

SECURITY COUNCIL COMMITTEE ESTABLISHED  
PURSUANT TO RESOLUTION 2140 (2014)

29 October 2021

**GUIDELINES OF THE COMMITTEE  
FOR THE CONDUCT OF ITS WORK**

**adopted on 4 April 2014, amended on 29 July 2015, 1 April 2016, 8 March 2017, and 29 October, 2021<sup>1</sup>**

**1. The Security Council Committee established pursuant to resolution 2140 (2014)**

- (a) The Security Council Committee established pursuant to resolution 2140 (2014) shall hereinafter be referred to as “the Committee”. The Committee is a subsidiary organ of the Security Council and consists of all the Members of the Council.
- (b) The Chair of the Committee will be appointed by the Security Council to serve in his/her personal capacity. The Chair will be assisted by one or two delegations who will act as Vice-Chairs, and who will also be appointed by the Security Council.
- (c) The Committee is assisted by a Panel of Experts mandated by paragraphs 21 of resolutions 2140 (2014) and resolution 2216 (2015).
- (d) The Secretariat of the United Nations will provide the Committee with secretariat support.

**2. Mandate of the Committee**

- (a) The Committee’s mandate, as defined in paragraph 19 of resolution 2140 (2014) and paragraph 20 of resolution 2216 (2015), is as follows:

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<sup>1</sup> The updated Guidelines are available on the Committee’s website:  
<https://www.un.org/securitycouncil/sanctions/2140/committee-guidelines>.

- i. To monitor implementation of the measures imposed in paragraphs 11 and 15 of resolution 2140 (2014) and paragraph 14 of resolution 2216 (2015) which were renewed and reaffirmed in paragraph 2 of resolution 2564 (2021) (hereinafter known as “**the measures**”) with a view to strengthening, facilitating and improving implementation of these measures by Member States;
- ii. To seek and review information regarding those individuals and entities who may be engaging in the acts described in paragraph 17 and 18 of resolution 2140 (2014) and paragraph 19 of resolution 2216 (2015);
- iii. To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures;
- iv. To receive reports submitted by Member States on cargo inspections undertaken pursuant to paragraph 15 of resolution 2216 (2015);
- v. To examine and take appropriate action on information regarding alleged non-compliance with the measures;
- vi. To designate individuals and entities to be subject to the measures;
- vii. To consider and decide upon requests for exemptions from the assets freeze and travel ban measures in accordance with paragraphs 12 and 16 of resolution 2140 (2014), as well as to exempt any activity from the sanctions measures imposed by the Security Council in resolutions 2140 (2014) and 2216 (2015), in accordance with paragraph 3 of resolution 2511 (2020);
- viii. To update these guidelines as may be necessary to facilitate the implementation of the measures;
- ix. To report to the Security Council as deemed necessary by the Committee, or as required by the Security Council;
- x. To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures.

- (b) The Committee is also directed to cooperate with other relevant Security Council Sanctions Committees, in particular the Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida, and associated individuals, groups, undertakings and entities.

### **3. Meetings of the Committee**

- (a) Meetings of the Committee, both formal and informal, will be convened at any time the Chair deems necessary, or at the request of a Member of the Committee. Two working days notice will be given for any meeting of the Committee, although shorter notice may be given in urgent situations.
- (b) The Chair will preside over formal meetings and informal consultations of the Committee. When he/she is unable to chair a meeting, he/she will nominate one of the Vice-Chairs or another representative of his/her Permanent Mission to act on his/her behalf.
- (c) The Committee will meet in closed session unless it decides otherwise. The Committee may invite non-members of the Committee, including other UN Member States, the Secretariat, regional, subregional and international organizations, NGOs and individual experts, to participate in its meetings and informal consultations for the purpose of providing information or explanations relating to any violations or alleged violations of the sanctions measures imposed by resolutions 2140 (2014) and 2216 (2015), or to address the Committee and assist it, on an *ad hoc* basis, if necessary and useful to the progress of its work. The Committee will consider requests from Member States to send representatives to meet with the Committee for more in-depth discussion of relevant issues or to give voluntary briefings on their efforts to implement the measures, including particular challenges that hinder full implementation of the measures.
- (d) The Committee may invite the members of the Panel of Experts established pursuant to paragraph 21 of resolution 2140 (2014) and increased by paragraph 22 of resolution 2216 (2015) to attend meetings as appropriate.
- (e) The meetings and informal consultations of the Committee will be announced in *The Journal of the United Nations*.

