

29 February 2024

**Implementation Assistance Notice # 1:
Guidance to Member States on the application of the humanitarian exemption
established by resolution 2664 (2022) to the asset freeze established under resolution
1596 (2005)**

paragraph

- 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;⁷
- 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” in the DRC;
- the employees, grantees, subsidiaries, or implementing partners of the aforementioned bodies while and to the extent that they are acting in those capacities; and
- appropriate others as established by the Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo.

Responsibilities of providers:

12. Those providers that rely on paragraph 1 of resolution 2664 (2022) are requested to use reasonable efforts to minimize the accrual of any benefits prohibited by sanctions, whether as a result of direct or indirect provision or diversion, to individuals or entities designated by the Security Council or the Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo. Such reasonable efforts include but are not limited to strengthening risk management and due diligence strategies and processes.⁸

Implementation and Monitoring of the humanitarian exemption as established by resolution 2664 (2022) by the Sanctions Committee pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo:

13. The Committee, assisted by its Group of Experts established pursuant to resolution 1533 (2004), is mandated to monitor the implementation of paragraph 1 of resolution 2664 (2022), including any risk of diversion.⁹

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15. The Committee recommends that providers enumerated in paragraph 11 of this IAN put in place such procedures, strategies, and processes to mitigate the risk of diversion. Providers under paragraph 11 of this IAN may inform the Committee of steps taken to this effect through the Group of Experts.

16. The United Nations Emergency Relief Coordinator (ERC) is requested to brief the Committee annually, as stipulated in paragraph 5 of resolution 2664 (2022), on the delivery of humanitarian assistance and other activities that support basic human needs provided consistent with the resolution 2664 (2022), including on any available information regarding the provision, processing or payment of funds, other financial assets or economic resources to, or for the benefit of, designated individuals or entities, any diversion of funds or economic resources by the same, risk management and due diligence processes in place, and any obstacles to the provision of such assistance or to the implementation of this resolution. The Committee encourages providers under paragraph 11 of this IAN to assist the ERC in the preparation of such briefings by providing relevant information as expeditiously as is feasible and, in any case, within 60 days of any request from the ERC.