

## **The Negative Impacts of United Nations Security Council Resolution 1988:**

### **Tipping Point for an Exception for Principled Humanitarian Action**

12 November 2021

We, 24 humanitarian organisations with operations in Afghanistan, call on the United Nations Security Council (UNSC) to urgently decide to adopt an exception for humanitarian action in the sanctions regime regarding individuals and entities associated with the Taliban (the “1988 sanctions regime”) to ensure that aid can continue to flow to Afghanistan at a time of dramatically increasing need.

Today, Afghanistan stands at a precipice. Nearly 23 million people face acute food insecurity with 8.7 million just one step away from famine, the highest number of people in IPC 4 globally; nearly 700,000 people, mostly women and children, have been displaced; the economy is on the brink of collapse; critical workers, including health and education staff, are not being paid; and health facilities are experiencing extreme shortages of medicines, medical equipment, and supplies. With winter already upon us, time is running out to safeguard the humanitarian response through an exception that excludes the provision of supplies and services, including financial transactions, necessary for humanitarian action from the scope of the 1988 sanctions regime.

The 1988 sanctions regime prohibits making funds, financial assets, or economic resources available, directly or indirectly, for the benefit of listed individuals, groups, undertakings, and entities. Several individuals listed under the 1988 sanctions regime now hold positions of leadership over key ministries. Before August 2021, humanitarian activities in Afghanistan required regular engagement with these ministries, as well as the transfer of funds, financial assets, and/or other economic resources. This included, for example, programme implementation costs, visa and residency permit fees, registration fees, import fees, utility and rental fees, and municipal charges. These transactions remain vital to allow the continued flow of lifesaving aid. Humanitarian actors need legal clarity that these transactions are permitted under the 1988 regime.

Banks, suppliers, insurers, and other private sector actors also need legal certainty about the application of the 1988 sanctions regimes to transactions necessary for humanitarian activities in Afghanistan. In the absence of legal certainty, de-risking, which is already a significant issue, will become an even greater operational constraint, forcing critical humanitarian activities to be delayed or shut down.

On 30 August 2021, the UNSC in Resolution 2593 called for “strengthened efforts to provide humanitarian assistance to Afghanistan”, and the support of “all donors and international humanitarian actors to provide humanitarian assistance to Afghanistan”. As impartial humanitarian organisations, with a long history of supporting the people of Afghanistan, we are compelled to keep working, despite the complex and challenging operating environment. We are committed to the highest standards of risk management and due diligence to ensure assistance

reaches those most in need. However, we need certainty to facilitate humanitarian action and to enable us to reach people in need in Afghanistan.

In 2010, in response to concerns about famine in Somalia, the UNSC found the resolve to create a humanitarian exception, which has proven essential in enabling humanitarian action in Somalia. As humanitarian needs in Afghanistan continue to escalate through winter and the economy deteriorates further, an exception in the 1988 sanctions regime is likewise necessary to ensure the continued delivery of humanitarian assistance in line with UNSC Resolution 2593 (2021) and avert a catastrophe.

Thus, we call on the UNSC to expedite the adoption of a legally binding humanitarian exception that excludes from the scope of the 1988 sanctions regime the provision of funds, financial assets or economic resources necessary to carry out impartial humanitarian activities, as well as the provision of essential supplies and services, including commercial activities required to meet basic human needs. We must spare no effort to save lives.

Signed,



Laurie Adams  
Chief Executive Officer  
Women for Women International



Inger Ashing  
Chief Executive Officer  
Save the Children International



William Barron  
Chief Executive Officer  
iMMAP



Sean Callahan  
President and Chief Executive Officer  
Catholic Relief Services (CRS)



Jan Egeland  
Secretary-General  
Norwegian Refugee Council (NRC)



Amanda Khozi Mukwashi  
Chief Executive Officer  
Christian Aid



Ky Luu  
Chief Operating Officer  
International Medical Corps (IMC)



Dominic MacSorley  
Chief Executive Officer  
Concern Worldwide



Thierry Mauricet  
Chief Executive Officer  
Première Urgence Internationale



Tjada D'Oyen McKenna  
Chief Executive Officer  
Mercy Corps



David Miliband  
President and Chief Executive Officer  
International Rescue Committee



Andrew Morley  
President and Chief Executive Officer  
World Vision International

Oliver Müller  
Chief Executive Officer  
Caritas Germany



Manuel Patrouillard  
Director General  
Humanity & Inclusion (HI)



Lisa K. Piper  
Executive Director  
ACBAR



Jean François Riffaud  
Chief Executive Officer  
Action Contre La Faim (ACF)



Dr. Hany Saqr, M.D, Ph.D.  
Chief Executive Officer  
Life for Relief and Development



Charlotte Slente  
Secretary General  
Danish Refugee Council (DRC)



Sofia Sprechmann Sineiro  
Secretary-General  
CARE International

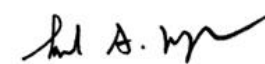
Michael Kruger  
President  
ADRA International



Rabih Torbay  
President and Chief Executive Officer  
Project HOPE



David Verboom  
Chief Executive Officer  
Medair



Samuel Worthington  
Chief Executive Officer  
InterAction



Kees Zevenbergen  
Chief Executive Officer  
Caritas Internationalis