

IN PARTNERSHIP WITH
World Council of Churches
World Evangelical Alliance
Caritas Internationalis

GENEVA
GRADUATE
INSTITUTE

APPLIED RESEARCH
PROJECT

Assessing the impact of sanctions on humanitarian work

RESEARCH TEAM

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December 2022

Acknowledgements

The research team, composed of Paul Hausmann, Elodie Pearson and Maja Liechi, would like to thank the Geneva Graduate Institute, the World Council of Churches and its sister organisation ACT Alliance, the World Evangelical Alliance, and Caritas Internationalis for their continued support throughout the research process.

We would like to express our gratitude to Peter Prove, the Director of the Commission of the Churches on International Affairs at the World Council of Churches, Floriana Polito, the Humanitarian Policy Officer at Caritas Internationalis, and Wissam al-Saliby, the Advocacy Officer of the World Evangelical Alliance for their support throughout the project. We are especially grateful for introducing us to our interviewees.

We would like to extend our deepest gratitude to the 25 interviewees who, despite the sensitivity of this topic, agreed to contribute to this research. Without sharing their experience and knowledge, this project would not have been possible.

Lastly, we are grateful for the support of the Geneva Graduate Institute's teaching team composed of Bugra Güngör, our academic supervisor, Claudia Seymour, our faculty lead, and Alexa Burk, our teaching assistant. Their constructive and detailed feedback throughout the project was useful in shaping our discussions and greater understanding of the topic at hand.

Executive summary

What is the objective of this research?

This research project aims to create a systematic overview of the challenges sanctions pose to the humanitarian work of the World Council of Churches (WCC), including its sister organisation ACT Alliance, Caritas Internationalis (CI), and World Evangelical Alliance (WEA) and explore pathways for addressing these challenges. The analysis is based on semi-structured interviews with twenty humanitarian practitioners affiliated with the aforementioned organisations and five sanctions experts working for the UN and/or conducting academic research on the impact of sanctions on humanitarian work. In the following, the findings are summarised, divided by administrative and operational challenges sanctions pose to the humanitarian work of the constituencies of the WCC, CI, and WEA, measures they adopted to address these challenges, and related measures suggested by sanctions experts.

What are the main challenges sanctions pose to the humanitarian work of the constituencies of the WCC, CI, and WEA?

The findings of this study indicate that the sanctions-related challenges experienced by the constituencies of the WCC, CI, and WEA can be divided into two main categories: administrative and operational challenges. Administrative challenges include understanding sanctions requirements, legal repercussions and related risk-aversion by actors in the humanitarian supply chain, as well as additional due diligence measures and lengthy application processes for humanitarian licences. Several practitioners interviewed for this research expressed that they faced challenges understanding sanctions legislation and specific requirements applied to their work. Consequently, those organisations increasingly rely on external legal advice to minimise any risks of legal repercussions if they that can afford it or their internal policies require it. However, several small organisations reported that the time and resources they could devote to understanding sanctions requirements and maintaining institutional memory of sanctions requirements was limited.

The inability to gain a complete understanding of sanctions requirements increases the risk of violating relevant provisions. Most interviewees reported that humanitarian organisations have rarely become the target of legal repercussions for sanctions violations, although one organisation reported being investigated by the US government for an alleged violation. Such cases contribute to de-risking among organisations involved in the provision of humanitarian assistance, including humanitarian actors themselves, as well as banks, suppliers, and donors, with some terminating their cooperation

with humanitarian organisations operating in sanctioned countries. Those that do not withdraw from projects in sanctioned environments tend to adopt more stringent due diligence measures, often requiring humanitarian actors to share detailed information on staff members, implementing partners, and in extreme cases, final beneficiaries. Similar requirements also form an integral part of the lengthy application processes for humanitarian licences organisations often are required to follow in the planning stage of humanitarian projects.

Several operational challenges related to the implementation of humanitarian projects were identified based on the interviews with practitioners, the most severe being challenges to the transfer of funds to sanctioned countries. Banks often refuse to process transactions intended for humanitarian projects when the final destination is a sanctioned country such as Syria or the DPRK. The delayed transfers have severely impeded project implementation as suppliers' and staff's payments have been delayed. This may undermine trust and the willingness to engage with the affected organisation in the future, or in extreme cases, even create security risks for the organisation's staff. Most interviewees operating in Syria and the DPRK also face problems related to importing and exporting humanitarian goods. These problems entail long waiting times for required licences or a potential inability to procure required humanitarian goods. As a response, some organisations have turned to local markets, which may lack required products or only have substitutes of lower quality. Finally, travel bans, particularly in the case of the DPRK, have also created obstacles to the planning, implementation, and monitoring of humanitarian projects.

Which measures have the constituencies of the WCC, CI, and WEA adopted to address sanctions-related challenges, and which measures do sanctions experts propose?

The interviewees described various measures they had adopted to address sanctions-related challenges, including increasing financial flexibility by keeping emergency funds and maintaining several open banking channels, increasing the number of UN contracts, requesting legal advice from pro-bono lawyers, exchanging information with other affected organisations, and using informal value transfer systems. However, these measures may entail their own risks, including serious security and legal risks when relying on bulk cash movements. Several organisations also reported that they had engaged in advocacy, in particular calling for more general humanitarian exemptions and more accessible and clear sanctions legislation and licensing processes. The sanctions experts interviewed confirmed the need for such changes and provided concrete suggestions on the actors and initiatives that the WCC, CI, and WEA may engage with to advocate for change in collaboration with like-minded organisations.

Recommendations

Based on the interviews with twenty humanitarian practitioners from various constituencies of the WCC, CI, and WEA, and five sanctions experts, this research makes the following recommendations:

- Advocate for the creation of more general humanitarian exemptions and more accessible, clear, timely, and standardised licensing processes. Leverage the network of constituencies located in sanctioning countries and directly engage with relevant governments. Consider convening regular encounters between national constituencies located in sanctioning countries to coordinate advocacy efforts and ensure that a unified message is disseminated.
- Collaborate with UN bodies and mandates, such as UN OCHA and the IASC Task Force 3 on Preserving Humanitarian Space, and other NGOs who face sanctions-related challenges in their humanitarian work and make use of existing forums and networks to exchange experiences and coordinate advocacy measures.
- Engage in multi-stakeholder consultations with sanctioning governments, financial institutions and humanitarian organisations affected by sanctions, including by joining meetings of existing tri-sector working groups, to identify practical solutions to overcompliance and bank de-risking. Wherever tri-sector working groups do not yet exist, utilise national networks to advocate for the creation of such groups.
- Continue to document the impact of sanctions on the humanitarian work of the constituencies of the WCC, CI, and WEA to strengthen general advocacy and engagement with sanctioning governments.
- Coordinate information-sharing within and among constituencies on sanctions-related challenges. Consider organising webinars and forums with relevant sanctions experts from outside the WCC, CI, and WEA, to allow constituencies to ask questions and raise sanctions-related issues of relevance to their work.
- Consider creating the position of a focal point on sanctions from which different constituencies can seek advice and guidance on sanctions-related challenges. Staff working in this position could be tasked with producing relevant fact sheets on sanctions requirements which can guide the work of national constituencies. If the required resources are not available, consider requesting staff working on related issues, such as risk and compliance, to allocate time to address sanctions-related challenges.

