targeted sanctions, particularly where due process is respected, can serve to reduce unintended consequences. This ensures compliance with international law, including international human rights law, international refugee law and international humanitarian law. In this regard, Ireland was pleased last year to join the Group of Like-Minded States on Targeted Sanctions.

A priority for Ireland on the Council has been to protect the humanitarian space in sanctioned environments. We were happy to have supported the recent inclusion of humanitarian language in the context of the Democratic Republic of the Congo, the Central African Republic, Mali and the Islamic State in Iraq and the Levant/Al-Qaida sanctions regimes. As Chair of the Somalia sanctions committee, I am aware that humanitarian organizations regard its “humanitarian carveout” as a best practice among existing sanctions regimes. The introduction of a humanitarian carveout in the context of Afghanistan was also a significant development. Resolution 2615 (2021), agreed last December (see S/PV.8941), demonstrates that the Council can and does act when its sanctions risk having negative impacts.

As a Council member, Ireland will continue to prioritize enhanced humanitarian safeguards within sanctions regimes. Ireland will continue to support the adoption of appropriate mitigation measures and the development of best practices. In this context, it is important that the Council listen to the voices of civilian populations and humanitarian actors. It is the right thing to do.

The Security Council has a crucial role to play by including designation criteria to sanction those that misappropriate or obstruct humanitarian activity and in providing appropriate exemptions that preserve the humanitarian space. Ireland welcomes the reduced time

frames introduced for the exemption approval process for coronavirus-disease-related requests introduced by a number of the United Nations sanctions regimes.

As a State member of the European Union (EU), Ireland also actively participates in the design and adoption of preventive, targeted and proportionate EU measures. The targeted nature of EU sanctions — particularly the use of appropriate derogations and exemptions, and the case-by-case assessment of designations — are a key part of minimizing unintended consequences, in particular for the civilian population. We regularly engage in dialogue at the most senior level with international non-governmental organizations and with the International Committee of the Red Cross to identify how, at the EU level, we can best design new sanctions regimes or modify existing regimes to ensure that humanitarian space is not affected.

We all have an interest in ensuring effective, targeted sanctions where the humanitarian space is protected, and due process is respected. Ireland looks forward to continuing dialogue on this important matter with Council members and relevant stakeholders.

Mr. Abushahab (United Arab Emirates): The United Arab Emirates would like to thank the Russian Federation for organizing today's debate. A discussion about the potential humanitarian or other unintended consequences of sanctions is long overdue. I also thank the Under-Secretary-General for Political and Peacebuilding Affairs, Ms. Rosemary DiCarlo, and the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Martin Griffiths, for their briefings.

The United Arab Emirates considers sanctions a valuable and useful tool for the Security Council to maintain international peace and security. In certain situations, they can be effective at achieving the Council's objectives without it having to resort to force, such as supporting peace processes, resolving disputes, countering terrorism and promoting non-proliferation.

Yet, as history has shown, ill-conceived or ill-implemented sanctions can have a severe humanitarian impact. The United Arab Emirates believes sanctions measures should not prevent humanitarian actors from undertaking their essential work, nor humanitarian assistance from getting to those in need.

As an elected member of the Security Council, and as a Chair and Vice-Chair of sanctions committees,

the United Arab Emirates commits to taking into consideration the humanitarian imperative in all decision-making. Accordingly, the United Arab Emirates would like to highlight several recommendations to minimize any potential humanitarian or other unintended consequences of sanctions:

First, the potential humanitarian consequences of sanctions should systematically be considered in the design of each and every sanction regime and addressed wherever applicable. This means, first and foremost, providing clarity on the scope of sanctions to reduce risks of overcompliance by Member States and private actors.

There are currently only a few regimes that include humanitarian exemptions or carveouts. We should learn from these examples — what has worked and what has not — and insert explicit clauses to minimize unintended consequences on the civilian population. We stress in this regard that the design may be adapted on a case-by-case basis to take into consideration the broader context on the ground. We recognize that there are other important considerations that we must integrate into sanctions design, particularly risks of diversion or looting of humanitarian aid, as we have seen done by groups and non-State actors to finance their war efforts or their terrorist and illegal activities.

Secondly, constant re-evaluation and adaptation of sanctions throughout their life span is necessary to protect affected populations from unintended adverse consequences. Such evaluation must be based on an assessment methodology that is independent and transparent. We would welcome further discussions on what would be the most appropriate mechanism to undertake this important task. In this regard, we stress that the Council's responsibility to address the humanitarian imperative does not end with its initial design of sanctions. The Council should be responsive to issues as they arise and seek to address them, including through adjustments and implementation-assistance notices, among other means. This would be of benefit to all — the civilian population of affected countries and the humanitarian and private-sector actors that operate within that context, as well as the Member States bound to implement sanctions.

Thirdly, to better understand the humanitarian impact of specific sanctions measures on the ground, sanctions committees should use the various tools

at their disposal, including through, for example, committee visits to countries affected by sanctions.

Finally, we stress that the Chairs of sanctions committees must be more involved in drafting Council products. Sanctions Chairs can bring a valuable perspective, including on potential humanitarian impacts, given their day-to-day understanding of sanctions regimes and their interactions with affected countries.

To conclude, we hope that this is the first of many discussions on this important topic during our term. As Council members, we all have a duty to ensure that sanctions measures continue to be an effective and useful tool for the Council. We must be ready to constantly readjust, suspend or terminate the measures that we impose to keep them fit for purpose and legitimate as well as to protect the civilian population from unintended adverse impacts. We firmly believe that this is achievable. We should be able to draw upon the Council's ample experience and continue to innovate and improve the design and implementation of sanctions.

Mr. Tirumurti (India): At the outset, let me begin by congratulating the Russian Federation on its presidency for this month, for which we convey our full support. I commend Norway on a very successful presidency. I thank the Russian delegation for having organized this debate on such an important topic as sanctions and their humanitarian and unintended consequences. I also thank the Under-Secretary-General for Political and Peacebuilding Affairs, Rosemary DiCarlo, and the Under-Secretary-General for Humanitarian Affairs, Martin Griffiths, for their briefings. In addition, I welcome the presence of countries under rule 37.

As per the Charter of the United Nations, the maintenance of international peace and security is the primary responsibility of the Security Council, which has to act on behalf of all States Members of the United Nations in the discharge of its duties. Emanating from that responsibility, the Council imposes measures to maintain or restore international peace and security. Those measures are required to be provisional in nature and not permanent. The Council has since been imposing non-military prohibitions and restrictions on Member States. So far, the Council has established multiple sanctions regimes, including the ongoing 14.

The sanctions regimes have served well in our fight against terrorism, preventive-diplomacy efforts,

assisting Member States in implementing peace agreements and against the proliferation of weapons of mass destruction.

However, sanctions regimes must not be an end in themselves. In their implementation, the sanctions regimes must ensure that they have the intended impact and do not further exacerbate the suffering of the populations at the receiving end. As such, it is necessary to keep those regimes under constant review so that they keep pace with the changing situation on the ground. Sanctions measures should therefore be neutral in nature and should not become political instruments of the powerful few.

Of late, the unintended consequences of sanctions measures, including humanitarian consequences, are being increasingly emphasized by Member States and other stakeholders. The Secretary-General has reiterated more than once that sanctions have exacerbated suffering in countries confronting armed conflict. The Office for the Coordination of Humanitarian Affairs has also referred to those concerns. The unprecedented impact of the coronavirus disease (COVID-19) pandemic has also added to the miseries of the population in countries faced with sanctions. There is therefore an urgent need to credibly address those concerns to ease the sufferings of the people.

