

SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO
RESOLUTION 2653 (2022) CONCERNING HAITI

06 November 2023

GUIDELINES OF THE COMMITTEE FOR THE CONDUCT OF ITS WORK
as revised and adopted by the Committee on 06 November 2023¹

1. The Security Council Committee established pursuant to resolution 2653 (2022) concerning Haiti

- a) The Security Council Committee established pursuant to resolution 2653 (2022) concerning Haiti shall hereinafter be referred to as “**the Committee**”.
- b) The Committee is a subsidiary organ of the Security Council and consists of all the Members of the Council.
- c) 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-Chair(s), and who will also be appointed by the Security Council.
- d) The Committee is assisted by a Panel of Experts established pursuant to paragraph 21 of resolution 2653 (2022) (hereafter referred to as “**the Panel of Experts**”).
- e) 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 2653 (2022), includes the following:
 - i. To monitor implementation of the measures imposed in paragraphs 3 and 6, of resolution 2653 (2022), and paragraph 14 of resolution 2699 (2023) (hereafter referred to as “**the measures**”) with a view to strengthening, facilitating and improving implementation of these measures by Member States, and to consider and decide upon requests for exemptions set out in paragraphs 5 and 7 of resolution 2653 (2022), and paragraph 14(b) of resolution 2699 (2023);
 - ii. To seek and review information regarding those individuals and entities who may be engaging in the acts described in paragraph 15 and 16 of resolution 2653 (2022);

¹ The guidelines are available on the Committee’s website at
<https://www.un.org/securitycouncil/sanctions/2653/guidelines>

- iii. To designate individuals and entities to be subject to the measures imposed in paragraphs 3 and 6 of resolution 2653 (2022);
- iv. To establish and promulgate such guidelines as may be necessary to facilitate the implementation of the measures;
- v. To report within 60 days of the adoption of the resolution to the Security Council on its work with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraphs 3 and 6 of resolution 2653 (2022), and paragraph 14 of resolution 2699 (2023) and thereafter to report on an annual basis;
- vi. 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 imposed by resolution 2653 (2022);
- vii. To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed;
- viii. To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in paragraphs 3 and 6 of resolution 2653 (2022) and paragraph 14 of resolution 2699 (2023).

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 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 meetings and informal consultations of the Committee will be closed, unless the Committee decides otherwise. If the Committee so decides, the Committee may invite non-members of the Committee, including other UN Member States, the Secretariat, relevant subregional, regional and international organizations or agencies, NGOs and individual experts, to participate in its meetings and informal consultations for the purpose of providing information or explanations relating to alleged violations or non-compliance with the measures imposed by resolution 2653 (2022), 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 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) If the Committee so decides, it may invite the members of the Panel of Experts to attend meetings and informal consultations 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 all decisions by consensus of its Members.

(b) If consensus cannot be reached on a particular issue, the Chair may undertake such further consultations as may facilitate agreement, or encourage bilateral exchanges among interested Committee Members, as he/she deems appropriate, to resolve the issue and to ensure the effective functioning of the Committee.

(c) If, after these consultations, consensus still cannot be reached, the matter may be referred to the Security Council by the Chair.

(d) 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 but usually no less than two working days. If no objection is received by the end of the specified period, the proposed decision will be deemed adopted.

(e) 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**”. While the matter is pending, any Committee member may place its own hold on that matter. 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 relevant State(s) or the Panel of Experts.

(f) 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.

(g) The Committee shall ensure that no matter is left pending for a period longer than six months from the end of the original no-objection procedure. 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 three months 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.

(h) 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 of the Committee shall be informed of all pending matters one month before their membership begins.

(i) The Committee will regularly review, as necessary, the status of pending issues as updated by the Secretariat.

5. List

(a) The Committee will maintain a list of individuals and entities (hereafter referred to as “**the List**”) designated pursuant to the criteria set out in paragraphs 15 and 16 of resolution 2653 (2022). The List will specify the measures to which the designated person or entity is subject (asset freeze and/or travel ban).

(b) The Committee will update regularly the List 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 available in all official languages on the website of the Committee within the following working day. At the same time, any amendment to the List will be communicated to Member States immediately through Notes Verbales, including by electronic advance copy, and through United Nations Press Releases.

(d) At the same time as an update is made to the List, as provided for in paragraph 5(b) above, the Secretariat shall also update the United Nations Security Council Consolidated List.