List of abbreviations

| | |
|-------|--|
| ACT | Action by Churches Together |
| BIS | Bureau of Industry and Security |
| CI | Caritas Internationalis |
| CSN | Charity and Security Network |
| DPRK | Democratic People's Republic of Korea |
| EU | European Union |
| IASC | Inter-Agency Standing Committee |
| ISIL | Islamic State in Iraq and the Levant |
| MENA | Middle East and North Africa |
| NGO | Nongovernmental Organisation |
| NRC | Norwegian Refugee Council |
| OCHA | Office for the Coordination of Humanitarian Affairs |
| OFAC | Office of Foreign Asset Control |
| SWIFT | Society for Worldwide Interbank Financial Telecommunications |
| UCMs | Unilateral Coercive Measures |
| UN | United Nations |
| US | United States |
| UNSC | United Nations Security Council |
| UNSR | United Nations Special Rapporteur |
| VOICE | Voluntary Organisations in Cooperation in Emergencies |
| WCC | World Council of Churches |
| WEA | World Evangelical Alliance |

Glossary of terms

ACT Alliance

Action by Churches Together Alliance is a global faith-based coalition organised in national and regional forums operating in more than 120 countries. Act Alliance work focuses on humanitarian aid, gender and climate justice, migration and displacement, and peace and security.

The Bureau of Industry and Security

The BIS is part of the US Department of Commerce and works to ensure an effective export control system in line with US national security and foreign policy objectives.

Caritas Internationalis

Caritas Internationalis is a confederation of over 160 national catholic member organisations engaged in grassroots-level relief, development, and social work around the world.

Charity and Security Network

The Charity and Security Network is a network of non-profit organisations, donors and faith-based groups, working to promote and protect their ability to carry out programs in support of peace and human rights.

DINGO

DINGO is a forum for exchange consisting of 26 Damascus-based international organisations.

FINGO

FINGO is a network of approximately 280 Finish civil society organisations, providing a forum for exchange and cooperation.

Norwegian Refugee Council

The Norwegian Refugee Council is an independent humanitarian organisation which works to protect the rights of displaced persons, providing assistance, protection, and long-term solutions.

Office of Foreign Asset Control

The Office of Foreign Asset Control is part of the U.S. Treasury Department. It acts as a financial intelligence and enforcement agency and administers and enforces economic trade sanctions in support of US national security and foreign policy objectives.

United Nations Office for the Coordination of Humanitarian Affairs

The Office for the Coordination of Humanitarian Affairs is a UN body tasked with the coordination of responses to complex emergencies, related policy development, and humanitarian advocacy.

United Nations Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights

The mandate of the Special Rapporteur on unilateral coercive measures was created in 2014 and renewed in 2020 by the UN Human Rights Council. The mandate includes gathering relevant information on the negative impact of unilateral coercive measures on the enjoyment of human rights and creating guidelines and making recommendations on ways to address these impacts.

United States Treasury Department

The US Treasury Department is the national treasury and finance department of the US, operating and maintaining the financial infrastructure of the country.

Voluntary Organisations in Cooperation in Emergencies

Voluntary Organisations in Cooperation in Emergencies is the largest European NGO network with more than 87 member organisations in 19 countries. It is the main interlocutor between NGOs and the EU on emergency aid and disaster risk reduction.

World Council of Churches

The World Council of Churches is a worldwide inter-church organisation with a fellowship of 352 churches from more than 120 countries and is engaged in humanitarian, peacebuilding and development work.

World Evangelical Alliance

The WEA is an international organisation representing nine regional and 143 national evangelical alliances of churches, providing, amongst others, humanitarian assistance across the globe.

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1. Introduction

The primary objective of this research project is to produce a systematic overview of the impact of sanctions on the humanitarian work of the constituencies of the WCC, including its sister organisation ACT Alliance, CI, and WEA. Anecdotal evidence based on their conversations with affected constituencies indicates that sanctions have posed an obstacle to transferring humanitarian funds to sanctioned environments, thereby limiting their ability to deliver life-saving humanitarian assistance and provide social services effectively and timely. This paper aims to build on this anecdotal evidence and create a firm foundation for future action by answering the following research questions:

1. What are the challenges the national constituencies of the WCC, CI, and WEA experience in their humanitarian work due to sanctions?
2. How can the WCC, CI, and WEA address these sanctions-related challenges?

This research project consisted of four phases. Firstly, a comprehensive literature review was carried out to provide an overview of different sanctions regimes and their impact on humanitarian work. Secondly, the first round of semi-structured interviews was conducted with twenty individuals working for the constituencies of the WCC, CI, and WEA, mainly operating in Syria and the broader MENA region, the DPRK, and Ethiopia, to understand how sanctions impact their humanitarian work. Thirdly, the second round of semi-structured interviews was conducted with five sanctions experts to explore pathways for addressing the negative impact of sanctions. Fourthly, based on the interviews, the analysis was conducted, and a set of recommendations and practical tools compiled to facilitate the work of the WCC, CI, and WEA in sanctioned environments in the future.

The relevance of this project is three-fold. Firstly, building on previously established anecdotal evidence, this research provides the WCC, CI, and WEA with a more detailed and systematic understanding of the negative impact of sanctions on their humanitarian work. Secondly, the research project develops recommendations for advocacy and practical guidance to address sanctions-related challenges for practitioners affiliated with the WCC, CI, and WEA. Thirdly, the research project further substantiates the existing empirical evidence on the negative impact of sanctions on humanitarian work.