#### 4. **Decision-making**

- (a) The Committee shall make decisions by consensus of its Members. If consensus cannot be reached on a particular issue, the Chair may undertake such further consultations as may facilitate agreement, or encourage bilateral exchanges between Member States, as he/she deems appropriate, in order to clarify the issue prior to a decision. If, after these consultations, consensus still cannot be reached, the matter may be submitted to the Security Council by the Chair or by the Committee member concerned.
- (b) Communications regarding exemptions from the travel ban, assets freeze and/or targeted arms embargo shall be considered in accordance with the procedures set out in paragraph 12 (a), (b), (c) and paragraph 16 (a), (b), (c) of resolution 2140 (2014), and paragraph 3 of resolution 2511 (2020), as described in Sections 9, 10 and 11 below.
- (c) Decisions may be taken by a written “no-objection procedure”. In such cases, the Chair will circulate to all Members of the Committee the proposed decision of the Committee, and will request Members of the Committee to indicate, in written form, any objection they may have to the proposed decision 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. Objections received after the defined period will not be considered.
- (d) In the absence of an objection being indicated, a Committee Member may request more time during the no-objection procedure, to consider a proposal by placing a hold on the matter. In such cases, the matter will be considered as “pending”. The Secretariat shall notify the Committee Members of any holds. If the Committee Member that placed a hold requires additional information to resolve the pending matter, it may ask the Committee to request additional information from the State(s) concerned.
- (e) A matter will remain pending until either any one Committee Member that placed a hold objects to the proposed decision, or all holds are lifted.

- (f) The Committee shall ensure that no matter is left pending for a period longer than six months. At the end of the six-month period the pending matter shall be deemed approved unless (i) a Committee Member concerned has objected to the proposal; or (ii) the Committee determines, at the request of the Committee Member concerned, on a case by case basis that extraordinary circumstances require additional time to consider the proposal and extends the time for consideration by up to one month at the end of the six- month period. At the end of this additional period, the pending matter shall be deemed approved unless the Committee Member concerned has objected to the proposal.
- (g) A hold placed on a matter by a Member of the Committee will cease to have effect at the time its membership of the Committee ends. New Members shall be informed of all pending matters one month before their membership begins and are encouraged to inform the Committee of their position on relevant matters, including possible approval, objection or hold, at the time they become Members.
- (h) The Committee will regularly review, as necessary, the status of pending issues as updated by the Secretariat.

## 5. Listing

- (a) The Committee will decide on the designation of individuals and entities referred to in paragraphs 11 (assets freeze) and 15 (travel ban) of resolution 2140 (2014) and paragraph 14 (targeted arms embargo) of resolution 2216 (2015) on the basis of the criteria contained in paragraphs 17 and 18 of resolution 2140 (2014), paragraph 19 of resolution 2216 (2015) and paragraph 6 of resolution 2511 (2020) (hereinafter known as the “**designation criteria**”).
- (b) The Committee will consider all written requests from Member States, to add the names of individuals or entities to the List within five working days from the date of official transmittal of such requests to Committee members. If no objections are received within the defined time period, the additional names will be promptly incorporated into the List.