In that regard, my delegation would like to flag the following six observations.

First, sanctions should always be used as an instrument of last resort after having exhausted all other options and in accordance with the provisions of the United Nations Charter and should not be violative of principles of international law. The Security Council should remain respectful of the regional approach adopted by countries, and, in collaboration with regional organizations, address challenges related to peace and security before considering the issuance of such sanctions.

Secondly, there should be a clear end goal for such sanctions, and they should not remain perpetually as millstones around the necks of countries. As such, a clear timeline and criteria for their phased withdrawal should be ideally spelt out from the inception stage itself.

Thirdly, every effort should be made to reduce the negative impact of such measures on the population of the receiving State. In the context of the ongoing COVID-19 pandemic, that becomes all

the more important. It is also necessary to ensure that the legitimate trade and economic activities of the concerned State and its regional partners are not impacted adversely. It is therefore important for the Security Council to fully consult all key countries of the region before considering any such measures, because more often than not the impact of sanctions is felt not just by the country concerned but by the entire region.

Fourthly, regarding the lifting of targeted measures such as arms embargoes and assets freezes, the Council needs to prescribe realistic and achievable benchmarks to encourage Member States to take steps in the right direction. We have seen that some of the benchmarks prescribed for conflict-ridden developing countries are even higher than what some developed countries have achieved. That is uncalled for.

Fifthly, it is imperative that sanctions not impede legitimate humanitarian requirements. However, it is important to exercise due diligence while providing humanitarian carveouts, especially in cases where terrorism finds safe haven.

There have been examples of terrorist groups taking full advantage of humanitarian carveouts, making a mockery of sanctions regimes, including that of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities. There have also been several cases of terrorist groups in our neighbourhood, including those listed by the Council, rebranding themselves as humanitarian organizations to evade those sanctions. Those terrorist organizations use the umbrella of the humanitarian space to raise funds, recruit fighters and even use human shields. Under the guise of the humanitarian cover provided by such exemptions, those terrorist groups continue to expand their terrorist activities in the region and beyond. Due diligence is therefore an absolute must.

Sixthly, the sanctions committees continue to face significant challenges in overseeing the sanctions measures related to technical violations of the arms embargo, objections by humanitarian partners to the reporting requirement, questions about the working of the Panel of Experts, and, in some cases, non-cooperation by Member States. The Chairs of the sanctions committees need to play a more proactive role in addressing those challenges. To that end, it is imperative that the archaic and opaque working

methods of subsidiary bodies of the Council become open, transparent and credible.

In conclusion, it is our considered submission that sanctions regimes are simply a means to an end, that of the larger goal of maintaining international peace and security. They cannot become an end in themselves and therefore should not remain in perpetuity. We need to review the sanctions regimes regularly and terminate them as soon as the objective has been achieved. Towards that end, we need to set realistic and objective goals and ensure that civilians are protected from the unintended consequences of sanctions measures. In that regard, we are ready to work constructively with all other Members. The recommendations made by the Informal Working Group of the Security Council on General Issues of Sanctions in 2006 could be a good starting point for a renewed deliberations in the Council.

Ms. Heimerback (Norway): Norway congratulates you, Mr. President, and the Russian Federation on its assumption of the presidency of the Security Council for the month of February. I thank Under-Secretaries-General Rosemary DiCarlo and Martin Griffiths for their useful statements today.

Norway is a staunch supporter of the United Nations and implements all sanctions adopted by the Security Council. Sanctions incentivize the relevant actors in conflict to seek settlement rather than further conflict. They aim to deter unwanted behaviour and curb the resources of the targeted actors. Targeted sanctions are therefore an important tool to address threats to international peace and security, and they can act as a deterrent against further violations of international law, including international humanitarian law, and violations and abuses of human rights law. Targeted and well-designed sanctions can also help protect civilians and prevent and curb sexual violence, as well as the recruitment and use of children in armed conflict.

Norway attaches great importance to ensuring that sanctions are well designed and effectively implemented. That is how we ensure that sanctions achieve their aims and have the intended results. Members of the Security Council have the responsibility to ensure that United Nations sanction measures are adequately adjusted and kept up to date to reflect changes on the ground.

We are concerned by reports from humanitarian non-governmental organizations that sanctions may negatively impact their work. That is why Norway supports actions such as the unanimous adoption

of resolution 2615 (2021) at the end of last year, on humanitarian assistance and other activities that support basic human needs in Afghanistan. We are also pleased that the Council, over the past year, has adopted clear language stressing that sanctions are not intended to have negative humanitarian consequences and that international law must be applied when implementing sanctions.

Going forward, Member States and the Security Council must continue dialogue with all relevant actors, in particular humanitarian actors, to ensure that future measures do not negatively impact the ability of humanitarian workers to carry out their work in a neutral and impartial manner. Humanitarian exemptions must be drafted in a way that provides the necessary clarity to all relevant actors, from Member States to humanitarian actors, as well as the private sector, including the financial sector.

We also need to bear in mind the impact that counter-terrorism measures may have on humanitarian activities. But we cannot accept falsely portraying sanctions as an alternative explanation of serious problems that are caused by other factors, including underlying drivers fuelling conflicts. In order to ensure the effectiveness and legitimacy of United Nations sanctions regimes, the Security Council should ensure that there are minimum due-process guarantees for persons targeted by sanctions. In that respect, Norway welcomes the Secretary-General's recent appointment of a new Ombudsperson to the ISIL (Da'esh) and Al-Qaida Sanctions Committee and would like to see the Council further reinforce that function and ensure due-process measures in all of its sanction regimes.

Mr. Biang (Gabon) (*spoke in French*): I congratulate you, Sir, on Russia's presidency of the Security Council for the month of February. I thank Under-Secretaries-General Rosemary DiCarlo and Martin Griffiths for their respective briefings.

In convening the Council to discuss this topic, you are guiding us, Sir, in making the needed self-criticism on the effectiveness of the mechanisms provided for in Article 41 of the Charter of the United Nations in the maintenance or restoration of human peace and security.

Since 1966, the Council has put in place approximately 30 sanctions regimes, the imposition of which has proven to be a relatively inexpensive policy mechanism in comparison to armed conflicts, although it is virtually impossible to determine the exact level

of action required for a sanctions regime to have an impact on the policy of the State under sanction.

Increasingly, sanctions are limited to goods or target individuals and entities. Their scope includes arms embargoes, boycotts of goods, financial sanctions, such as assets freezes, bans on the sale of luxury goods, travel bans, the suspension of memberships in international or regional organizations and exclusion from political conferences.

While most sanctions regimes provide for exemptions to meet the basic needs of those targeted, the fact remains that their goal is clearly to financially drain or harm the key economic sectors of the targeted entities. Such measures often affect the budgetary revenues of the States on which sanctions have been imposed and inevitably affect the overall economy and people's standard of living. The wager undoubtedly is aimed at undermining support for the regimes under sanction in the hope that their people will blame them for their impoverishment. In most cases, such a wager is extremely risky. Experience has shown that it is illusory to hope to spare the population by targeting only the political leaders.

Sanctions have become a commonly used instrument and are meted out automatically and systematically in their implementation. There is a clear tendency to apply the same tools to dissimilar situations, the main concern being to act quickly in moulding of international acceptability. Of course, the impact of sanctions poses even more problems when they are unilateral, especially as pertains to their conformity with the Charter and international humanitarian law. That is what led the African Union, at its thirty-third ordinary session, to urge all States to refrain from coercive and unilateral measures, which impede the full achievement of economic and social development and affect the full enjoyment of human rights.

