



Executive Summary: Solutions Proposal to Address the Negative Impact of Counterterrorism Measures and Sanctions on Humanitarian Action

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At a glance

This IASC paper offers an overview and evaluation of specific actions that the UN Security Council, States, and other stakeholders have taken or may consider in the future, to mitigate the impact of sanctions and counterterrorism measures on humanitarian operations. It discusses the merits of these actions from a humanitarian perspective and suggests a collective IASC approach towards each (whether/when to advocate for or explore it further). The objective is to help IASC members identify specific actions to promote at the policy level and in particular contexts. Actions are categorised by whether they pertain to the design, implementation, or monitoring and evaluation of sanctions and counterterrorism measures.

Three key pieces of guidance for field leaders

1. Mitigating the impact of sanctions and counterterrorism measures to the fullest extent possible requires a range of concerted actions by all political, legislative, and administrative bodies involved in designing and implementing such measures, as well as ongoing impact monitoring and evaluation.
2. In practice, sanctions and counterterrorism measures generate various issues often addressed in a case-by-case, context specific manner by States, specific State Agencies, and/or the Security Council. Some of these issues call for legal fixes while others relate to implementation policies or practices (from banks, donors, the host State, counterterrorism bodies, etc.); some affect an entire operation or several operations, others affect some organisations only, in specific contexts. Depending on the case, the solutions put forward and the advocacy strategy may not be the same.
3. There is broad consensus amongst IASC members to advocate for certain measures at the policy level and across contexts, including:
 - The introduction of humanitarian safeguards across sanctions and counterterrorism legislations, excluding the activities of humanitarian organisations and incident transactions from the scope of prohibited acts;
 - Increased, systematic dialogue between States, multilateral organisations, financial institutions, UN Agencies and humanitarian NGOs on counterterrorism and sanctions issues;
 - The provision of guidance and clarifications on the implications of sanctions and counterterrorism measures for humanitarian action and organisations, and of specific reassurances to humanitarian organisations and private companies, by relevant sanctions/counterterrorism bodies;
 - Mandating relevant sanctions and counterterrorism bodies at UN, regional and national levels, to monitor and report on the humanitarian impact of the measures falling under their competency.

What does the full Solutions Proposal offer?

The paper proposes possible mitigating measures that are not necessarily consensual across contexts but may be advocated for in specific circumstances. It discusses the pros and cons of each mitigating measure in details, provides examples of good practice, and suggests possible formulation for humanitarian safeguards.

The full IASC product is available at <https://iasc.ch/coter-solutions-proposal-2021>

For support using this product, or to provide feedback on the product or this summary, contact OCHA-PAPS (piacibello@un.org) or the IASC secretariat at: iasccorrespondence@un.org.

Summary drafted by: OCHA-Policy Advice and Planning Section