- (c) Member States are advised to submit names as soon as they gather the supporting evidence of actions that meet the designation criteria. When submitting names of entities, States are encouraged, if they deem it appropriate, to propose for listing at the same time the names of the individuals responsible for the decisions of the entity concerned.
- (d) Member States shall provide a detailed statement of case in support of the proposed listing that forms the basis or justification for the listing in accordance with the designation criteria. The statement of case should provide as much detail as possible on the basis for listing indicated above, including: (1) specific findings and reasoning demonstrating that the criteria are met; (2) the nature of the supporting evidence (e.g., reports of the Panel of Experts, intelligence, law enforcement, judicial, media, admissions by subject, etc.); and (3) supporting evidence or documents that can be supplied. States should include details of any connection with a currently listed individual or entity. States shall identify those parts of the statement of case that may be publicly released, including for the purpose of notifying or informing the listed individual of the listing, and those parts that may be released upon request to interested States.
- (e) Proposed additions to the List shall include as much relevant and specific information as possible on a proposed name, in particular sufficient identifying information to allow for the positive identification of the individual or entity concerned by competent authorities, including:
- i. For individuals: family name/surname, given names, other relevant names (in original and Latin scripts), date of birth, place of birth, nationality/citizenship, gender, aliases, employment/occupation, State(s) of residence, passport or travel document (including date and place of issue) and national identification number, current and previous addresses, professional or functional title, website addresses, current location, bank account number(s) and any other information relevant to facilitate the application of the measures;

- ii. For entities: name, registered name, short name(s)/acronyms, and other names (in original and Latin scripts) by which it is known or was formerly known, addresses, headquarters, branches/subsidiaries, affiliates, fronts, nature of business or activity, State(s) of main activity, leadership/management/corporate structure, registration (incorporation), tax or other identification number, website addresses, bank account number(s), and other information relevant to facilitate the application of the measures.
- (f) The Committee will consider expeditiously requests to update the List. If a proposal for listing is not approved within the decision-making period as set out in paragraph 4 (c) above, the Committee will inform the submitting State, including all co-designating States, of the status of the request.
- (g) The Secretariat shall inform Member States of new entries to the List and shall include the publicly releasable portion of the statement of case.
- (h) Following a new listing, the Secretariat shall make accessible on the Committee's website a narrative summary of reasons for listing for the corresponding entry or entries on the List.
- (i) The Secretariat shall, after publication but within one week after the listing of an individual or entity, notify the Permanent Mission of the country or countries where the individual or entity is believed to be located, and in the case of individuals, the country of which the person is a national (to the extent this information is known). The Secretariat shall include with this notification, a copy of the publicly releasable portion of the statement of case, a description of the effects of designation, as set forth in the relevant resolutions, the Committee's procedures for considering delisting requests, and the provisions for available exemptions. The letter shall remind States receiving such notification that they are required to take, in accordance with their domestic laws and practices, all possible measures to notify or inform in a timely manner the newly listed individuals and entities on the List of the measures imposed on them, any information on reasons for listing available on the Committee's website as well as all the information provided by the Secretariat in the above-mentioned notification.

**6. The List**

- (a) The Committee will maintain a List of individuals and entities designated pursuant to the criteria set out in paragraphs 17 and 18 of resolution 2140 (2014), paragraph 19 of resolution 2216 (2015) and paragraph 6 of resolution 2511 (2020).
- (b) The Committee will keep the List under continuous review and update it regularly, when it has agreed to include or delete relevant information in accordance with the decision-making procedures set out in these guidelines. Relevant information for updating the List may notably include additional identifying information and other information, along with supporting documentation, including the movement, incarceration, or death of listed individuals and other significant events, as such information becomes available.
- (c) The updated List will be made promptly available in all official languages on the website of the Committee. At the same time, any amendment to the List, following the Committee's approval, will be communicated to Member States immediately through Notes Verbales and United Nations Press Releases.
- (d) At the same time as an update, as provided for in paragraph 6 (b) above, is made to the Committee's sanctions list in accordance with the decision-making procedure set out in these guidelines, the Secretariat shall also update the United Nations Security Council Consolidated List.
- (e) The Committee will explore the modalities for coordination and cooperation with INTERPOL, particularly as regards the usage of the INTERPOL-United Nations Security Council Special Notice to alert law enforcement authorities worldwide that an individual is subject to United Nations sanctions.
- (f) Once the updated List is communicated to Member States, States are encouraged to circulate it widely, such as to banks and other financial institutions, border points, airports, seaports, consulates, customs agents, intelligence agencies, alternative remittance systems and charities.