Of the 14 current sanctions regimes, eight directly concern African countries — the Central African Republic, the Democratic Republic of the Congo, Somalia, the Sudan, South Sudan, Libya, Guinea-Bissau and Mali.

The case of the arms embargo in the Central African Republic is particularly striking. Plagued by persistent instability and continuous attacks by armed groups, the democratically elected authorities of that country have been deprived of their full capacity to acquire equipment that would enable them to deal

effectively with armed groups that often have more sophisticated weapons and are scouring the country, while scuttling the authority of the State over a large part of the national territory.

The situation is untenable for the people of the Central African Republic and unsustainable for the country's immediate and distant neighbours, such as Gabon, which together with the Central African Republic, is part of a community of free movement of goods and people. I call on the Council to unconditionally lift the arms embargo on the Central African Republic, which would help mitigate the humanitarian consequences for its civilian population.

Regardless of their true purpose — whether it be to force the targeted country to change its attitude, prevent it from arming or financing itself by depriving it of the means to carry out actions the sanctions are intended for or simply to send the message publicly that the State or States imposing the sanctions disapprove of the targeted country's actions, the result remains the same: the effectiveness of sanctions is lacking or far below expectations.

The resilience of entities on which sanctions have been imposed and the feeling of distrust vis-à-vis United Nations representation seen in some regions, combined with the increase in the rally-around-the-flag phenomenon, calls on us to understand the repercussions of international sanctions. The Council must act with the greatest level of circumspection when adopting a sanctions regime against a United Nations Member State and always take into account the risk of seeing its people suffer from it.

General Assembly resolution 59/45 reveals the degree of concern of the international community about the harmful effects of international sanctions. My country intends to maintain that sense of restraint, shared by the African Union, with regard to the imposition of sanctions on States and will advocate that each situation be carefully assessed, taking into account existing mechanisms, including the *Sanctions Assessment Handbook* and the *Field Guidelines for Assessing the Humanitarian Implications of Sanctions*. Ultimately, international sanctions must remain an incentive or deterrent tool and not be used for punitive purposes. Their reversibility must be clearly defined and accompanied by political dialogue with the targeted Government.

In conclusion, on behalf of my country, I would like to draw the Council's attention once again to its duty to the peoples of the world, explicitly set out in the Preamble to the Charter. We have received our mandate on their behalf. We carry out our joint work for the sake of their security and dignity. We must not lose sight of this primary goal.

Mr. Costa Filho (Brazil): Allow me first to congratulate you, Sir, and your delegation on assuming the presidency of the Security Council for this month and thank Norway for the manner in which it conducted the presidency in the month of January.

Brazil expresses its appreciation to Russia for organizing a debate on sanctions and their humanitarian or unintended consequences. I would also like to thank the briefers — Under-Secretaries-General Rosemary DiCarlo and Martin Griffiths — for their insightful presentations.

The Charter of the United Nations provides the Security Council with a set of instruments to maintain international peace and security, sanctions being one of them. When the situation on the ground calls for enforcement action from the Council, sanctions are alternatives to the use of armed force. Like any coercive measure, however, they will have unintended consequences.

With 14 sanctions regimes in force and nearly 1,500 listings to date, one might wonder whether a measure that should be of last resort has become the preferred choice to deal with intractable crises. One might also wonder whether the current criteria for imposing sanctions are still limited to the maintenance of peace and security or whether, in some cases, they go beyond that objective.

Sanctions can be legitimate and effective when they are multilaterally created, strategically targeted and designed to have a minimal impact on the civilian population. As a measure of last resort, they should follow the exhaustion of diplomatic solutions and be part of a comprehensive strategy to overcome the crisis. After all, security measures alone cannot adequately resolve the overwhelming majority of the situations on the Council's agenda.

The Security Council came a long way in improving its sanctions regimes with the transition to targeted sanctions, the creation of humanitarian exemptions and the establishment of monitoring mechanisms

through panels of experts. Despite the progress to minimize the negative impact of sanctions, there are still many reports of their unintended consequences for humanitarian assistance. For that reason, Brazil encourages the Council to continue its work to adjust the sanctions framework so that sanctions effectively minimize human suffering, rather than accentuate it.

First, sanctions should be limited in their scope and temporal elements, preferably with the inclusion of sunset clauses in their mandates, as mentioned by the representative of China. Sanctions regimes that last for years are warning signs of either their limited effectiveness for that particular situation or the lack of additional tools to address it.

Secondly, when designing or renewing sanctions regimes, there should be efforts to prepare assessment reports containing the potential humanitarian impacts of a given measure. There should be better monitoring of the socioeconomic and humanitarian consequences of sanctions.

Thirdly, both the listing criteria and the conditions for lifting sanctions should be clearly established. Clear and well-defined benchmarks for easing sanctions are also ways to measure progress and signal the temporary nature of the restrictions.

Fourthly, while recognizing the specificity of each sanctions regime, there needs to be greater consistency in humanitarian exemptions. The humanitarian carveouts in Somalia's and Afghanistan's sanctions regimes are good examples that could be replicated in other situations. Humanitarian actors must be able to provide assistance to civilians in need. If they are not able to perform humanitarian and impartial relief actions due to overcompliance or the criminalization of their activities, the most vulnerable will be the first to endure the consequences. That is particularly relevant now when the coronavirus disease increases the vulnerability of the population.

Brazil has focused its comments on sanctions imposed by the United Nations. That choice in no way means that we are not concerned about the dire humanitarian impacts of unilateral coercive measures. Rather, it means that we chose to focus on ways to improve measures that the United Nations Charter allows and that international law does not proscribe.

I would like to conclude with a question for further reflection. In increasingly complex scenarios where

armed conflicts derive from a multitude of structural drivers, how can we ensure the effectiveness of sanctions in promoting sustainable peace when their humanitarian consequences are still an afterthought? For Brazil, the negative impact of sanctions on the civilian population should be at the core of any assessment of the appropriateness of imposing sanctions to a given situation, as sanctions should not generate more harm than they were intended to prevent.

Mrs. Thomas-Greenfield (United States of America): Let me join others in welcoming you, Mr. President, to the presidency of the Security Council for this month, and I wish you the best success. I also want to take this opportunity to again thank Norway for a successful presidency during the month of January. I thank Under-Secretary-General DiCarlo and Under-Secretary-General Griffiths for their briefings and remarks.

Sanctions are a potent tool and, as the Council heard from Under-Secretary-General DiCarlo, they can be a vital tool to deter and address threats to international peace and security and, ultimately, enhance the security of vulnerable civilians. They make it harder for terrorists to raise funds via international financial systems. They have slowed the development of certain capabilities of the Democratic People's Republic of Korea's unlawful weapons of mass destruction and ballistic missile programmes. They constrain the resources of those who would spoil peace processes, threaten United Nations peacekeepers, commit atrocities and obstruct humanitarian assistance.

Like any tool, sanctions can be used effectively or poorly, but that is a reason to deploy them carefully, not to condemn them entirely. Today I want to outline three ways in which we can ensure that sanctions are effective and as targeted as possible: by committing to minimalizing unintended consequences; by working together as the Security Council to deploy sanctions when we know that it will help civilians; and by not undermining sanctions and exacerbating the situations that makes such measures necessary in the first place.