The findings of this study suggest that the sanctions-related challenges experienced by the constituencies of the WCC, CI, and WEA can be divided into administrative and operational challenges. Administrative challenges include understanding sanctions requirements, legal repercussions and related risk-aversion by actors in the humanitarian supply chain, as well as additional due diligence measures and lengthy application processes for humanitarian licences. The operational challenges consist of problems with the transferring of humanitarian funds to sanctioned countries, limits on export and import of humanitarian goods, and restrictions on travel to sanctioned countries in which the organisations operate. In response to these challenges the interviewees adopted various practical measures and engaged in advocacy, in particular highlighting the need to more general humanitarian exemptions and more accessible and clear sanctions legislation and licensing processes. The interviewed

sanctions experts confirmed the need for such changes and provided concrete suggestions on the actors and initiatives that the WCC, CI, and WEA may engage with to advocate for change.

Before discussing the findings in more detail, the report reviews the existing literature about the impact of sanctions on humanitarian work and examines the methodological choices of this research project. The subsequent section discusses the various challenges reported by the constituencies of the WCC, CI, and WEA, the measures the adopted to address these challenges, and related recommendations from the interviewed sanctions experts. The report concludes with a discussion section offering a list of recommendations to the WCC, CI, and WEA regarding pathways for addressing sanctions-related challenges. Practical tools, including a list of relevant resources, and a sanctions impact assessment survey which the WCC, CI, and WEA can circulate among their constituencies are included in the Appendices.

2. Literature review

This section is divided into three parts, reviewing (1) sanctions regimes particularly relevant to this research, (2) the existing literature on the humanitarian impact of sanctions, and (3) advocacy strategies affected organisations have adopted to address the impact of sanctions on their humanitarian work.

2.1 Relevant sanctions regimes

2.1.1 Introduction to international sanctions

There are two main types of international sanctions: multilateral and unilateral sanctions. The former are sanctions adopted by the UNSC, while the latter are employed beyond the authorisation of the UNSC by countries or regional organisations (Moret, 2021). Multilateral sanctions adopted by the UNSC are legally binding under Article 41 of Chapter VII of the UN Charter, which authorises the UNSC to take measures not involving the use of armed force to maintain peace and security.

Unilateral and multilateral sanctions can be classified on a spectrum ranging from comprehensive to targeted. Comprehensive sanctions are typically applied indiscriminately against individuals or entities because of their location in or connection to a certain country (Biersteker, Eckert, Tourinho & Hudáková, 2013). Following increased attention to the adverse impacts of comprehensive sanctions on the civilian population of targeted countries, the early 2000s saw a shift from comprehensive to targeted sanctions. In this regard, Baran (2022) explains that the international community used targeted sanctions to show its “efforts to ensure unilateral sanctions’ compliance with international human rights and humanitarian law” (para. 26). Regardless of their legality, the use of targeted sanctions does not entail a complete alleviation of negative humanitarian effects (Biersteker, 2010).

Furthermore, one may distinguish between primary and secondary sanctions. Primary sanctions are restrictions that typically target individuals and entities under the jurisdiction of the sanctioning state, including citizens of the sanctioning state around the world,

organisations registered in the sanctioning state, and other individuals present in the sanctioning state (Ruys & Ryngaert, 2020). Thus, primary sanctions affect the relations between the targeting and the targeted state. Secondary sanctions, on the other hand, are directed against third states or operators in third states and the targeted state, thereby having an extraterritorial reach which is potentially suspect under international law (Ruys & Ryngaert, 2020).

2.1.2 Democratic People's Republic of Korea

The DPRK is currently facing wide-ranging sanctions by the UNSC, the EU, and other governments, most notably the US, Japan, South Korea, and Australia (Council on Foreign Relations, 2022). The UNSC has passed five resolutions sanctioning the DPRK after its first nuclear test in 2006, each time expanding restrictions in response to further nuclear proliferation activities. The resolutions are binding on all UN member states and ban, amongst others, the trade of arms and military equipment, dual-use technologies, industrial machinery, and metals; freeze assets of individuals involved in its nuclear program; cap imports of oil; restrict scientific and technical cooperation; and prohibit UN members from opening North Korean bank accounts (Council on Foreign Relations, 2022). The unilateral sanctions imposed by the US and the EU further restrict economic activities and target additional businesses and individuals supporting the DPRK's nuclear program (Council on Foreign Relations, 2022; European Council, n.d.). The US also applies secondary sanctions against entities providing support to the DPRK, particularly in China and Russia. For instance, according to Executive Order 13810, issued by US President Trump in 2017, any company or person doing business with North Korea may be cut off from the US financial system and have their assets frozen (US Department of the Treasury, 2017).

2.1.3 Syria

Currently, no UNSC resolutions have been adopted to sanction the Syrian government. However, several individuals and entities originating from or operating in Syria are targeted by the UN sanctions against al-Qaeda and ISIL pursuant to UNSC Resolution 1267 and 2253 (United Nations, 2015). Individuals listed on the UN sanctions list are primarily active in the North West of Syria, and thus, UN sanctions tend to only affect the provision of humanitarian assistance in this part of Syria (Walker, 2020). Moreover, several countries have resorted to the implementation of unilateral sanctions against the Syrian government and related entities and individuals as a response to the repression of civilians in the Syrian civil war. The US had already imposed sanctions on Syria in previous decades but significantly expanded them in 2017 after holding the Syrian government responsible for a Sarin gas attack in the northern Syrian town of Khan Sheikhoun (Ibrahim, 2020). While these sanctions mainly consisted of targeted measures against the Syrian government and its supporters, they were further expanded in June 2020 through the Caesar Act in response to a data leak documenting torture and other human rights violations in Syrian prisons.