(e) Once the updated List is communicated to Member States, States are encouraged to circulate it widely, to relevant entities and organizations for purposes of implementing the required measures (which could be a travel ban and/or asset freeze), such as to banks and other financial institutions, border points, airports, seaports, consulates, customs agents, intelligence agencies, alternative remittance systems and charities. States are also encouraged to underline that the List specifies the specific measures for which the individuals and entities have been designated.

6. Listing

(a) The Committee will decide on the designation of individuals and entities subject to the measures imposed by paragraph 3 (travel ban) of resolution 2653 (2022), paragraph 6 (assets freeze) of resolution 2653 (2022), or both of them, on the basis of adequate evidence that these

individuals and entities meet the criteria set out in paragraphs 15 and 16 of that resolution (hereinafter referred to 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 the Committee members. If no holds or objections are received within the defined time period, the additional names will be incorporated into the List within the following working day.

(c) Member States are advised to submit names of individuals or entities 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 concerned entity.

(d) A Member State that submits a proposal to include a name on the List is the “designating State” for that name for the application of paragraphs 7 (g) and (h), 8 (b) and 9 (a) of these guidelines. Where more than one State jointly submits a proposal to include a name on the List, each of those States is a “designating State” for that name.

(e) Member States that want to be considered co-sponsors of a proposed listing should inform the Committee in writing before the Committee has decided on the listing request.

(f) Member States shall provide a detailed statement of case in support of the proposed listing that forms the basis or justification for 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. Member States should include details of any connection with a currently listed individual or entity. Member 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 or entity of the listing, and those parts that may be released upon request to interested States.

(g) 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 and accurate 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 script), 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, location, 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 script) 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 any other information relevant to facilitate the application of the measures.
- (h) 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(d) above, the Committee will inform the submitting Member States of the status of the request, as relevant.
- (i) In the communication to inform Member States of new entries to the List, the Secretariat shall include the publicly releasable portion of the statement of case (hereafter referred to as the **“narrative summary of reasons for listing”**).
- (j) Following a new listing, the Secretariat shall make accessible on the Committee’s website the narrative summary of reasons for listing for the corresponding entry or entries on the List.
- (k) 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 narrative summary of reasons for listing, a description of the effects of designation, as set forth in the resolution 2653 (2022), the Committee’s procedures for considering de-listing 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.
- (l) Unless the Committee decides otherwise, the Secretariat shall request INTERPOL to issue, where feasible, an INTERPOL-United Nations Security Council Special Notice for each entry added to the Lists.

7. **De-listing**

- (a) Member States may submit at any time requests for de-listing of individuals and entities inscribed in 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. The Committee reaffirms the need to

ensure fair and clear delisting procedures for designated individuals, groups, undertakings, and entities.

(c) A petitioner seeking to submit a request for de-listing can do so either directly to the Focal Point for De-listing established pursuant to resolution 1730 (2006)² (hereafter referred to as the “**Focal Point**”), as outlined in paragraph (g) below, or through his/her State of residence or nationality as outlined in paragraph (h) below.

(d) A State can decide that as a rule, its citizens or residents should address their de-listing requests directly to the Focal Point. The State will do so by a declaration addressed to the Chair that will be published on the Committee’s and Focal Point for De-listing’s websites.

(e) The petitioner should explain in the de-listing 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 narrative summary of reasons for listing. The de-listing 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.

(f) For a deceased individual, the petition shall be submitted either directly to the Committee by a State, or through the Focal Point, by the deceased individual’s legal beneficiary, together with official documentation certifying that status. The de-listing 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.

(g) If a petitioner chooses to submit a petition to the Focal Point, the latter will perform the following tasks, as specified in the Annex to resolution 1730 (2006):

- i. Receive de-listing requests from a petitioner (individuals or entities 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 citizenship and residence. These States are urged to review de-listing petitions in a timely manner and indicate whether

² Further information on the Focal Point for De-listing is available on the Focal Point website at: <https://www.un.org/sc/suborg/en/sanctions/delisting>.

they support or oppose the request in order to facilitate the Committee's review. The State(s) of citizenship and residence are encouraged to consult with the designating State(s) before recommending de-listing. To this end, they may approach the Focal Point, which, if the designating State(s) so agree(s), will put them in contact with the designating State(s);