## 7. **Delisting**

- (a) Member States may submit at any time requests for delisting of individuals and entities inscribed on the List.
- (b) Without prejudice to available procedures, a petitioner (individuals or entities on the List) may submit a petition to request review of the case. This can be done either directly to the Focal Point for De-listing established pursuant to resolution 1730 (2006)<sup>2</sup> as outlined in paragraph (i) below, or through his/her State of residence or nationality as outlined in paragraph (j) below. In cases where listings are made directly by a resolution of the Security Council, the Committee assumes the role of the designating State(s).
- (c) A State can decide that as a rule, its nationals or residents should address their delisting requests directly to the Focal Point for De-listing. The State will do so by a declaration addressed to the Chair that will be published on the Committee and Focal Point for De-listing's websites.
- (d) The petitioner should explain in the delisting request why the designation does not or no longer meets the designation criteria, in particular through countering the reasons for listing as stated in the publicly releasable portion of the statement of case described above. The delisting request should also include the petitioner's current occupation and/or activities, and any other relevant information. Any documentation supporting the request can be referred to and/or attached together with the explanation of its relevance, where appropriate.
- (e) For a deceased individual, the petition shall be submitted either directly to the Committee by a State, or through the Focal Point for De-listing by his/her legal beneficiary, together with an official documentation certifying that status. The delisting request shall include a death certificate or similar official documentation confirming the death. The submitting State or the petitioner should also ascertain and inform the Committee whether or not any legal beneficiary of the deceased's estate or any joint owner of his/her assets is on the List.

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<sup>2</sup> Information on the Focal Point for De-listing is available on the Committee's website (<https://www.un.org/securitycouncil/sanctions/delisting>)

- (f) If a petitioner chooses to submit a petition to the Focal Point for De-listing, the latter would perform the following tasks, as specified in the Annex to resolution 1730 (2006):
- i. Receive delisting requests from a petitioner (individuals on the List);
  - ii. Verify if the request is new or is a repeated request;
  - iii. If it is a repeated request and if it does not contain any additional information, return it to the petitioner;
  - iv. Acknowledge receipt of the request to the petitioner and inform the petitioner on the general procedure for processing that request;
  - v. Forward the request, for their information and possible comments, to the designating State(s) and to the State(s) of nationality and residence. These States are urged to review delisting petitions in a timely manner and indicate whether they support or oppose the request in order to facilitate the Committee's review. The State(s) of nationality and residence are encouraged to consult with the designating State(s) before recommending delisting. To this end, they may approach the Focal Point for De-listing, which, if the designating State(s) so agree(s), will put them in contact with the designating State(s);
    - a) If, after these consultations, any of these States recommend delisting, that State will forward its recommendation, either through the Focal Point for De-listing or directly to the Chair, accompanied by that State's explanation. The Chair will then place the delisting request on the Committee's agenda;
    - b) If any of the States, which were consulted on the delisting request under subparagraph v. above oppose the request, the Focal Point for De-listing will so inform the Committee and provide copies of the delisting request. Any member of the Committee, which possesses information useful for evaluating the delisting request, is encouraged to share such information with the States that reviewed the delisting request under subparagraph v. above;

- c) If, after a reasonable time (3 months), none of the States which reviewed the delisting request under subparagraph v. above comment, or indicate that they are working on the delisting request to the Committee and require an additional definite period of time, the Focal Point for De-listing will so notify all members of the Committee and provide copies of the delisting request. Any member of the Committee may, after consultation with the designating State(s), recommend delisting by forwarding the request to the Chair, accompanied by an explanation. (Only one member of the Committee needs to recommend delisting in order to place the issue on the Committee's agenda.) If after one month, no Committee member recommends delisting, then it shall be deemed rejected and the Chair shall inform the Focal Point for De-listing accordingly;
- vi. The Focal Point for De-listing shall convey all communications, which it receives from Member States, to the Committee for its information;
- vii. Inform the petitioner:
  - a) Of the decision of the Committee to grant the delisting petition; or
  - b) That the process of consideration of the delisting request within the Committee has been completed and that the petitioner remains on the List.
- viii. Where appropriate, the Focal Point for De-listing will inform the reviewing States of the outcome of the delisting petition.
- (g) If the petitioner submits the petition to the State of residence or nationality, the procedure outlined in the subparagraphs below shall apply:
  - i. The State to which a petition is submitted (the petitioned State) should review all relevant information and then approach bilaterally the designating State(s) to seek additional information and to hold consultations on the delisting request;
  - ii. The designating State(s) may also request additional information from the petitioner's State of nationality or residence. The petitioned and the designating State(s) may, as appropriate, consult with the Chair during the course of any such bilateral consultations;