With the adoption of the 2020 Caesar Act, the US implemented far-reaching secondary sanctions targeting those seeking to do business with the Syrian government (Ibrahim, 2020; The Carter Center, 2020). These target businesses and individuals that engage in significant financial transactions with the Syrian government or other targeted companies or individuals,

support the Syrian military and the government's oil and gas production, or provide construction or engineering services to the Syrian government (The Carter Center, 2020). In particular, the threat of sanctions against those “knowingly providing significant financial, material, or technological support to, or knowingly engaging in a significant transaction with the Government of Syria [or] knowingly, directly, or indirectly, providing significant construction or engineering services to the Government of Syria” (Diakonia, 2021) can pose risks to humanitarian actors who may be forced to interact with the Syrian government when providing humanitarian services in the government-controlled parts of Syria. US primary sanctions were also expanded and include, amongst others, at present, a prohibition on US foreign assistance to the Syrian government; a prohibition on arms trade with Syria; a prohibition on the export or re-export of US goods to Syria, with exceptions for certain humanitarian goods such as food and medicine; a prohibition on the US import of certain Syrian products; a prohibition on financial and investment restrictions on Syria, generally prohibiting US investment and US financial transactions with Syria; and a range of more targeted sanctions on Syrian government officials and businesses (OFAC, 2013; The Carter Center, 2020). The EU's Syria sanctions regime includes several similar provisions, such as a prohibition on purchasing Syrian goods, restrictions on investments in Syria, limits on Syrian banks' ability to operate in the EU, and a prohibition on EU citizens or companies to do business with the Syrian government. However, the EU's sanctions do not limit trade as extensively as the US and do not include secondary sanctions.

2.1.4 Ethiopia

Following the escalation of the armed conflict in the Tigray region, US President Biden signed an executive order in September 2021 authorising the imposition of targeted financial sanctions against responsible individuals from the Ethiopian government, the Eritrean government, the Tigray People's Liberation Front, and the Amhara region's government and armed forces (Gavin, 2021; The White House, 2021). So far, the Biden Administration has not taken any steps to implement corresponding sanctions (Gramer, 2022). As a concrete step in responding to human rights violations in the Tigray region, the US did, however, terminate the AGOA Trade Preference Program for Ethiopia in January 2022, which had granted it duty-free access to the US market (Office of the United States Trade Representative, 2022).

2.2 The impact of sanctions on humanitarian work

Sanctions seriously impact humanitarian organisations' ability to effectively provide assistance to persons in need. This report distinguishes between three main types of impacts: 1) direct effects on humanitarian assistance, 2) administrative and operational challenges, and 3) overcompliance-related challenges. Although these categories are not strictly separable but interlinked, they can illustrate the varying and sometimes unintended challenges sanctions create for humanitarian organisations. Beyond impacting humanitarian organisations' ability to provide assistance, sanctions may also cause other negative humanitarian consequences related to affected countries' economies. For instance, Moret (2015) points to the severe impact sanctions had on Iraq's economy in the 1990s and its ability to import essential humanitarian goods, thereby causing an increase in childhood mortality, tuberculosis, measles and typhus, and a return of cholera and typhoid. However, discussing these issues is beyond the scope of this research, given its focus on the impact of sanctions on humanitarian

assistance. Instead, in the following, the three main ways in which sanctions can impact humanitarian organisations are explored and summarised in Figure 1 below.

2.2.1 Direct effects on humanitarian assistance

Regarding sanctions' direct effects on humanitarian assistance, two main challenges are notable: financial restrictions and limits on import and export. Firstly, financial restrictions encompass not only limits on financial transactions to banks operating in sanctioned environments but also asset freezes. Financial restrictions limit the ability of humanitarian organisations to pay for the procurement of goods, the salaries of their staff, and the services of contractors, thereby affecting their ability to effectively provide humanitarian services (Walker, 2016). Among UN sanctions regimes, Brubaker and Huvé (2021) identify asset freezes as the biggest obstacle to humanitarian action, given that incidental payments to designated individuals or entities may be unavoidable to reach persons in need in territories controlled by these actors. However, generally, limits to financial transactions arguably pose the biggest challenge to humanitarian organisations operating in sanctioned environments. A reason for this may be (1) the administrative difficulties humanitarian actors experience when attempting to obtain such exceptions and (2) banks' unwillingness to take risks by engaging with sanctioned entities (Debarre, 2019). These issues will be discussed in more detail in the following two sections. Irrespective of overcompliance, the challenges related to financial restrictions humanitarian actors face are exacerbated by the extraterritorial reach of US sanctions and the centrality of the US Dollar in the international banking system (Keatinge & Keen, 2017; Walker, 2021). As banks try to ensure that transferred funds are not diverted to designated actors, not only the direct engagement with a US bank but also the involvement of a US correspondent bank may limit the ability of humanitarian organisations to carry out financial transactions required for the provision of assistance.

Secondly, countries may limit exports of goods from their territory to sanctioned environments or restrict the import of goods produced in the sanctioned country and/or by sanctioned entities. Regarding exports of goods, the case of the US illustrates the challenges humanitarian actors face, which may need to navigate both the OFAC and the BIS (Zadeh-Cummings & Harris, 2020). US sanctions usually cover the export, re-export, sale or supply of products originating from US territory or by any US citizen. In most cases, a 10 per cent de minimis content threshold applies to US sanctions, thereby making the export or import of foreign-made products which contain more than 10 per cent US-origin components illegal (Walker, 2016; Walker, 2021). In terms of import-related challenges, the case of the DPRK is particularly instructive. Not only is the import of certain items on the UN sanctions list generally prohibited, but humanitarian actors also face administrative challenges in importing goods usually acquired in China (Debarre, 2019). Shipping goods across the Chinese-DPRK border requires both a UN exemption and a Chinese permit. The added shipping time and expenses caused by extensive inspections have made many suppliers reluctant to engage and, in turn, increased the costs for humanitarian actors when hiring suppliers still available (Debarre, 2019). Issues related to overcompliance are discussed in more detail in the relevant section.

Additionally, the restrictions on the import and export of humanitarian goods typically encompass certain goods, particularly those considered to have dual-use capabilities,

including for military purposes (Debarre, 2019). The sanctions on the DPRK have prohibited importing certain types of metals, thereby causing Chinese customs to hold up shipments including nail clippers or reproductive health kits supplied by a UN agency because they contained aluminium steam sterilisers (Debarre, 2019; Zadeh-Cummings & Harris, 2020). In the case of Syria, this may, for instance, include drilling equipment or pipes used for water and sanitation projects (Walker, 2016). Moreover, there have been reports of Syrian doctors being unable to import spare parts for CT-scan equipment, as these were only produced by European companies and their imports were prohibited by EU sanctions (Debarre, 2019). The case of Syria also highlights the approach of the US and EU to restrict reconstruction and development work, as opposed to humanitarian assistance. The unclear scope of this distinction poses a challenge to humanitarian actors who may struggle to identify what is permitted and what is prohibited and be limited in fulfilling their mandate.