First, we must do everything in our power to ensure that sanctions are effective and targeted and minimize unintended consequences. The United States is fully committed to that and to taking steps to protect the delivery of humanitarian aid. In fact, the United States led efforts in every instance in which the Security Council established a humanitarian carveout or a

process for humanitarian exemptions to sanctions. In certain cases, humanitarian exemptions can strengthen sanctions by ensuring that their economic costs are more effectively targeted.

We have routinely done that in the Committee established pursuant to resolution 1718 (2006), on the Democratic People's Republic of Korea, in Yemen and in Somalia. Most recently, the Council unanimously adopted resolution 2615 (2021), which the United States introduced in December to establish a humanitarian carveout for the Afghanistan sanctions regime. Such carveouts were important to help to ensure that life-saving humanitarian aid continued to flow to people in dire need. It ensures that the pain of sanctions is felt most acutely by the leaders, entities and individuals being targeted, not ordinary citizens or those trying to help them. Those individuals will argue that the people are being hurt, but the truth is that they are being hurt, and they are the ones responsible for hurting ordinary people.

We welcome more Council discussions on this topic. We encourage the sanctions committees to monitor impediments to the delivery of humanitarian assistance and engage with non-governmental organizations and other aid providers — engagement that some Council members reject — to prevent and address any unintended impact of sanctions. In the meantime, the United States will remain in constant dialogue with its humanitarian partners, United Nations agencies and others on how to ensure that sanctions do not impact their work.

Secondly, the Security Council should continue to use sanctions, when appropriate, to improve the lives of people in conflict zones, protect civilians and promote the peaceful resolution of disputes. We hear regularly from victims asking us to impose sanctions on human rights violators in their country. The key is to work together to ensure that those sanctions are effective. If done properly, sanctions can minimize suffering and counter political corruption, violence, abuse and repression. They can prevent weapons from falling into the hands of those who would use them to target civilians, while exemption procedures allow legitimate actors, such as host Governments, to secure the resources that they need.

Together, we can use targeted sanctions to discourage attacks on humanitarian aid workers or organizations, medical workers and United Nations

personnel. That includes using targeted sanctions to address attacks by paramilitary groups such as the Wagner Group, the actions of which curb access to the most vulnerable populations in humanitarian crises, exacerbate or prolong conflict and increase suffering.

That leads me to my third and final point. Too often, the Security Council's routine work on sanctions is blocked or undermined by our own members. Certain Council members have blocked critical designations of peace process spoilers, high-profile terrorists, human rights abusers and sanctions evaders. They have blocked the routine appointment of members of panels of experts on sanctions, including experts in humanitarian affairs. They make it harder for the two to work as intended. We need to work together to fix that.

When Member States wilfully ignore sanctions, ignore sanctions evasion activity or fail themselves to live up to the commitments we have all made to enforce those measures, they undermine the utility of those tools and the work of the Council itself. Meanwhile, it is the legal and moral right of individual Member States or other multilateral groups to impose sanctions on their own, where appropriate, to achieve those important ends.

The United States, to be clear, far prefers to impose sanctions by multilateral means, such as the Security Council. But as we all know, often the Council can become deadlocked, undermining its ability to maintain international peace and security. Member States, including even those on the Security Council, sometimes prove unwilling to uphold the Charter of the United Nations by implementing their binding obligations.

In such situations, the United States and many other countries in the world are prepared to use the legitimate regulations of our sovereign currencies and domestic financial systems as economic leverage to address urgent global challenges such as nuclear proliferation, human rights abuses and violations and corruption.

We are concerned that some Council members and other Member States have used this discussion to criticize and delegitimize the sanctions imposed by individual Member States, with some even arguing that such sanctions are unlawful. The United States categorically rejects that position. It is well-established that sanctions imposed by individual Member States or groups of Member States are consistent with international law.

Widespread and long-standing State practice, whether by the United States, the European Union and its member States or numerous other Member States, demonstrates that the sanctions imposed by individual States are a lawful and effective tool to respond to a range of actions. Therefore, we fully support partners and regional organizations, such as the European Union, the African Union and the Economic Community of West African States, that impose their own sanctions in response to threats. We often coordinate with those partners and regional organizations when deadlock prevents Security Council action.

I recognize that Council members may have ideological differences over when and how to use sanctions, but at the same time all Council members have voted in favour of sanctions that we know will address global threats such as the Islamic State in Iraq and the Sham. We also all share the same commitment to ensure that those measures do not harm innocent civilians. Building on those areas of agreement, I hope that the Council can find a way to work together to advance those objectives and minimize efforts to undermine critically important tools.

Specifically on the Democratic People's Republic of Korea, the Council heard from the Office for the Coordination of Humanitarian Affairs in its December briefing to the Security Council Committee established pursuant to resolution 1718 (2006) that the principal barrier to sending humanitarian assistance into the Democratic People's Republic of Korea is the Democratic People's Republic of Korea's self-imposed border closures — not international sanctions, as our colleagues have alleged today.

The United States remains committed to addressing the humanitarian situation in the Democratic People's Republic of Korea, which is why we have continued to support the 1718 (2006) Committee's swift processing of sanctions exemptions for aid organizations. It is also why we are now working closely with the Secretariat to establish a reliable banking channel.

We call on the Democratic People's Republic of Korea to demonstrate a commitment to the well-being of its own people by respecting human rights, defunding its unlawful weapons of mass destruction and ballistic missiles programme and prioritizing the needs of its own people, the vulnerable North Koreans.

We must do more to help countries implement sanctions effectively; reinvigorate the work of the

Security Council's sanctions committees and expert panels, which monitor implementation and provide critical reporting on conflict situations; and better integrate sanctions measures into broader preventative diplomacy, peacebuilding and conflict resolution strategies. We look forward to engaging in good faith with our partners on the Council to advance a more productive and positive discourse on those issues.

Mr. Hoxha (Albania): Let me congratulate Norway for an excellent presidency in January and wish Russia the best in presiding over the Security Council during this month. I also wish to thank Under-Secretary-General DiCarlo and Under-Secretary-General Griffiths for their briefings.

Sanctions are an important tool as part of common efforts to maintain international peace and security without recourse to the use of force. The Charter of the United Nations is very clear on the necessity of using sanctions to prevent further violence and address threats to peace, breaches of peace or any act of aggression. As such, targeted sanctions represent a tool that needs to be used with the utmost care and precision as a deterrent and a means of accountability when human rights violations and gross atrocities are committed.

Let us be clear: no one wants to impose sanctions merely for their own sake. They are used to prevent greater harm. Their strength rests in their compatibility with international law, international humanitarian law and international human rights law as part of a comprehensive strategy and actions to preserve peace and security. When the Council puts its full weight behind sanctions and Member States respect them, sanctions contribute to the intended results, as we also heard from the briefers.

Albania fully supports targeted sanctions that respond to specific situations. They need to be measured and proportional in order to be effective and should avoid any eventual collateral damage or unintended consequences. Targeted sanctions do not harm the economy. They do not hurt populations or affect essential needs such as food and medicine. Horrible acts such as genocide, crimes against humanity, torture, slavery, extrajudicial killings, sexual and gender-based violence, and acts that violate the sovereignty and territorial integrity of States require a swift and targeted response.

We cannot accept that fortunes that are often amassed by stealing from countries' natural resources

should be hoarded in obscure accounts abroad. We cannot contemplate that individuals who openly violate peace processes should travel around the world at leisure and amass even more wealth. We cannot accept strongmen who starve civilians by hindering humanitarian efforts, or those who openly breach national and international law to just illegally grab or stay in power. That is why sanctions serve as a means of accountability.