- iii. If, after reviewing any additional information, the petitioned State wishes to pursue a delisting request, it should seek to persuade the designating State(s) to submit jointly or separately a request for delisting to the Committee. The petitioned State may, without an accompanying request from the designating State(s), submit a request for delisting to the Committee, pursuant to the no-objection procedure;
- iv. Where appropriate, the Chair will inform the reviewing States of the outcome of the delisting petition.
- (h) The Secretariat shall, within one week after a name is removed from the List, notify the Permanent Mission of the State or States where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known). The notification shall remind States receiving such notification that they are required to take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner.

## **8. Updating the existing information on the List**

- (a) The Committee shall consider and decide, in accordance with the following procedures, on updating the List, with additional identifying information and other information, along with supporting documentation, including the movement, incarceration, or death of listed individuals and other significant events, as such information becomes available.
- (b) The Committee may approach the original designating State and consult with it on the relevance of the submitted additional information. The Committee may also encourage Member States or regional, subregional or international organizations, such as INTERPOL, providing such additional information to consult with the original designating State. The Secretariat will, subject to the designating State's consent, assist in establishing the appropriate contacts.
- (c) The Panel of Experts may also provide the Committee with additional information on listed individuals or entities.

- (d) Upon the decision of the Committee to incorporate additional information into the List, the Chair of the Committee will inform the Member State or regional, subregional or international organisation that submitted the additional information accordingly.
- (e) Any additional relevant information submitted to the Committee that is not incorporated into the List will be stored by the Secretariat. The Committee may share such additional information with Member States whose nationals, residents or entities have been included on the List provided that the information is publicly releasable or the provider of the information has agreed to its release. On a case-by-case basis the Committee may decide to release the information to other parties, with the prior consent of the provider of the information.

**9. Exemptions from the Travel Ban**

- (a) In paragraph 16 (a), (b), (c) of resolution 2140 (2014), the Security Council decided that the travel restrictions imposed under paragraph 15 of that resolution shall not apply: where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation; where entry or transit is necessary for the fulfilment of a judicial process; and where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in Yemen.
- (b) In paragraph 3 of resolution 2511 (2020), the Security Council also decided that the Committee may, on a case-by-case basis, exempt any activity from the sanctions measures imposed by the 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 resolutions 2140 (2014) and 2216 (2015).

- (c) Each request for exemption pursuant to paragraph 16 (a) and (c) of resolution 2140 (2014), or paragraph 3 of resolution 2511 (2020), shall be submitted in writing, on behalf of the listed individual, to the Chair. The States that may submit a request through their Permanent Mission to the United Nations are the State(s) of destination, the State(s) of transit, the State of nationality, and the State of residence. The request may be submitted through the relevant United Nations office.
- (d) Each request for exemption shall be received by the Chair as early as possible but not less than fifteen working days before the date of the proposed travel, except where humanitarian considerations require a shorter period. Upon receipt of the request by the Chair, the Committee will consider the exemption request within a period ~~five~~ full working days pursuant to the no objection procedure. In urgent situations, the Chair shall determine whether to shorten the consideration period.
- (e) All requests should include the following information, with accompanying documents to the extent possible:
- i. The name, designation, nationality and passport number(s) of the person(s) undertaking the proposed travel;
  - ii. The purpose(s) of the proposed travel, with copies of supporting documents furnishing details connected to the request such as specific dates and times of meetings or appointments;
  - iii. The proposed dates and times of departure from and return to the country from which the travel commenced;
  - iv. The complete itinerary for such travel including the ports of departure and return and all transit stops;
  - v. Details of the mode of transport to be used, including where applicable, record locator, flight numbers and names of vessels;
  - vi. A statement of specific justification for the exemption.