2.2.2 Administrative and operational challenges

Administrative and operational challenges constitute another set of challenges faced by humanitarian organisations as a consequence of sanctions, of which the three most important are discussed in this section. Firstly, many sanctions regimes require humanitarian organisations to apply for humanitarian licences from sanctioning authorities, such as the US OFAC. This is a complex process which increases costs and delays the implementation of projects, thereby potentially eroding the trust of partners (Zadeh-Cummings & Harris, 2020). The legal costs associated with each licence can sometimes outweigh the value of the humanitarian goods themselves (Walker, 2016). Here, Walker (2016) provides the example of Syria, where seeking US approval for shipping a computer to Syria can cost three times more than the actual computer. Secondly, additional due diligence measures may be required by banks or donors, including the screening of implementing partners and ensuring that none of the humanitarian activities will benefit sanctioned individuals (Walker, 2020). The screening of beneficiaries may not only be technically and financially challenging but also violate fundamental humanitarian principles, thereby creating dilemmas for humanitarian organisations (Walker, 2020). Thirdly, if banks are unwilling to engage with humanitarian organisations operating in sanctioned environments, their staff may be required to resort to informal payment channels or to use cash movements to maintain humanitarian projects (Debarre, 2019). This may increase the risk of diversion of funds and create security risks for humanitarian workers when moving large amounts of cash in highly volatile environments.

2.2.3 Overcompliance-related challenges

Actors involved in the humanitarian supply chain, including, banks, suppliers, donors, and humanitarian organisations have at times avoided engagement in activities in sanctioned environments, although permitted by applicable sanctions requirements, out of fear of violations occurring nonetheless, and reputational concerns (O’Leary, 2022; Walker, 2021). According to Walker (2021), this fear has created a “chilling effect”, or in other words, “overcompliance” by relevant actors. When speaking of affected financial institutions, this practice has also been referred to as “de-risking” (Council of Europe, n.d.). Overcomplying actors are particularly cautious regarding US sanctions policies, given the US government’s use of secondary sanctions and ability to retaliate in cases of sanctions violations. This is primarily based on the US’ importance in the international financial system due to the centrality

of the US-Dollar, which is used for most international financial transactions, and the financial importance of US customers (Mallard, Sabet & Sun, 2020). Hence, most banks are reluctant to engage with those working in sanctioned environments as the risk of becoming targeted by sanctioning authorities often outweighs the financial benefits.

There are three main ways in which overcompliance expresses itself in the case of banks: Firstly, banks may block financial transactions for individuals and institutions working in sanctioned countries, not only when they engage with sanctioned entities but also when their activities fall outside of the scope of sanctions or are explicitly authorised through humanitarian exemptions (OCHA, 2022). Secondly, when not principally refusing engagement, banks may also impede transactions by requesting detailed documentation about the activities for which the money will be used. In addition, banks may charge higher rates or additional fees. Eventually, they disincentivise transactions for humanitarian work by creating long delays through these processes (Gottemoeller, 2007). Thirdly, overcompliance occurs when banks deny humanitarian organisations the possibility to maintain or open bank accounts (Daher, 2021). However, O'Leary (2022) notes that not only banks but also donors and humanitarian organisations themselves may overcomply with sanctions due to reputational concerns. While donors may terminate the funding of certain projects, humanitarian organisations may decide to withdraw from environments or projects that they deem too risky.

Overcompliance often has adverse consequences for the provision of humanitarian assistance. Most importantly, overcompliance can prevent, delay, or increase the costs of purchase and shipments of humanitarian goods to sanctioned countries required for the provision of humanitarian assistance, which in turn can pose serious consequences for those in need (OCHA, 2022). Moreover, in cases where banks refuse to transfer funds, humanitarian organisations may be unable to procure goods within a sanctioned environment or pay staff members or partners implementing specific humanitarian projects.

2.3 Advocacy to address the humanitarian impact of sanctions

Advocacy work by humanitarian organisations to address the negative impacts of sanctions on humanitarian assistance has, to this date, focused on various issues. O'Leary (2022) outlines five distinct areas that in recent years have been at the centre of attention of humanitarians aiming to facilitate humanitarian work in sanctioned environments: (1) UNSC action to safeguard humanitarian work, (2) improving the clarity of language in grant agreements with donors which may put extensive requirements to (over)comply with sanctions on the humanitarian organisation, (3) enhancing dialogue and guidance regarding sanctions and bank de-risking with sanctioning authorities and banks, (4) the use of humanitarian licences and derogations, and (5) increased use of general humanitarian exemptions. As a starting point for effective advocacy, several humanitarian organisations have been involved in awareness-raising regarding the negative impact of sanctions, including collective awareness-raising and advocacy as exemplified by the Lift Sanctions, Save Lives campaign in the US (Lift Sanctions, Save Lives, n.d.). However, according to the International Peace Institute (2021) the humanitarian sector as a whole lacks a unified and consistent response to the humanitarian impact of sanctions and requires better coordination to generate a significant impact on sanctioning authorities. On the other hand, actors such as UN OCHA and the IASC

have led advocacy-related initiatives involving affected humanitarian organisations to create a unified narrative on the impact of sanctions on their work and engage with sanctioning authorities accordingly. This study aims to make a contribution in this regard by proposing advocacy strategies the WCC, CI, and WEA can adopt to mitigate the sanctions-related challenges their constituencies face.