We very much agree with the view that targeted sanctions need to be regularly and properly monitored. Monitoring should be an integral part of sanctions regimes throughout their existence, including at the stages of formulation, implementation and evaluation. It should strengthen the effectiveness of sanctions but should also establish binding exemptions, when needed and relevant, or carveouts for specific sanctions regimes to minimize unintended consequences.

To that end, the Security Council should be more attentive and supportive of the sanctions committees and panels of experts in order to mitigate the adverse consequences of sanctions, while monitoring their full implementation as mandated. Resolution 2615 (2021), on Afghanistan, did precisely that: it provided a timely response while making way for the much-needed humanitarian assistance to the country.

Regrettably, there are times when the Council fails to address and hold accountable those responsible for serious human rights violations and abuses — and even acts of genocide and crimes against humanity. In such situations, regional organizations or individual countries step in.

In that respect, and as a matter of principled position, Albania supports the European Union's sanctions, which are carefully calibrated, aimed at those responsible for policies or actions in clear violation of human rights law, and are also preventative, reversible and gradual, as well as proportionate to the objectives they seek to achieve. We have also expressed support for the measures and sanctions imposed by the Economic Community of West African States, convinced that they are measures meant to address and help redress important pressing issues.

In conclusion, I would like to emphasize once again the importance that Albania attaches to a robust implementation of sanctions regimes as part of overall efforts, while remaining fully committed to ensuring that sanctions are effective and in full compliance

with our commitments under the Charter of the United Nations and international humanitarian law.

Mr. Kiboino (Kenya): I congratulate the Russian Federation on its assumption of the presidency of the Security Council for the month of February, and I commend Norway on its successful presidency for the month of January. I also thank Under-Secretaries-General Rosemary DiCarlo and Martin Griffiths for their reflections.

In favour of sanctions, former Secretary-General Kofi Annan regarded them as a “necessary middle ground between war and words” (*A/59/565, para. 178*). That may be so, but we also know that sanctions can be devastating to civilians, without achieving their intended aims. In those cases, they can be difficult to distinguish from acts of collective punishment that are an offense to our sense of moral right. It is not uncommon for targeted Governments to strengthen their domestic and international support owing to perceptions of collective coercion.

Mr. Annan may have located sanctions between war and words, but he clearly understood international conflicts well enough to know that they can be forms of warfare. Applied with insufficient care for civilian suffering and lacking a sense of proportion, they can have the same debilitating impact on a country as kinetic warfare. While blockades and sanctions differ fundamentally in their application, their effects can be similar.

In September 2018, the Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights, Mr. Idriss Jazairy, argued before the Human Rights Council that economic sanctions can degenerate into blockades that “expose people to the ravages of economic war in peacetime”. The question we are left to determine is when sanctions, with their dangers, are called for and how they can best be employed by the Security Council.

We have heard many recommendations today, and Kenya has a few more to offer.

First, we need to regard the ethics and legality of sanctions beyond their humanitarian impact. When they are applied unilaterally, their legitimacy is undermined. The frequency and reach of unilateral sanctions has led to the growing view that they are the weapons of the strong against the vulnerable weak. As such, they have

undermined faith in multilateralism. We urge extreme reticence in their use.

Secondly, terrorist groups need to be sanctioned in equal measure. We all know that it is key that their finances, recruitment and movement be disrupted worldwide. Yet today an Al-Qaida affiliate in Somalia that has killed thousands in multiple countries is regarded by some members of the Security Council merely as a domestic political spoiler. Attempts to address the humanitarian difficulties in practical terms have not so far received sufficient support. We cannot have a two-track counter-terrorism and then argue that the Council does not have double standards for lives lost to terrorism. We urge delegations to reconsider their positions for our collective sake.

Thirdly, terrorist and criminal groups take comfort in knowing that they will face weaker sanctions if humanitarian advocates argue on the basis of their impact on the innocent. They even take fees for humanitarian access to the vulnerable and use those finances to perpetrate attacks against civilians. We must be serious about providing proper carveouts, while raising the standards of humanitarian aid logistics and making sure they are combined with strong measures to limit terrorism financing.

Fourthly, and connected to the previous recommendation, the Security Council can do more to provide clarity on exemptions to States, humanitarian organizations and the private sector.

Fifthly, and finally, we propose building into sanctions regimes the automatic requirement for periodic reviews to ascertain that, at all stages, they still meet their purpose. Most of us see the value of such periodic reviews within our national laws; we urge members to share such good practices with the Council.

Mr. Agyeman (Ghana): It is a delight to see you, Madam President, presiding over the Security Council for the month of February. Ghana assures your delegation of its cooperation and remains confident of your able leadership. I would also like to congratulate Ambassador Mona Juul and the delegation of Norway for the excellent leadership they provided to the Council during the month of January.

We welcome the focus of today's debate and express appreciation to the Under-Secretary-General for Political and Peacebuilding Affairs, Rosemary DiCarlo, and the Under-Secretary-General for Humanitarian

Affairs and Emergency Relief Coordinator, Martin Griffiths, for their insightful briefings.

The question of sanctions is one that is rooted in the principles of international law and provided for in Chapter VII, Article 41, of the Charter of the United Nations. As envisaged by the Charter, sanctions are not intended for extraneous objectives but are required as a tool to modify the behaviour of any State whose actions are in breach of its Charter obligations, where those actions constitute a threat to international peace and security, without resorting to the use of force.

Since the late 1960s, when the Security Council activated its first sanctions regime, in response to the illegitimate seizure of power in the then Southern Rhodesia, 30 sanctions regimes have been established in all, with varying degrees of success and uneven consequences in their implementation.

While the imposition of broad sanctions has had disproportionate adverse effects on populations, some successes can also be seen in the areas of the reversal of illegitimate regimes; the disruption of planning, funding and organization of terrorist networks; the dismantling of illicit networks and financial flows of armed groups, particularly non-State actors; the curbing of the illegal flow of small arms and light weapons; and the increased focus on massive human rights violations, among others.

Regardless of the outcomes achieved, sanctions continue to be an important tool for maintaining international peace and security. In particular, if all Member States would fulfil their obligations by implementing, in good faith, the decisions of the Council, as envisaged in Articles 25 and 48 of the Charter of the United Nations and in a manner that prevents their circumvention by the States placed under sanctions, we believe that sanctions could be short, effective and less damaging to civilian populations.

Unfortunately, some of the sanctions regimes have been long-lasting and their humanitarian impact and unintended consequences on civilian populations and third States quite damaging. We therefore have a responsibility — not only within the Council but also among the wider membership of the Organization — to fine-tune the implementation of sanctions in a manner that is more targeted and effective in modifying the erring behaviour of sanctioned States.

With an eye on how we could better implement United Nations sanctions regimes with a view to mitigating the humanitarian and other unintended consequences on populations, Ghana would like to focus on four points.

First, sanctions must be imposed only as a last resort when a threat to international peace and security exists. Before sanctions are imposed, serious efforts must be made to exhaust all measures of pacific settlement contained in Chapter VI of the Charter.

Secondly, the processes followed by the Council's sanctions committees could benefit from greater transparency and accountability. The application of guidelines requires careful consideration, particularly regarding requests for exemptions to assets-freeze provisions that have a direct link to humanitarian issues. In that regard, the panels of experts appointed to assist the work of sanctions committees should increase their engagement and collaboration with the national, regional and international humanitarian organizations working within their areas of operation in order to collect information and data on the impact of sanctions on the work of humanitarian organizations so as to contribute as much as possible to monitoring, reporting and policymaking. The Council should also regularly assess how Member States ensure that their implementation of sanctions does not violate international humanitarian law. The impact on the vulnerable should be assessed, along with the effect of sanctions on third States.

