

NATIONAL SANCTIONS SECRETARIAT

Notice regarding 2140 Sanctions List concerning Yemen

Notice is hereby given that on **28 February 2022**, the United Nations Security Council Committee, at its 8981st meeting, **adopted** the Resolution 2624 (2022). Acting under Chapter VII of the Charter of the United Nations, the Security Council has **decided** to renew until **28 February 2023** the measures imposed by paragraphs 11 and 15 of resolution 2140 (2014) and has reaffirmed the provisions of paragraphs 12, 13, 14 and 16 of resolution 2140 (2014). The Security Council has also reaffirmed its decision that the Committee may, on a case-by-case basis, exempt any activity from the sanctions measures imposed by the Security Council in resolutions 2140 (2014) and 2216 (2015) if the Committee determines that such an exemption is necessary to facilitate the work of the United Nations and other humanitarian organisations in Yemen or for any other purpose consistent with the objectives of these resolutions.

The Security Council has further reaffirmed the provisions of paragraphs 14 to 17 of resolution 2216 (2015). The Security Council has decided that **THE HOUTHIS** shall be subject to the measures imposed by paragraph 14 of resolution 2216 (2015). With regard to **THE HOUTHIS**, the National Sanctions Secretariat has issued a public notice on 02 March 2022. The Security Council has also urged all Member States to respect and implement their obligations to prevent the direct or indirect supply, sale or transfer to, or for, the benefit of listed individuals and entities and those acting on their behalf or at their direction in Yemen, of arms and related materiel of all types, as set out in paragraph 14 of resolution 2216 (2015).

The Security Council has also extended until **28 March 2023** the mandate of the Panel of Experts.

Measures required by paragraph 11 of resolution 2140 (2014)

1. All Member States shall freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the individuals or entities designated by the Committee, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them;
2. All Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities designated by the Committee.

Non application of measures required by paragraph 11 of resolution 2140 (2014)

The measures required by paragraph 11 of resolution 2140 (2014) do **not** apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

- (a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services in accordance with national laws, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant State to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;
- (b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State or Member States to the Committee and has been approved by the Committee;
- (c) To be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated by the Committee, and has been notified by the relevant State or Member States to the Committee.

Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 11 of resolution 2140 (2014) of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen.

The measures mentioned in paragraph 11 of resolution 2140 (2014) shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 11 of resolution 2140 (2014), and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, 10 working days prior to such authorization.

Measures required by paragraph 15 of resolution 2140 (2014)

All Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated by the Committee, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory.

Non application of measures required by paragraph 15 of resolution 2140 (2014)

The measures required by paragraph 11 of resolution 2140 (2014) shall **not** apply:

- (i) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;
- (ii) Where entry or transit is necessary for the fulfilment of a judicial process;
- (iii) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in Yemen; and
- (iv) Where a State determines on a case-by-case basis that such entry or transit is required to advance peace and stability in Yemen and the States subsequently notifies the Committee within forty-eight hours after making such a determination.

Measures required by paragraphs 14 to 17 of resolution 2216 (2015)

- a) All Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to, or for the benefit of individuals and entities designated by the Committee and those acting on their behalf or at their direction in Yemen, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories;
- b) Member States are called upon, in particular States neighbouring Yemen, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to Yemen, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, or transfer of which is prohibited by paragraph 14 of resolution 2216 (2015) for the purpose of ensuring strict implementation of those provisions;
- c) All Member States are authorized to and shall, upon discovery of items the supply, sale, or transfer of which is prohibited by paragraph 14 of resolution 2216 (2015), seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) of such items and decides further that all Member States shall cooperate in such efforts;

- d) Any Member State is required when it undertakes an inspection pursuant to paragraph 15 of resolution 2216 (2015), to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items for supply, sale, or transfer are found, further requires such Member States to submit to the Committee within 30 days a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report.

It is highlighted that the prohibitions, travel ban, and arms embargo under Sections 23, 24, 35 and 36 of the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act 2019 still apply as indicated above.

The Consolidated United Nations Security Council Sanctions List is also updated following changes made in the 2140 Sanctions List concerning Yemen. An updated version of the Consolidated List is accessible via the following URL:
<https://www.un.org/securitycouncil/content/un-sc-consolidated-list>

For any query, please contact the National Sanctions Secretariat as follows:

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