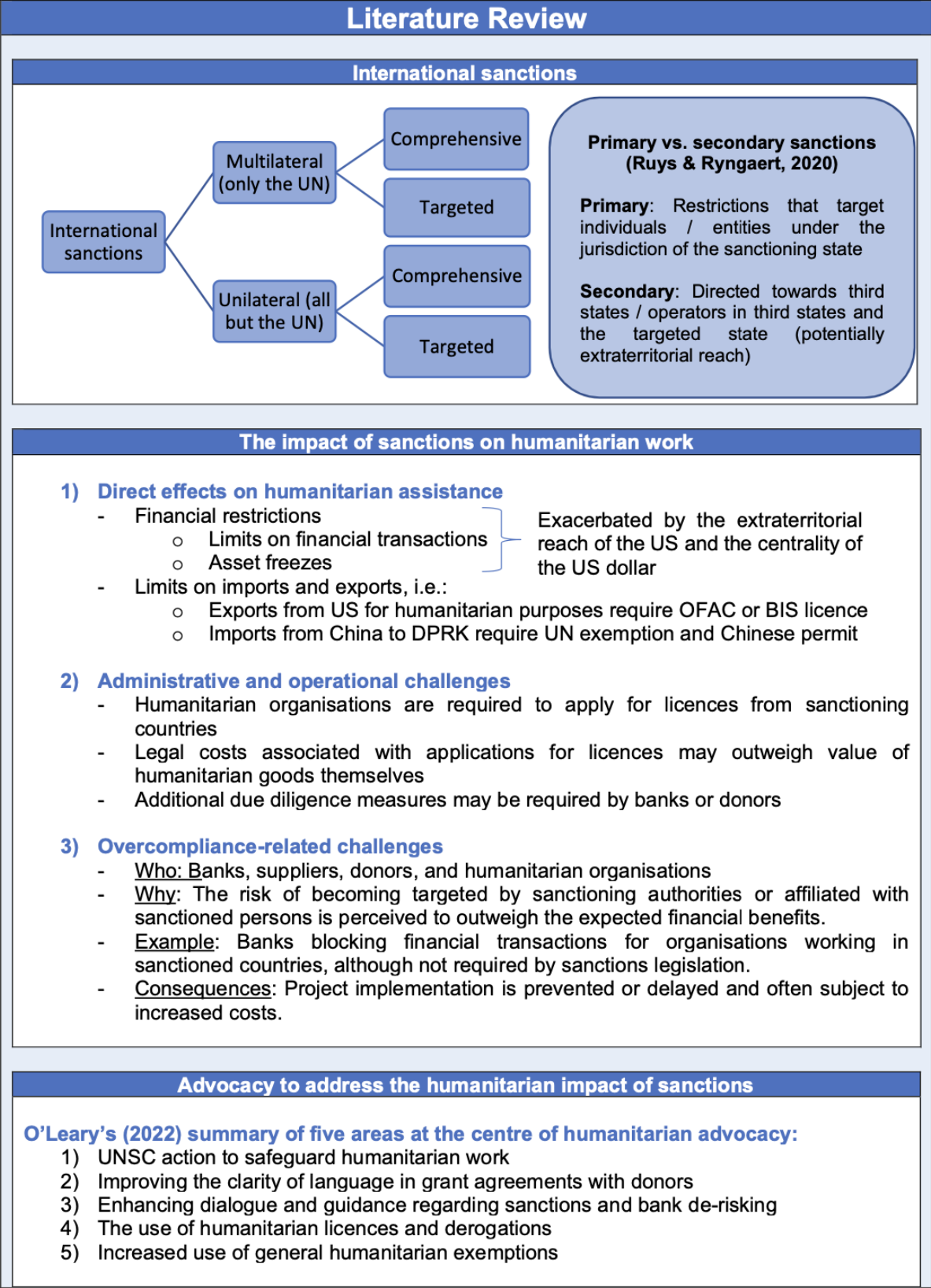


Figure 1: Main findings from the literature review

3. Methodology

The following section outlines the methodological considerations of this research project by discussing the overarching methodological choices, data and data collection, and data analysis. Appendix 1 discusses further methodological reflections, including external and internal validity and reliability, methodological limitations, and ethical considerations.

3.1 Methodological approach

This project relies on case study research as its methodological approach to analyse the impact of sanctions on the constituencies of the research team's partners – the WCC, the WEA, and CI - and potential solutions for addressing related challenges. While Yin (2009, p. 13) defines case study methodology as “an empirical inquiry that investigates a contemporary phenomenon in depth and within its real-life context”, Stake describes it as an “investigation and analysis of a single or collective case, intended to capture the complexity of the object of study” (as quoted in Ebneyamini & Sadeghi Moghadam, 2018, p. 12). This corresponds with this research's objective to supplement the WCC's, CI's, and the WEA's anecdotal evidence of the impact of sanctions on the humanitarian work of their constituencies with a systematic analysis, capturing the complexity of this issue. In pursuing case study methodology, this research followed the relevant five-step framework suggested by Ebneyamini and Sadeghi Moghadam (2018), as illustrated in Figure 2 below.

Firstly, this study can be defined as practice-oriented, considering the WCC's, CI's, and WEA's request to create a systematic overview of the impact of sanctions on their constituencies in different countries and avenues for addressing these challenges. Secondly, this study uses case study research for exploration, given that no general theories on the impact of sanctions on humanitarian work exist and no systematic descriptive data on sanctions' impact on the work of WCC, WEA, and CI. This corresponds with Dul and Hak's (2008) observation, as cited in Ebneyamini & Sadeghi Moghadam (2018), that researchers generally view case study research as useful “(A) when the topic is broad and highly complex, (B) when there is not a lot of theory available, and (C) when “context” is very important” (p. 3). Not only is a theory lacking, but the impact of sanctions on the humanitarian work of the WCC, CI, and WEA constitutes a complex phenomenon which may express itself differently, depending on the specific context. This study adopted an inductive approach to creating a systematic overview of the impact of sanctions on the constituencies of the WCC, CI, and WEA, thereby aiming to “establish [relevant] patterns, consistencies and meanings” (Gray, 2014, p. 18). However, it is important to note that many scholars view case studies as purely exploratory research, which does not allow for generalisations from the examined cases (Ebneyamini & Sadeghi Moghadam, 2018). For more details on external and internal validity, see Appendix I.

Thirdly, and related to the previous issue, the type of case study adopted in this research can be defined as an exploratory single case study. Case studies are typically characterised by selecting a small geographical area or a limited number of individuals as the subjects of study (Ebneyamini & Sadeghi Moghadam, 2018). This has also been done in this case, focusing on individuals working for different humanitarian organisations affiliated with the WCC, the WEA, or CI. While all interviewees are engaged in the provision of humanitarian assistance in the DPRK, Ethiopia, or the Middle East, particularly Syria, it is beyond the scope of this research

to distinguish between different case studies on the basis of their specific country of operation. Fourthly, two of the three methods of data gathering identified by Stake (1995), as cited in Ebneyamini & Sadeghi Moghadam (2018), were used in this research: interview and document review or, more precisely, in-depth semi-structured interviews and additional documents shared by interviewees. Fifthly, thematic analysis was used to analyse the data gathered through the interviews. In particular, the choices related to data collection and data analysis are explored in more detail in the following sections.

