## FACT SHEET ON THE 751 SOMALIA SANCTIONS COMMITTEE (1992)

### Chair (as of 1 Jan 2019)
Marc Pecsteen de Buytswerve (Belgium)

### Mandate
Oversight implementation of the sanctions measures; consider and decide upon notifications and requests for exemptions; designate individuals and entities; receive and send notifications regarding maritime interdiction of charcoal and arms; examine member states’ reports; examine the reports presented by the Somalia Panel of Experts; examine the findings of the arms and ammunition joint verification team for Somalia; report every 120 days to the Security Council on the implementation of the sanctions measures; conduct outreach activities.

### Types of Sanctions
Somalia: Open-ended general arms embargo and targeted arms embargo on designated individuals and entities (partially lifted until 15 November 2020); travel ban; assets freeze; charcoal ban. Authorisation of maritime interdiction of charcoal and arms expires on 15 November 2020.

In resolution 2498 of 15 November 2019 a new element was added in the way of an improvised explosive device components ban. The resolution called on all states to prevent the direct or indirect sale, supply or transfer of the items from their territories or by their nationals outside their territories, or using their flag vessels or aircraft if there is evidence to demonstrate that they will be used, or a significant risk they may be used, in the manufacture of improvised explosive devices in Somalia.

The Council lifted all sanctions imposed on Eritrea and terminated the mandate of the Somalia and Eritrea Monitoring Group in resolution 2444 of 14 November 2018. In that same resolution, the Council requested the Secretary-General to keep it informed of developments towards the normalisation of relations between Eritrea and Djibouti and to report to the Security Council no later than 15 February 2019 and every six months thereafter, and expressed its intention to keep this request under review in light of developments. In resolution 2498 of 15 November 2019 this reporting was altered. The Council requested the Secretary-General to provide an update no later than 31 July 2020, eliminating the requirement of every six months.

### Number of Listed Individuals/Entities

### Travel Ban/Asset Freeze Listing Criteria
- engaging in, or providing support for, acts that threaten the peace, security or stability of Somalia;
- acting in violation of the arms embargo;
- obstructing the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia;
- recruiting or using children in armed conflicts in Somalia in violation of applicable international law;
- being responsible for violations of applicable international law in Somalia involving the targeting of civilians including children and women in situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals, and abduction and forced displacement;
- engaging in the direct or indirect export or import of charcoal from Somalia, whether or not such charcoal originated in Somalia;
- engaging in any non-local commerce via Al-Shabaab controlled ports, which constitutes financial support for a designated entity; or
- misappropriating financial resources which undermine the Transitional Federal Institutions’ and their post-transition successors’ ability to fulfill their obligations in delivering services within the framework of the Djibouti Agreement.

### Exemptions
Arms embargo: supplies of non-lethal military equipment intended solely for humanitarian or protective use; supplies of weapons or military equipment and technical assistance for the development of the security forces of the FGS or for the purposes of helping develop other Somali security sector institutions; supplies of weapons or military equipment or the provision of assistance to UN personnel, the AU Mission in Somalia, the EU Training Mission in Somalia, member states or international, regional and subregional organisations undertaking measures to suppress acts of piracy and armed robbery at sea off the coast of Somalia at the request of the FGS; supplies of protective clothing, including flak jackets and military helmets, temporarily exported to Somalia or Eritrea by UN personnel, representatives of the media and humanitarian and development workers and associated personnel.

Travel ban (currently no exemptions in effect); humanitarian grounds, including religious obligation; to further the objectives of peace and stability in the region; to further the objectives of peace and national reconciliation in Somalia.

Assets freeze: for basic expenses; for extraordinary expenses; for expenses subject to a judicial, administrative or arbitral lien or judgement.

### Delisting Procedures
Member states may at any time submit to the Committee requests for delisting of individuals and entities inscribed on the sanctions lists. An individual seeking to submit a request for delisting can do so either directly to the Focal Point for Delisting or through his/her state of residence or nationality.