- vi.
 - a) If, after these consultations, any of these States recommend de-listing, that State will forward its recommendation, either through the Focal Point or directly to the Chair, accompanied by that State's explanation. The Chair will then place the de-listing request on the Committee's agenda;
 - b) If any of the States, which were consulted on the de-listing request under subparagraph v. above oppose the request, the Focal Point will so inform the Committee and provide copies of the de-listing request. Any member of the Committee which possesses information useful for evaluating the de-listing request is encouraged to share such information with the States that reviewed the de-listing request under subparagraph v. above;
 - c) If, after a reasonable time (3 months), none of the States which reviewed the de-listing request under subparagraph v. above comment, or indicate that they are working on the de-listing request to the Committee and require an additional definite period of time, the Focal Point will so notify all members of the Committee and provide copies of the de-listing request. Any member of the Committee may, after consultation with the designating State(s), recommend de-listing by forwarding the request to the Chair, accompanied by an explanation. (Only one member of the Committee needs to recommend de-listing in order to place the issue on the Committee's agenda.) If after one month, no Committee member recommends de-listing, then it shall be deemed rejected and the Chair shall inform the Focal Point accordingly;
 - vii. The Focal Point shall convey all communications, which it receives from Member States, to the Committee for its information;
 - viii. Inform the petitioner:
 - a) Of the decision of the Committee to grant the de-listing petition; or
 - b) That the process of consideration of the de-listing request within the Committee has been completed and that the petitioner remains on the List.
 - ix. Where appropriate, the Focal Point will inform the reviewing States of the outcome of the de-listing petition.
- (h) If the petitioner submits the petition to the State of residence or citizenship, 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 de-listing request;
- ii. The designating State(s) may also request additional information from the petitioner's State of citizenship 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 de-listing request, it should seek to persuade the designating State(s) to submit jointly or separately a request for de-listing to the Committee. The petitioned State may, without an accompanying request from the designating State(s), submit a request for de-listing to the Committee, pursuant to the no-objection procedure;
- iv. Where appropriate, the Chair will inform the reviewing States of the outcome of the de-listing petition.

(i) The Secretariat shall, within one week after a name is removed from the List, notify the Permanent Mission of the Member State or Member 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 de-listing in a timely manner.

(j) The Secretariat will also concurrently request INTERPOL to cancel the INTERPOL-UNSC Special Notice for the relevant name.

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 subregional, regional 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, including through the provision of biometric information and additional information for the narrative summary of reasons for listing.

(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 subregional, regional or international organization that submitted the additional information accordingly.

9. Review of the List

(a) The Committee shall, with the support of the Panel of Experts and the Secretariat, conduct an annual review of all names on the List, in which the relevant names, together with the narrative summary of reasons for listing, are circulated to the designating States and States of residence and/or nationality, where known, in order to ensure the List is as updated and as accurate as possible and to confirm that the listing remains appropriate.

(b) Every year, the Secretariat shall circulate to the Committee the names of the individuals mentioned in the List as reportedly deceased, reportedly killed or killed, along with the original statement of case, as well as all relevant information pertaining to all updates to those entries and any information on reasons for listing available on the Committee's website. At the same time, the Panel of Experts shall provide the Committee with information on listed individuals whose death has been officially reported or publicly declared by their State of residence or nationality, or reported through other open official sources. To ensure the List is as updated and as accurate as possible and to confirm that the listing remains appropriate, any Member of the Committee may request a review of these names, as necessary.

(c) In cases where any of the States reviewing the names in accordance with paragraph 9(a) or 9(b) above determines that a listing is no longer appropriate, that State may submit a de-listing request following the same relevant procedures set out in Section 7 of these guidelines.

(d) The reviews described in this section shall not preclude the submission of de-listing requests at any time, in accordance with the relevant procedures set out in Section 7 of these guidelines.

10. Exceptions to and Exemptions from the Travel Ban

(a) Exceptions to the travel ban are set out in paragraphs 3 and 5(b) of resolution 2653 (2022):

- i. Nothing in paragraph 3 of resolution 2653 (2022) obliges a State to refuse its own nationals entry into its territory; and
- ii. Where entry or transit is necessary for the fulfilment of a judicial process.

(b) In paragraphs 5(a) and 5(c) of resolution 2653 (2022), the Security Council decided that the travel restrictions imposed by paragraph 3 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; and where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and stability in Haiti.

(c) Each request for exemption from the travel ban imposed under paragraph 3 of resolution 2653 (2022) shall be submitted in writing, on behalf of the listed individual, to the Chair through the Permanent Mission to the United Nations of the State(s) of which the listed individual is a national or resident. The request may also be submitted through the relevant United Nations office.