Thirdly, Ghana underscores the need for enhancing humanitarian exemption mechanisms to safeguard the livelihoods of populations, as envisaged by Article 50. Present exemptions, however, do not appear to fully tackle the humanitarian problem, especially when comprehensive sanctions have been imposed.

Fourthly, Ghana wishes to indicate that, while the responsibility rests on the Security Council to mitigate the humanitarian crises associated with sanctions, national Governments and entities also have a part to play in ensuring full and unhindered access to humanitarian goods and the utmost cooperation with humanitarian aid workers. In addition, guided by the knowledge of the socioeconomic plight of their people due to sanctions, national Governments should desist from actions that are inimical to international peace and security and could potentially attract sanctions.

In my statement, Ghana has not focused on the imposition of unilateral sanctions in violation of international law because that has not been indicated as the primary object of this debate. We nonetheless reaffirm our position that unilateral sanctions that are in violation of international law, which often have far-reaching consequences for affected populations, are unacceptable.

I have also not dwelt on sanctions by other international and regional organizations against their erring members. Although that issue is not within the scope of this debate, it is in line with the accepted principles of international law. Suffice it to say that, as a member country of the Economic Community of West African States (ECOWAS) and the African Union, which have active sanctions regimes in place, I must note that the sanction regimes of those regional bodies have often been effective and usually of a shorter duration. For instance, the sanctions imposed on Mali in August 2020 by the Authority of Heads of State and Government of ECOWAS were lifted by October 2020 when Mali showed its commitment at that time to undertake actions to restore constitutional order following its breach of the ECOWAS Supplementary Protocol on Democracy and Good Governance and the African Charter on Democracy, Elections and Governance.

We are also aware that the humanitarian consequences of sanctions have been exacerbated by the coronavirus disease pandemic. In such exceptional circumstances, we expect and support clear measures of exemptions for humanitarian-related goods, especially those that do not have dual-use purposes. In the case of ECOWAS, our exemption regime has been specific and has included virus-related treatment products among the exempted items.

Finally, let me reiterate that the credibility and legitimacy of sanctions are manifested not only in their ability to achieve desired goals and policy objectives, but also in their capacity to avert humanitarian catastrophes and other unintended consequences.

Mrs. Broadhurst Estival (France) (*spoke in French*): I join others in congratulating you, Madam President, on your presidency of the Security Council for the month of February, and I wish you great success. We also thank Norway for its very successful presidency in January. Finally, I thank Ms. Rosemary DiCarlo and Mr. Martin Griffiths for their briefings.

I would like to begin by noting that Security Council sanctions regimes are an essential instrument to help maintain international peace and security. Sanctions are obviously not an end in themselves; they are part of a political strategy aimed at preventing and resolving conflicts, combating the proliferation of nuclear weapons, countering terrorism and combating violations of international humanitarian law and human rights.

Sanctions have undergone significant changes in recent years, particularly to take into account their potential negative effects on the delivery of humanitarian and medical assistance. We must ensure that they are targeted and proportionate. They must also be flexible and reversible and must be lifted when their objectives are met.

The implementation of Council sanctions is carefully monitored. In that connection, I want to commend the work of the sanctions committees and panels of experts, which play an essential role in that regard.

When a sanctions regime is put in place, the Council has one responsibility — to ensure that humanitarian assistance is delivered to all those in need. Needless to say, the development and implementation of sanctions must be done in full compliance with international humanitarian law.

That is why the Council has introduced humanitarian exemptions to ensure that United Nations sanctions in furtherance of resolution 1988 (2011), concerning the Taliban regime, and those imposed on Somalia, North Korea and Yemen do not impede the humanitarian response. We must continue to take a case-by-case approach and consider the specifics of each context.

The Council has also introduced, at France's initiative, provisions to better preserve the humanitarian space in the sanctions regimes for the Democratic Republic of the Congo, the Central African Republic and Mali. In all cases, we will continue to ensure that robust monitoring mechanisms are implemented in order to avoid any diversion of aid by sanctioned individuals or entities.

Finally, I would like to recall that the European Union (EU) has always acted responsibly by ensuring that the sanctions it adopts do not impede humanitarian action. The European Union's restrictive measures, in accordance with international law, are targeted

in order to avoid or mitigate their potential negative effects. The European Union has put in place special dispensations and exemptions to safeguard the delivery of humanitarian and medical aid.

At the national level, France has set up a direct communication channel between banks and non-governmental organizations. That makes it possible to fight against the phenomenon of overcompliance by banks and to simultaneously counter the financing of terrorism while preserving the humanitarian space.

We must collectively continue to intensify efforts to ensure the delivery of humanitarian and medical aid within the framework of sanctions. But we must act responsibly and avoid instrumentalizing or politicizing the issue of sanctions.

France is taking concrete action to protect the humanitarian space and respond to the needs of populations. The European Humanitarian Forum to be held from 21 to 23 March, which France is organizing with the European Union, is part of this effort.

Mr. De la Fuente Ramírez (Mexico) (*spoke in Spanish*): I begin by reiterating my delegation's support to the Russian Federation for its presidency of the Security Council this month and congratulate Norway on its successful presidency last month. I thank Under-Secretaries-General DiCarlo and Griffiths for their briefings.

The issue we are discussing today is at the heart of Mexico's priorities in the Council. Some time ago, through a joint initiative with Germany and Switzerland, we put the need to safeguard the humanitarian space on the table, and more recently, together with the European Union, we co-sponsored a series of discussions on the protection and safety of humanitarian personnel in conflicts where we also addressed the negative, even if unintended, impact of sanctions.

These initiatives have borne some fruit. We have moved from the debate on whether or not sanctions produce undesirable humanitarian consequences to a stage of action where we are trying to prevent or mitigate their impact. The case of Somalia, the recent strengthening of humanitarian language in the sanctions regime for the Democratic Republic of the Congo, as well as the adoption of resolution 2615 (2021), creating a humanitarian exception in Afghanistan, are concrete examples of this.

However, there is still a long way to go. Despite our request to include agreed language on humanitarian impact in the renewal of the mandates of resolutions 1267 (1999) and 1373 (2001) in the area of combating terrorism, a minority of Council members voiced its opposition, and resolutions 2611 (2021) and 2617 (2021) were adopted last December, unfortunately with such language omitted. These double standards are unacceptable, as they hinder humanitarian action and violate international humanitarian law.

The reality is that, on many occasions, sanctions impose severe restrictions on donors to provide funds and equipment to humanitarian actors. They sometimes also result in criminal proceedings against humanitarian personnel, generate a shock wave of disincentives to participate or cooperate in humanitarian programmes, and end up affecting the very populations we want to help.

That is why Mexico opposes the imposition of unilateral sanctions outside the United Nations system, as in the case of the embargo against Cuba. We reiterate the need to bring this practice to an end, in accordance with General Assembly resolution 75/289.

The President (*spoke in Russian*): I now give the floor to the representative of the Sudan.

Mr. Mohammed (Sudan) (*spoke in Arabic*): At the outset, I would like to warmly congratulate you, Madam President, on assuming the presidency of the Security Council for the month of February. We also thank Norway for its successful presidency last month. In addition, we thank Ms. Rosemary DiCarlo and Mr. Martin Griffiths for their briefings.

We thank the delegation of the Russian Federation for organizing this important debate on “General issues relating to sanctions: preventing their humanitarian and unintended consequences”.