| Purpose of Case Study Research | Reason to Use Case Study Research | Types of Case Study Research | Methods of Gathering Data | Data Analysis in a Case Study Research |
|---|---|---|--|---|
| <ul style="list-style-type: none"> - Practical oriented - Theory oriented (Dul & Hak, 2008) | <ul style="list-style-type: none"> - Exploration - Theory Building - Theory testing - Theory extension /refinement - Hypothesis testing - Hypothesis Building - Description (Dul & Hak, 2008; Staje, 1995; Voss et al., 2002; Yin, 1994) | <ul style="list-style-type: none"> - Exploratory - Explanatory - Descriptive - Intrinsic case study - Instrumental case study - Collective case study - Single case study - Multiple case study - Interpretive case study - Evaluative case study (Dul & Hak, 2008; Stake, 1995; Yin, 1993; Zainal, 2007) | <ul style="list-style-type: none"> - Observation - Interview - Document review - Archival records - Participant observation and physical artefacts - Use of multiple sources of data - Create a case study database - Maintain a chain of evidence (Dul & Hak, 2008; Stake, 1995; Yin, 1993) | <ul style="list-style-type: none"> - Data reduction - Data display - Conclusion drawing and verification - Pattern matching - Program logic method - Explanation building - Time series analysis - Cross-case synthesis - Categorical aggregation - Direct interpretation - Ethnographic analysis - Narrative analysis - Phenomenological analysis - Content analysis - Analytics induction - Cross-case analysis - Within-case analysis - Visual inspection (Eisenhardt, 1989; Huberman & Miles, 1994; Stake, 1995; Yazan, 2015) |

Figure 2: Five-step framework for case study research (Ebneyamini & Sadeghi Moghadam, 2018).

3.2 Data and data collection

This research relies on in-depth semi-structured interviews as the primary sources of data. Besides their use in confirmatory research, interviews are often used when the research objective is exploratory since they allow respondents to explain their experiences in-depth (Gray, 2014). This was very useful for this study as it allowed the interviewees to provide a detailed account of their experiences regarding the impact of sanctions. Semi-structured interviews, in particular, were chosen because they allowed the interviewers to ask follow-up

questions to obtain more detailed responses in relevant areas and clarifications to avoid misinterpretations (Elmir, Schmied, Jackson & Wilkes, 2011). Additionally, past studies have shown that a comprehensive understanding of the humanitarian impact of sanctions has usually been developed within a participatory framework, in which researchers have conducted studies using working groups (King et al., 2016), expert roundtables (Walker, 2016) and semi-structured interviews with experts (Zadeh-Cummings & Harris, 2020). The interviewees were divided into two main groups: Group 1) individuals working for organisations affiliated with WCC, WEA, or CI in sanctions-affected contexts, and Group 2) other individuals with expertise on sanctions and humanitarian work.

As the overarching sampling strategy, purposive sampling was used for both groups, allowing the researchers to identify individuals who are particularly well-informed about the research topic (Lynch, 2013; Gray, 2014). Within purposive sampling, two distinct sub-categories were used to identify suitable interviewees for each group. For Group 1, snowball sampling was adopted, which required the researchers to identify several subjects who themselves identified potential interviewees (Lynch, 2013; Gray, 2014). This sampling strategy is particularly useful in cases where a study explores a sensitive issue, such as the humanitarian impact of sanctions. In the case of this study, the research team's contact points at the WCC, CI, and WEA identified relevant individuals within their organisations. They contacted them to explain the study's objective before connecting individuals willing to participate in an interview with the research team. For Group 2, another sub-category of purposive sampling, namely criterion sampling, was adopted, which allowed for identifying interviewees who meet a specific criterion (Gray, 2014). In this case, all individuals of Group 2 were required to be experts on sanctions and their humanitarian impact through practical exposure or academic work. The second group of interviewees was created to obtain further insights, in addition to those from Group 1, on potential pathways for addressing the impact of sanctions on humanitarian work. Participants of Group 2 were directly approached by the research team. Interviews with sanctions experts allowed the research team to develop a more detailed and practical response to the second research question.

Figure 3 provides a preliminary overview of the number of interviewees by region and affiliation with the WCC, including its sister organisation ACT Alliance, CI, and WEA. More information cannot be shared to ensure anonymisation in light of the sensitive nature of the work many participants are engaged in. Twenty interviews were conducted with participants from Group 1, thereby exceeding the number of interviewees of 9-17, which Hennink and Kaiser (2022) identified as the typical sample size required for reaching code saturation in qualitative research. Their study found that at this size, usually only a few or no new codes can be found in the data. However, given that for this research interviews were conducted with humanitarian practitioners working in different countries where sanctions may have different impacts on humanitarian work, a larger sample size was chosen. Figure 4 provides a list of the five sanctions experts participating in interviews for Group 2.

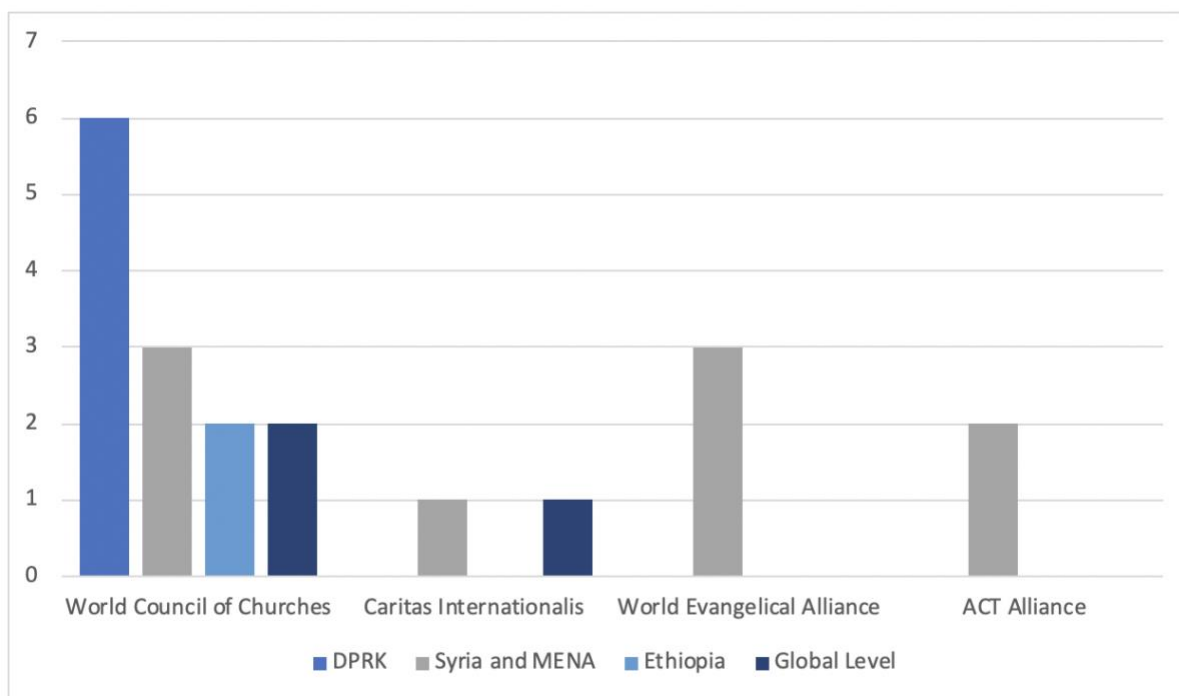


Figure 3: Division of participants in Group 1 by organisation.