(d) Except in cases of emergency, to be determined by the Chair, all requests for exemptions shall be received by the Chair as early as possible but not less than fifteen working days before the commencement date of the proposed travel. Upon the receipt of the request by the Chair, the Committee will consider the exemption request within a period of five working days under a no-objection procedure or, in urgent situations, or on humanitarian grounds, such shorter period as the Chair shall determine but usually no less than two working days.

(e) All requests for exemptions 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 points 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. All proposed uses of funds or other financial assets or economic resources in connection with the travel. Such funds may only be provided in accordance with paragraph 7(b) of resolution 2653 (2022). The procedures for making such a request can be found in paragraph 11(e) of these guidelines

(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 of the Committee 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 Chair of the Committee shall communicate in writing the decision, approved itinerary and timetable to the Permanent Mission to the United Nations of: the State of which the listed individual is a national or resident, or citizen, 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 (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 5 of resolution 2653 (2022) shall be posted on the Committee's website 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 10(e) or (g) 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 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 Chair 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 Committee members in conformity with paragraphs 10(b), (c), (d), and (e).

(l) For exemption requests based on medical or other humanitarian need, including religious obligation, the Committee will determine whether the travel is justified within the provisions of paragraph 5(a) of resolution 2653 (2022), once informed of the name of the traveller, the reason for travel, the date and time of treatment, along with flight details, including transit points and destination(s). In cases of emergency medical evacuations, the Chair shall also be promptly provided with a doctor's note containing details 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 or will return to his/her country of residence.

11. Exceptions to and Exemptions from the Asset Freeze

(a) Exceptions to the assets freeze are set out in paragraph 8 of resolution 2653 (2022). Pursuant to this paragraph, Member States may permit the addition to the accounts subject to the assets freeze of:

- i. interests 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 and payments continues to be subject to the assets freeze.

(b) The Committee will determine whether an exemption from the assets freeze is justified on the basis of paragraph 7 of resolution 2653 (2022).

(c) The Committee shall receive notifications in writing from Member States of their intention to authorize, access to frozen funds or other financial assets or economic resources to cover expenses, as provided for in paragraphs 7(a) and (b) of resolution 2653 (2022).

(d) The Committee, through the Secretariat, will immediately acknowledge receipt of a notification for the basic expenses exemption as provided for in paragraph 7(a) of resolution 2653 (2022) (hereafter referred to as “**the basic expenses exemption**”). 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.

(e) The Committee shall consider and approve, if appropriate, requests by Member States for extraordinary expenses, as provided for in paragraph 7(b) of resolution 2653 (2022) (hereafter referred to as “**the extraordinary expenses exemption**”). Member States are requested, if such request for the extraordinary expenses exemptions is approved, to report in a timely way on the use of such funds.

(f) 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 2653 (2022), is not for the benefit of a person or entity on the List, and has been notified by the relevant States to the Committee, as provided for in paragraph 7(c) of resolution 2653 (2022).

(g) The notifications referred to in subparagraphs (d) and (f) and requests for extraordinary expenses exemption referred to in subparagraph (e) above, 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;
 - a. 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.
- iv. Under extraordinary expenses exemption:
 - Extraordinary expenses (other categories than the ones mentioned under paragraph 7(a) of resolution 2653 (2022))
- v. Amount of instalment;
- vi. Number of instalments;
- vii. Payment starting date;
- viii. Bank transfer or direct debit;
- ix. Interests;
- x. Specific funds being unfrozen;
- xi. Other information.

(h) Pursuant to paragraph 9 of resolution 2653 (2022), a designated individual or entity may make a payment due under a contract entered into prior to the listing of such an individual 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.

(i) Pursuant to paragraph 1 of resolution 2664 (2022), which supersedes paragraph 10 of resolution 2653 (2022), the provision, processing or payment of funds, other financial assets, or economic resources, or the provision of goods and services necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs by the United Nations, including its Programmes, Funds and Other Entities and Bodies, as well as its Specialized Agencies and Related Organizations, international organizations, humanitarian organizations having observer status with the United Nations General Assembly and members of those humanitarian organizations, or bilaterally or multilaterally funded non-governmental organizations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals, or OCHA -coordinated humanitarian “clusters,” or their employees, grantees, subsidiaries, or implementing partners while and to the extent that they are acting in those capacities, or by appropriate others as added by this Committee within and with respect to its respective mandate, are permitted and are not a violation of the asset freeze imposed by resolution 2653 (2022).