The imposition of sanctions on certain countries by the Security Council has resulted in an ongoing debate on the adverse consequences of these sanctions for the attainment of the goals set out in the Charter of the United Nations. These sanctions also give rise to a multitude of questions related to their effectiveness in the maintenance of international peace and security, as well as their potential impact on the achievement of socioeconomic development in the countries subject to these punitive measures. This debate also goes hand in hand with the overall discussion of and efforts to

reform United Nations sanctions regimes, which is why today’s debate is so important.

The Sudan is deeply concerned by the fact that the Security Council imposes targeted and non-targeted sanctions, which gives rise to ethical issues related to their unintended consequences for vulnerable populations in targeted countries. There are also suspicions of politicization vis-à-vis imposing or lifting these sanctions, which prompts us to question their legitimacy as a tool to exert political pressure.

At present, the Sudan is targeted by sanctions imposed on it under resolution 1591 (2005) and subsequent resolutions. Although these measures are part of targeted sanctions in response to the situation that prevailed in Darfur more than 16 years ago, they nonetheless have had a negative impact on the country as a whole. This is an issue that has been flagged by a number of Chairs of the Sanctions Committee established pursuant to resolution 1591 (2005). Flows of foreign direct investment have been affected, which has generated a climate of mistrust and uncertainty, with negative consequences for the socioeconomic life of the people.

In order to prevent the unintended consequences of sanctions, they should be imposed on a limited basis, with peaceful avenues set out in the Charter being a preferred option. There is also a need to clearly define the objectives of sanctions regimes, based on realistic and relevant foundations that are applicable and avoiding politicization. Furthermore, the imposition of sanctions should be carried out within a determined time frame and lifted once the circumstances justifying their imposition change.

The conditions demanded of targeted countries or parties should be realistic and clearly defined. Sanctions should also be reviewed and reconsidered periodically so as to ensure that they reflect developments that change the triggering conditions. They should never be imposed indefinitely.

The President (*spoke in Russian*): I now give the floor to the representative of South Sudan.

Mr. Malwal (South Sudan): Madam President, allow me to congratulate you and your delegation on the assumption of the presidency of the Security Council for this month, and to tell you that you have the support of my delegation. In the same vein, allow me to welcome to the Council those whose two-year terms

commenced as of 1 January. We wish them well. We would also like to thank Under-Secretaries-General DiCarlo and Griffith for their briefings.

My delegation is grateful to the Russian delegation for convening this debate on “General issues relating to sanctions: preventing their humanitarian and unintended consequences”. Although no sanctions have been imposed on my country directly either by the United Nations or bilaterally by Member States, nevertheless the targeted sanctions imposed unfairly on officials and entities and the arms embargo have impacted the people of South Sudan negatively. The perception that has created is reflected in how the business community has been faced with difficulties in transacting business, especially with the banks or the corresponding banks to the local banks, which, in the time of the coronavirus disease (COVID-19), make trade expensive and take longer. Consumers are feeling the impact in the market, which makes their lives and livelihoods more difficult.

As a country that became independent after a long civil war that spanned more than 50 years and reeled from an internal conflict, South Sudan believes that the Security Council ought to have had alternative mechanisms among its tools for conflict resolution other than sanctions as a means to resolve political problems. But using sanctions as a preferred method to achieve its desired goal without necessarily exhausting better options aggravated the situation, as sanctions or fear thereof polarized the parties and widened the gap in the quest for lasting peace and security, which further aggravated the humanitarian situation, especially during the COVID-19 pandemic.

In conclusion, allow me to reiterate that South Sudan does not support sanctions in any shape or form, especially when they do not achieve their desired and intended goal. The Security Council and the United Nations system in general ought to seek a peaceful world through means other than sanctions. One cannot seek or maintain world peace using harsh means.

The President: I now give the floor to the representative of Mali.

Mr. Konfourou (Mali) (*spoke in French*): I should like to begin by congratulating the Russian presidency of the Security Council for having organized this debate, on preventing the humanitarian and unintended consequences of sanctions.

More than half a century after the establishment of the first sanctions regime, Mali is convinced that today’s discussion will enable a greater understanding of all general sanctions-related issues, particularly the prevention of their unintended humanitarian consequences for innocent people.

I know that the Security Council has made progress since 1968, as underlined this morning, by moving from global to more targeted sanctions so that they are in line with clearly defined objectives from the start, while also implementing carveouts for humanitarian reasons or to promote dialogue in a peace process. Nonetheless, Security Council sanctions could be further improved in the spirit of the 2005 World Summit Outcome document (resolution 60/1), which provides, in its paragraph 106, that sanctions should be

“implemented in ways that balance effectiveness to achieve the desired results against the possible adverse consequences, including socioeconomic and humanitarian consequences, for populations”.

The Security Council will recall that in 2017 it decided on an asset freeze and travel ban against those responsible for blocking the implementation of the Agreement for Peace and Reconciliation in Mali resulting from the Algiers process. Today, four years after its establishment, it has become relevant to undertake a careful process of reflection on the effectiveness of that individual sanctions regime.

The goal of finding a happy medium between the effectiveness and the harmful consequences of sanctions should also inspire regional and subregional organizations when they decide to resort to sanctions against a member State for various reasons. The political, economic and financial sanctions imposed by the Economic Community of West African States (ECOWAS) and the West African Economic and Monetary Union (WAEMU) against Mali on 9 January will have disastrous humanitarian consequences for the Malian population, which has already been sorely tested by a decade of particularly deadly warfare, with the disastrous effects that, alas, we all are aware of.

Most of the sanctions have no legal basis. They are blatant violations of the foundational texts of those organizations and a breach of the principles of solidarity and the pan-African ideal. I would recall, with regard to WAEMU, that an embargo decided by Heads of State and Government enforced against a sovereign State represents a manifest violation of the WAEMU Treaty

and the statute of the Central Bank of Western African States (BCEAO). In addition, an asset freeze against a State or public or quasi-public companies in that State may not be enforced by the Central Bank, which remains a totally independent body to which each member State has conceded its sovereign right of issuance.

Turning to ECOWAS, the Malian Government has denounced and rejected the closure of the land and air borders between ECOWAS member States and Mali. We have further condemned the suspension of trade transactions between ECOWAS countries and Mali as well as the freezing of the assets of the Republic of Mali in ECOWAS central banks. Mali, finally, opposed the freezing of the assets of the Malian State and of public and quasi-public companies in ECOWAS commercial banks.

ECOWAS is trying to explain, unconvincingly, that those sanctions are not targeting the Malian people and that essential products have been spared by the scope of the border closure between ECOWAS member States and Mali, which is a landlocked country. However, the reality is quite different. ECOWAS and WAEMU sanctions essentially target the population of Mali, which instead would require regional solidarity. Indeed, it is with the Government's frozen resources, at the level of the BCEAO, that Mali is running its hospitals, its health-care centres and its schools for the benefit of the Malian people. It is also with those frozen assets that Mali is paying its civil servants and providing water, electricity and other basic social services to its citizens.

Mali was not able to pay back its investors last month owing to the asset freeze on the books of the Central Bank of West African States. That is also preventing Mali from seeking to assist its refugees and displaced persons.

It is therefore clear that the sanctions imposed by ECOWAS are essentially targeting the Malian people. Nonetheless, despite the illegal, illegitimate and inhuman nature of those sanctions, Mali remains open to dialogue with ECOWAS to reach a consensus that takes account of both the best interests of the Malian people and respect for our common organization's principles.

The President: I give the floor to the representative of Iraq.