- (f) Any request for extension(s) of exemptions approved by the Committee shall also be subject to the provisions above, and shall be received by the Chair in writing, attaching the revised itinerary, no less than five working days before the expiry of the approved exemption period, and circulated to Committee members.
- (g) In cases where the Committee approves requests for exemptions to the travel ban, the Secretariat shall notify in writing the Permanent Mission to the United Nations of: the State in which the listed individual is resident, the State of nationality, the State(s) to which the listed individual will be travelling, and any transit State, as well as any United Nations office involved as provided in paragraph 9 (c) above, to inform them of the approved travel, itinerary and timetable.
- (h) The Committee shall receive written confirmation, within five working days following the expiry of the exemption, of the completion of the travel from the State in whose territory the listed individual resides, or from the relevant United Nations office, with supporting documents, confirming the itinerary and date on which the listed individuals travelling under an exemption granted by the Committee returned to the country of residence.
- (i) All requests for exemptions and extensions thereto which have been approved by the Committee pursuant to paragraph 16 (a) and (c) of resolution 2140 (2014) or paragraph 3 of resolution 2511 (2020) shall be posted on the Committee's webpage until confirmation of the return to the country of residence of the listed individual is received by the Committee.
- (j) Any changes to the information provided under paragraph 9 (e) above, particularly the points of transit, shall require the prior approval by the Committee and shall be received by the Committee Chair and circulated to the Committee members no less than five working days prior to the commencement of the travel, except in cases of emergency, as determined by the Chair.

- (k) The Committee Chair shall be immediately informed in writing in the event of advancement or postponement of travel for which the Committee has already issued an exemption. Submission to the Committee Chairperson of written notification will be sufficient in cases where the time of departure is advanced or postponed no more than 48 hours and the previously submitted itinerary remains otherwise unchanged. If travel is to be advanced or postponed more than 48 hours before or after the date previously approved by the Committee, then a new exemption request must be submitted, and should be received by the Chair and considered by the Committee in conformity with paragraphs 9 (a) or 9 (b), 9 (c), 9 (d) and 9 (e) above.
- (l) In cases of emergency medical evacuations, the Committee will determine whether the travel is justified within the exemption of paragraph 16 of resolution 2140 (2014), once notified of the name of the traveller, the reason for travel, the date and time of evacuation, along with flight details, including transit points and destination(s) and shall also be promptly provided with a doctor's note containing as many details as possible of the nature of the medical emergency and the facility where treatment was received by the patient, without prejudice to the respect of medical confidentiality, as well as information regarding the date, time, and mode of travel by which the patient returned to his/her country of residence.
- (m) Where, pursuant to paragraph 16 (d) of resolution 2140 (2014), a State determines on a case-by-case basis that entry into or transit through its territory is required to advance peace and stability in Yemen, it will subsequently notify the Committee within 48 hours after making such a determination.



**10. Exemptions to the Assets Freeze**

- (a) The Committee will determine whether an exemption to the assets freeze is justified on the basis of paragraph 12 of resolution 2140 (2014) or paragraph 3 of resolution 2511 (2020).
- (b) The Committee shall receive notifications in writing from Member States of their intention to authorise, where appropriate, access to frozen funds or other financial assets or economic resources to cover expenses, as provided for in paragraphs 12(a) and (b) of resolution 2140 (2014). The Committee shall also receive exemption requests in writing from Member States, the United Nations and/or other humanitarian organisations in Yemen, in accordance with paragraph 3 of resolution 2511 (2020).
- (c) The Committee, through the Secretariat, will immediately acknowledge receipt of the notification for the basic expenses exemption, as provided for in paragraph 12(a) of resolution 2140 (2014). Should no negative decision be taken by the Committee within the requisite five working day period, the Committee, through its Chair, will inform the notifying Member State thereof. The Committee will also inform the notifying Member State if a negative decision has been taken regarding the notification.
- (d) The Committee shall consider and approve within the requisite five working days, if appropriate, requests by Member States for extraordinary expenses, as provided for in paragraph 12 (b) of resolution 2140 (2014). Member States are encouraged, when submitting requests for the extraordinary expenses exemption, to report in a timely way on the use of such funds.
- (e) The Committee shall receive notifications from Member States regarding frozen assets which have been determined by relevant States to be the subject of a judicial, administrative or arbitration lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of resolution 2140 (2014), is not for the benefit of a person or entity designated by the Committee, and has been notified by the relevant States to the Committee.