A state can decide that as a rule, its nationals or residents should address their delisting requests directly to the Focal Point for Delisting.
### Monitoring Mechanism/Panel of Experts

Panel of Experts based in Nairobi comprised of six experts, five of which were last appointed on 16 December 2019:

- Natascha Hryckow, maritime/regional (Australia, coordinator)
- Nazanine Moshiri, armed groups (Islamic Republic of Iran)
- Brian O’Sullivan, armed groups/natural resources (Ireland)
- Matthew Rosbottom, finance (UK)
- Richard Zabot, arms (France)

The sixth expert was appointed on 13 January 2020:
- Irene Raciti, humanitarian affairs (Italy)

On 29 May 2020, upon the resignation of the previous armed groups expert, a new expert was appointed:
- Patrick Loots, armed groups (South Africa).

The Panel’s mandate was last extended on 15 November 2019 in resolution 2498, until 15 December 2020. Most recent publicly available report was submitted on 1 November 2019, with a correction published on 20 February 2020.

### Decision-Making

Committee decisions are made by consensus. If consensus cannot be reached, the matter may be submitted to the Security Council. Decisions may be taken by a written “no-objection procedure” within five working days or, in urgent situations such shorter period as the chair shall determine. If no objection is received by the end of the specified period, the proposed decision will be deemed adopted. Members can place a hold on a proposed decision, but normally not for more than six months. An extension of up to one month can be requested based on “extraordinary circumstances.”

### Committee Reporting to the Council

The chair of the committee is required to brief the Council at least every 120 days. These briefings take place in either open meetings or closed consultations.

Briefings by the chair in 2019: three (25 February, 26 June and 25 October).

Briefings by the chair in 2020, so far: two (27 February and 9 June).

### Open Briefings for Wider UN Membership

According to the Committee Guidelines, the chair will on a regular basis hold briefings for all interested member states. Public briefings at the Council were held recently on 25 October 2019, 27 February 2020, and 9 June 2020.

### Summary of Committee Activities (1 Jan-31 Dec 2019)

Meetings: five informal consultations (on 1 February, 18 April, 15 May and 3 and 15 October).

In addition to regular meetings with its Panel of Experts, the committee met with the National Security Adviser to the President of the Federal Government of Somalia, the Deputy Director of the Operations and Advocacy Division of the Office for the Coordination of Humanitarian Affairs, and the Head of the Global Maritime Crime Programme of the United Nations Office on Drugs and Crime.

Actions taken by the committee:
- On 12 and 25 February and 8 May, respectively, in accordance with paragraph 9 of resolution 2444 (2018) which requested updates to the guidelines now that the sanctions on Eritrea had been lifted, the committee amended its Implementation Assistance Notice No. 1 on the charcoal ban, its guidelines for the conduct of its work and its Implementation Assistance Notice No. 2 on the arms embargo. The committee sent 26 communications to 12 member states and other stakeholders about implementation of the sanctions.

### Member States Reporting Obligations

Resolution 2498 requested the Somali government to report by 15 February 2020 and then by 15 August 2020, on the structure, composition, strength and disposition of its Security Forces, including the status of regional and militia forces.

Member states are to strictly follow the procedures for notifying the Council when providing assistance to develop Somali security sector institutions. Member states that conduct maritime interdiction activities are also required to promptly notify the committee and submit a report on the inspection.

### UN Documents

#### Security Council Resolutions

- **S/RES/2444** (14 November 2018) was a resolution lifting sanctions on Eritrea and extending various elements of the Somalia sanctions regime until 15 November 2019.
- **S/RES/1907** (23 December 2009) imposed an arms embargo and targeted sanctions against Eritrea.
- **S/RES/751** (24 April 1992) established a Committee to oversee a general and complete arms embargo on Somalia.

#### Sanctions Committee Documents

- **S/2020/470** (29 May 2020) was a letter from the Secretary-General transmitting the name of a new armed groups experts after the resignation of the previous expert.
- **S/2020/42** (13 January 2020) was a letter from the Secretary-General transmitting the name of the final sixth expert appointed to the panel of experts.
- **S/2019/858/Corr.1** (14 February 2020) was a corrected version of the report on Somalia sanctions.
- **S/2019/977** (16 December 2019) was a letter from the Secretary-General transmitting the names of five appointed to the panel of experts.
- **S/2019/858** (1 November 2019) was the report from the Panel of Experts on Somalia.

#### Other

- **S/2019/978** (20 December 2019) was the annual report of the Committee.