Mr. Fatah (Iraq) (*spoke in Arabic*): My country's delegation commends the efforts of the Russian delegation, which is presiding over the Security Council

this month, and thanks it for having organized this debate on the humanitarian consequences of sanctions.

Iraq shares the views of many Member States on the need to reduce the negative consequences of the sanctions regimes imposed on countries. Iraq's position is aligned with the clear and transparent position of the Movement of Non-Aligned Countries on sanctions. It is important to be careful when implementing sanctions so as to prevent undue impacts on society and the delivery of humanitarian assistance.

Iraq stresses the importance of being cautious when implementing sanctions regimes, while taking into account the achievement of the Sustainable Development Goals (SDGs). Efforts must be made to prevent any consequences on vulnerable groups, as well as on the health, education and other service sectors of the societies affected. Such consequences would undoubtedly prevent the achievement of the SDGs and impede collective efforts to leave no one behind. We therefore stress the need to protect the interests of all Member States equally.

Despite the socioeconomic and humanitarian consequences of any sanctions regime and the high costs incurred by the society affected, they cannot be compared to the scourge of wars and armed conflicts. For that reason, sanctions regimes must be a means to maintain peace and security and not an end in themselves. They must be targeted, smart and able to achieve their goals without exposing an entire society to shortages and need, because that could lead to violent extremism, the militarization of society or an increase in organized crime.

My country's delegation also stresses the importance of following up the implementation of the sanctions imposed on Da'esh and Al-Qaida and their affiliated individuals and entities, especially in terms of impeding their funding and preventing the cross-border movement of foreign terrorist fighters.

My country's delegation believes that the international community must work together to promote partnership. That principle applies to sanctions regimes as well. We also stress the importance of evaluating the lessons learned from cases in which sanctions were imposed. It is important to establish benchmarks and develop concepts to better protect people from the negative humanitarian consequences of sanctions regimes.

We also stress the importance of establishing benchmarks and practical principles to ensure optimal humanitarian exemptions for the specialized organizations that provide assistance in sanctioned countries. In implementing sanctions and adopting humanitarian exemptions to facilitate and provide adequate assistance, services and supplies to protect societies from the consequences of sanctions, it is also important to take such exemptions into account during natural, environmental and health disasters and challenges such as the coronavirus pandemic.

My country's delegation greatly appreciates the significant support provided by the Security Council to protect the Iraqi funds frozen in Member States pursuant to resolution 1518 (2003). We call upon the Council to urge all States Members of the United Nations to transfer such Iraqi funds to the Government of Iraq as soon as possible in order that they may be invested in the national sustainable development process.

In conclusion, we reaffirm the importance of taking collective action to protect and maintain international peace and security. All Member States have the collective responsibility to spare no effort in promoting and realizing that goal for the benefit of all humankind.

The President (*spoke in Russian*): I now give the floor to the representative of the Bolivarian Republic of Venezuela.

Mr. Moncada (Bolivarian Republic of Venezuela) (*spoke in Spanish*): I will deliver an abridged version of my statement on behalf of the Group of Friends in Defence of the Charter of the United Nations. I have the honour to speak on behalf of the delegations of Algeria, Angola, Belarus, Bolivia, Cambodia, China, Cuba, the Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, Iran, the Lao People's Democratic Republic, Nicaragua, the State of Palestine, Russia, Saint Vincent and the Grenadines, Syria, Zimbabwe and my own country, the Bolivarian Republic of Venezuela, all of which are members of the Group of Friends.

The Group of Friends recognizes the authority, functions and powers of the Security Council in the maintenance of international peace and security. We believe, however, that the measures provided for in Chapter VII must be taken only as a last resort and in accordance with the purposes and principles enshrined in the Charter of the United Nations.

Full consideration must be given to the short- and long-term effects of measures taken or to be taken by the Security Council, precisely in order to ensure that unintended consequences, in particular the negative impact on civilians and the provision of humanitarian assistance, are avoided and prevented at all times. We emphasize the need to ensure that the populations of States subject to such measures not be directly or indirectly victimized or deprived of their own means of subsistence and development.

Similarly, efforts must also be made to address concerns about issues of due process and transparency in inclusion, exclusion and exemption procedures, including those of a humanitarian nature and in relation to the possibility that the populations of countries subject to such measures be allowed access to adequate resources for the financing of humanitarian imports, especially as a concrete way to prevent any possible negative humanitarian and socioeconomic impacts of measures adopted by the Security Council on the basic living conditions of the civilian population.

We also reject the manipulation of humanitarian assistance for political purposes. Humanitarian assistance constitutes a fundamental component of the protection of civilians in armed conflict and must be provided in accordance with the guiding principles set out in General Assembly resolution 46/182.

We must raise awareness of the growing and worrisome trend that, when it comes to sanctions, the authority and powers of the Security Council have been usurped by a number of States that consider unilateral coercive measures — whether political or economic in nature — as their preferred instrument for exerting pressure, particularly on developing countries, in order to bend the sovereign will of another State to win any kind of advantage. That practice is not only a flagrant violation of the Charter but also a sign of contempt for the authority and powers of this organ, which in turn undermines its integrity and effectiveness.

Today we are seeing not only an unprecedented resort to unilateral sanctions but also a new generation of illegal measures, which are currently much crueller and more destructive. Such illegal measures are used as weapons in the pursuit of geopolitical and economic objectives, but now their implementation is being expanded by and coordinated among a larger group of Governments.

It is what might be called the new group unilateralism. Its goal, however, remains the same — to bend the political will of sovereign and independent nations and restrict their industrial development and technological progress, while inflicting the greatest possible pain and suffering on their populations — all within the framework of a policy of maximum calculated cruelty.

The implementation of unilateral coercive measures — the goal of which is to attack the civilian population as part of a generalized and systematic policy that ultimately generates unnecessary suffering amounting to crimes against humanity — impedes the full achievement of economic and social development, particularly in developing countries, and consequently has a negative impact on the realization and full enjoyment of human rights. In other words, they create and exacerbate poverty and inequality and represent a deliberate attack on the right to development. Likewise, interference in the internal and sovereign affairs of States, coupled with the imposition of economic, financial or commercial unilateral coercive measures, in addition to representing widespread violation of human rights and causing great suffering and pain for entire populations, deliberately fuels conflicts and crises, including through the creation of intentional human-made humanitarian crises by the very sponsors of those illegal measures, which have now even become structural factors and key drivers of contemporary crises.

We therefore call on the Security Council to condemn once and for all the imposition and strengthening of unilateral coercive measures, particularly amid the worst pandemic facing humankind in the past 100 years. We further call on the Council not to ignore the many calls for their elimination, particularly in the current international situation. Their negative and often tragic impact, as documented by independent United Nations experts, added to the impact of secondary sanctions and the phenomenon of so-called overcompliance, continues to prevent States under unilateral coercive measures from effectively and promptly obtaining food, medicines, supplies, equipment, vaccines and other essential goods for the civilian population. That clearly demonstrates the ineffectiveness, or rather the non-existence, of the supposed humanitarian exemptions in force. That is acknowledged in the conclusions of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights.

In conclusion, the Group of Friends undertakes to spare no effort in preserving, promoting and defending the validity and primacy of the United Nations Charter. To that end, we must, on the one hand, ensure that unilateral sanctions are fully and immediately lifted and, on the other hand, move forward in conducting a comprehensive and exhaustive review of measures imposed by the Security Council so as to ensure that they are in accordance with the letter and spirit of the principles enshrined in our founding Charter.

The meeting rose at 12.45 p.m.