- (f) The Committee shall consider and approve within the requisite five working days, if appropriate, exemption requests by Member States, the United Nations and/or other humanitarian organisations in Yemen, in accordance with paragraph 3 of resolution 2511 (2020). The aforementioned are encouraged, when submitting such exemption requests, to report in a timely way on the use of such funds. Upon completion of the consideration period, or if the request is placed on hold, the Chair shall immediately inform the requesting Member State or organisation of the status of the request.
- (g) Notifications referred to in subparagraph (b) and (c) above and requests for the extraordinary expenses exemption referred to in subparagraph (d) as well as exemption requests referred to in subparagraph (f) should, as appropriate, include the following information:
- i. Recipient (name and address);
  - ii. Recipient's bank information (name and address of bank, account number);
  - iii. Purpose of payment and justification of the determination of the expenses falling under the basic expenses exemption and the extraordinary expenses exemption, or under the exemption contained in paragraph 3 of resolution 2511 (2020):
    - Under the basic expenses exemption:
      - Basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
      - Payment of reasonable professional fees and reimbursement of incurred expenses associated with the provisions of legal services;
      - Fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources.
    - Under extraordinary expenses exemption:
      - Extraordinary expenses (other categories than the ones mentioned under paragraph 12 (a) of resolution 2140 (2014))
    - Under the exemption contained in paragraph 3 of resolution 2511 (2020):

- Expenses that facilitate the work of the United Nations and/or other humanitarian organisations in Yemen, or expenses consistent with the objectives of resolutions 2140 (2014) and 2216 (2015)
- iv. Amount of instalment;
  - v. Number of instalments;
  - vi. Payment starting date;
  - vii. Bank transfer or direct debit;
  - viii. Interests;
  - ix. Specific funds being unfrozen;
  - x. Other information.
- (h) Humanitarian organizations can submit exemption requests referred to in subparagraph 10 (f) through Member States, or through the Office of the United Nations Resident Coordinator to Yemen if a Member State is unable or not in a position to route such a request to the Committee.
- (i) Pursuant to paragraph 13 of resolution 2140 (2014), States may allow for the addition to accounts subject to the assets freeze of:
- i. Interest or other earnings due on those accounts, or
  - ii. Payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the assets freeze, provided that any such interest, other earnings (see i. above) and payments continue to be subject to the assets freeze.
- (j) Pursuant to paragraph 14 of resolution 2140 (2014), a designated individual or entity may make a payment due under a contract entered into prior to the listing of such a person or entity, provided that:
- (i) The relevant States have determined that the payment is not directly or indirectly received by a designated individual or entity; and
  - (ii) 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.

## **11. Exemptions to the Targeted Arms Embargo**

- (a) In paragraph 3 of resolution 2511 (2020), the Security Council decided that the Committee may, on a case-by-case basis, exempt any activity from the sanctions measures imposed by the 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 resolutions 2140 (2014) and 2216 (2015).
- (b) Requests for exemptions to the targeted arms embargo shall be submitted in writing to the Chair by the Member State, the United Nations and/or other humanitarian organisations in Yemen supplying the item or assistance, and should as appropriate include the following information:
  - i. Precise end-user and end-use;
  - ii. Exact quantity of items and a detailed list of equipment to be provided;
  - iii. Details of the manufacturer and supplier of the weapons and military equipment;
  - iv. Intended dates of delivery;
  - v. Means of transport;
  - vi. Intended port of delivery;
  - vii. Intended place(s) of delivery.
- (c) For the provision of technical assistance, training, financial or other assistance, this information consists of the following: precise details of the type of training and/or assistance to be delivered, the name of the body that will provide the service, the recipient to whom the service will be delivered, and the location and duration. Section 10 of these Guidelines may also apply to financial assistance.