12. Exceptions to and Exemptions from the Arms Embargo

Exceptions to the Arms Embargo

- (a) Exceptions to the arms embargo are set out in paragraph 14(a) of resolution 2699 (2023) and further reaffirmed in paragraphs 6 (a) and 9 of resolution 2700 (2023). Pursuant to these paragraphs, no advance request or notification to the Committee is required for the supply, sale, or transfer of small arms, light weapons, or ammunition to the United Nations, the United Nations Integrated Office in Haiti (BINUH), the Multinational Security Support (MSS) Mission authorized by resolution 2699 (2023), the Haitian National Police, and the Armed Forces of Haiti, intended to be used by or in coordination with those entities and intended solely to further the objectives of peace and stability in Haiti, pursuant to paragraph 14(a) of resolution 2699 (2023).

Arms embargo exemption requests for the Committee’s approval

- (b) The Committee will determine whether an exemption to the arms embargo is justified on the basis of paragraph 14(b) of resolution 2699 (2023), which replaced paragraph 11 of resolution 2653 (2022).
- (c) All exemption requests shall be submitted in advance and in writing to the Chair by Permanent Missions of States, or international, regional or subregional organization or agency supplying, selling or transferring to Haiti, from or through their territories or by their nationals, or using their flag vessels or aircraft of small arms, light weapons, and ammunition to further the objectives of peace and stability in Haiti, in line with paragraphs 14(b) of resolution 2699 (2023) and 6(b) of resolution 2700 (2023), and should as appropriate include the following information:
- i. The intended recipient and end user;
 - ii. The purpose of the use;
 - iii. The exact type, nature, quantity, and state (new or used) of the small arms, light weapons, and/or ammunitions to be provided;
 - iv. Technical specifications, details of the manufacturer and supplier of the items to be provided;
 - v. Intended dates of departure and delivery;
 - vi. Means of transport;
 - vii. Details of the itinerary, including the specific port and place of delivery as well as places of departure and transit;
 - viii. The identification and serial numbers or markings of containers being transported as well as the number of containers;
 - ix. The identity of the cargo carrier;
 - x. Registration number and serial number of the aircraft used for delivery of the items by air;
 - xi. Name and registration number of the ship used for delivery of the items by sea;
 - xii. Name of the transport company and registration number of the vehicles used for delivery of the items by road;
 - xiii. The marking numbers of codes of each shipped item, including the marking numbers of each packaging element used to protect the equipment during the shipment;
- (d) The Chair shall circulate to the Committee Members, under a five-working day no objection time period, all requests received. Once the decision is made by the Committee, the Chair shall immediately inform the Permanent Missions of States, or the international, regional or subregional organisation or agency seeking the exemption of the decision of the Committee.
- (e) Where an exemption request does not contain all the information referred to in paragraph (c) above, the Chair may seek further information from the Member State, or the international, regional or sub-regional organisation which submitted the request.

- (f) Upon the delivery of each consignment, the requesting Member State, international, regional or subregional organization or agency should write to the Committee to confirm the transfer.
- (g) Unless the Committee otherwise decides, the agreed arms embargo exemption would be posted to the Committee's website for the following period: from the date of the letter of the Chair conveying the Committee's agreement with the exemption request, until the date of delivery of the exempted material, as confirmed by the supplier entity.

13. 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 2653 (2022), received from different sources through Member States, international, subregional or regional organisations or the Panel of Experts. All States are called upon to supply information at their disposal regarding noncompliance with the measures imposed by resolution 2653 (2022). 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, subregional or regional 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 in a timely manner.

(d) The Committee will provide interested Member States and international, regional and subregional organizations 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.

14. Reports to the Security Council

(a) The Committee, through its Chair, will report to the Council on an annual basis.

15. Outreach

(a) The Committee shall make relevant information publicly available through UN accredited media, the Committee website and UN press releases.

(b) The Committee shall assist States, where necessary, in implementing the measures imposed by resolution 2653 (2022).

(c) In order to enhance the dialogue with Member States and to publicise the work of the Committee, the Chair will hold open briefings for all interested Member States, unless a member of the Committee expresses otherwise/with consent of all members of the Committee. 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 and relevant press releases. 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.