- (d) Humanitarian organizations can submit exemption requests referred to in subparagraph 11 (c) through Member States, or through the Office of the United Nations Resident Coordinator to Yemen if a Member State is unable or not in a position to route such a request to the Committee.
- (e) The Committee shall consider and approve within the requisite five working days, if appropriate, such exemption requests. Upon completion of the consideration period, or if the request is placed on hold, the Chair shall immediately inform the requesting Member State or organisation of the status of the request.
- (f) Upon the delivery of each consignment, the requesting Member State, United Nations and/or other humanitarian organisation in Yemen should write to the Committee to confirm the transfer and provide the following information: exact quantity of items delivered, actual port of entry, place(s) of delivery, and recipient of shipment (name and position).
- (g) No later than one month after the delivery of each consignment, the requesting Member State, United Nations and/or other humanitarian organisation in Yemen should notify the Committee of the specific place of storage of the delivered materiel.

**12. Other Information Supplied to the Committee**

- (a) The Committee will consider other information relevant to its work, including information on possible non-compliance with the measures imposed by resolution 2140 (2014) and resolution 2216 (2015), received from different sources through Member States, relevant international, regional or subregional organisations or the Panel of Experts. All States are called upon to supply information at their disposal regarding noncompliance with the measures imposed in resolutions 2140 (2014) and 2216 (2015). The Committee encourages States to cooperate and to respond promptly to requests for information from the Committee and the Panel of Experts. The Committee will make an appeal to all States, as well as to international, regional or subregional organisations, to that effect, advising them to submit their information in communications addressed to the Chair in writing, under assurance of confidentiality. The Committee may renew the appeal as occasion warrants.

- (b) The information received by the Committee will be kept confidential if the provider so requests, or if the Committee so decides.
- (c) With a view to assisting States in their endeavour to implement the targeted measures, the Committee may decide to supply information forwarded to it relating to possible noncompliance to the States concerned, and ask any such State to report to the Committee subsequently on any follow-up action undertaken.
- (d) The Committee will provide Member States with an opportunity to send representatives to meet the Committee for more in-depth discussion of relevant issues or to give voluntary briefings on their efforts to implement the measures, including particular challenges that hinder full implementation of the measures.

### **13. Outreach**

- (a) The Committee shall make relevant information publicly available through appropriate sources, including press releases, the Committee website and UN accredited media.
- (b) The Committee shall assist States, where necessary, in implementing the measures imposed by resolutions 2140 (2014) and 2216 (2015).
- (c) In order to enhance the dialogue with Member States and to publicise the work of the Committee, the Chair will, on a regular basis, hold open briefings for all interested Member States. In addition the Chair may also, after prior consultations and with the approval of the Committee, hold press conferences and/or issue press releases on any aspect of the Committee's work. In these activities, the Chair can seek input from the Panel of Experts and support from the Secretariat.
- (d) The Secretariat shall maintain a website for the Committee in all official languages which should include all public documents relevant to the Committee's work, relevant resolutions, public reports of the Committee and the Panel of Experts, relevant press releases, and national implementation reports submitted by Member States. Information on the website should be updated in an expeditious manner and in all official languages.

- (e) The Committee may consider, as appropriate, visits by the Chair and/or Committee Members to selected Member States to enhance the full and effective implementation of the measures.
- i. The Committee shall consider and approve the proposal to visit selected countries, and coordinate such visits with the other subsidiary organs of the Security Council as appropriate.
  - ii. The Chair will contact the selected countries through their Permanent Missions in New York, and will also send letters seeking their prior consent and explaining the objectives of the trip.
  - iii. The Secretariat will provide the Chair and the Committee with the necessary assistance in this regard.
  - iv. Upon his/her return the Chair will prepare a comprehensive report on the findings of the trip and will brief the Committee orally and in writing.

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