| # | Name | Job description |
|--------------------------|---|--|
| <i>Sanctions experts</i> | | |
| 1 | Professor Alena Douhan | UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights |
| 2 | Dr Erica Moret | Coordinator of the Geneva International Sanctions Network & Senior Researcher at the Global Governance Centre of the Graduate Institute Geneva |
| 3 | #1 Aurelien Buffler #2 Julien Piacibello | #1 Chief, Policy Advice and Planning Section, OCHA #2 Humanitarian Affairs Officer, OCHA |
| 4 | Professor George Lopez | Rev. Theodore M. Hesburgh, C.S.C. Chair in Peace Studies at the Kroc Institute for International Peace Studies & Member of UN Panel of Experts for monitoring and implementing UN sanctions against the DPRK |
| 5 | Dr Marianna Leite | Global Advocacy Manager, ACT Alliance |

Figure 4: List of participants in Group 2.

Before conducting the interviews, a context literature review was compiled to explore existing research on the impact of sanctions on humanitarian work and pathways for addressing related challenges (Neuman, 2014). In this way, the literature review provided the foundation for the interview questions, which were divided into five main sections, thereby responding to the main relevant themes identified in the existing literature. The first section was concerned with background information on the participants and the organisations they worked for. The second section dealt with the impact of sanctions on the humanitarian work of the organisations the interviewees worked for, while sections three and four specifically explored issues related to compliance and overcompliance in more detail. Lastly, section five examined pathways for addressing the impact of sanctions on the humanitarian work of the organisation

in question. For the interviews with sanctions experts, a separate list of interview questions was created, based on the previous findings and focused on practical and advocacy measures to address sanctions-related challenges to humanitarian work. Appendix II contains both sets of interview questions.

3.3 Data analysis

The collected data was analysed through a thematic analysis upon completion of the interviews. Thematic analysis was used because it allowed the researcher to identify and analyse themes and patterns within the data (Gray, 2014). Before conducting the analysis, all interviews were transcribed. For the data analysis, the six-step framework developed by Braun and Clarke (2006) was used (see Figure 5). This allowed for identifying the most prevalent themes regarding the challenges the constituencies of the WCC, CI, and WEA face in their humanitarian work as a consequence of sanctions, as well as potential pathways for addressing them. Braun and Clarke’s (2006) six-step framework has been widely used for the analysis of qualitative data across different academic disciplines, including interviews in exploratory research, and thus cited in over 60,000 articles (Smith & Sullivan, 2022; Cameron et al., 2022). Braun and Clarke (2021; 2022) and other scholars like Maguire and Delahunt (2017) provide detailed guidance and clarification on the use of the six-step framework. The themes identified in this research are examined in detail in the following chapter.

| Phase | Description of the process |
|--|--|
| 1. Familiarising yourself with your data | Transcribing data (if necessary), reading and re-reading the data, noting down initial ideas. |
| 2. Generating initial codes | Coding interesting features of the data in a systematic fashion across the entire data set, collating data relevant to each code. |
| 3. Searching for themes | Collating codes into potential themes, gathering all data relevant to each potential theme. |
| 4. Reviewing themes | Checking if the themes work in relation to the coded extract (Level 1) and the entire data set (Level 2), generating a thematic ‘map’ of the analysis |
| 5. Defining and naming | Ongoing analysis to refine the specifics of each theme, and the overall story the analysis tells, generating clear definitions and names for each theme. |
| 6. Producing the report | The final opportunity for analysis. Selection of vivid, compelling extract examples, final analysis of selected extracts, relating back of the analysis to the research question and literature, producing a scholarly report of the analysis. |

Figure 5: Phases of thematic analysis (Braun & Clarke, 2006)

4. Analysis

The analysis of this report is divided into five sections. The first section contextualizes the impact of sanctions on humanitarian work. The second section focuses on administrative and financial challenges, whereas the third section discusses operational challenges sanctions pose to humanitarian work. In this regard, the former is mostly concerned with challenges that relate to the planning stage of humanitarian projects and the broader implications sanctions have for the concerned humanitarian organisations, while the latter addresses those challenges that directly affect the implementation of humanitarian projects. The fourth section

discusses measures that interviewees and their respective organisations have adopted so far to address challenges posed by sanctions, followed by the fifth section that examines the measures sanctions experts suggested to address sanctions' negative impacts on humanitarian work.

4.1 Contextualising the impact of sanctions on humanitarian work

The following section contextualises the impact of sanctions on humanitarian work by addressing 1) issues interlinked with the impact of sanctions that obstruct humanitarian work, and 2) the need to distinguish between humanitarian aid and reconstruction efforts, as the former is subject to humanitarian exemptions in most sanctions regimes, while the latter is not.

4.1.1 Issues interlinked with sanctions obstructing humanitarian work

Based on the interviews, two factors interlinked with the impact of sanctions that obstruct the provision of humanitarian assistance were identified. Firstly, countries affected by conflict often face economic problems that go beyond the impact of sanctions, such as the devaluation of the currency, as reported by several interviewees in the context of Syria. In situations in which essential commodities may not be available on the local market, it is difficult to disentangle the extent to which sanctions, as opposed to other micro- and macro-economic factors, obstruct humanitarian work. Secondly, Covid-19 has also had negative impacts on humanitarian action due to widespread travel restrictions, supply chain disruptions, and diversion of available funds for humanitarian projects to address the impacts of the pandemic. These issues were particularly severe in countries such as the DPRK, which became even more isolated during the pandemic. Thirdly, the current Russia-Ukraine war has also had adverse effects on humanitarian organisations in sanctioned environments, as some organisations reported a reduction in their funding due to the relocation of aid funds to Ukraine. Beyond that, the Russia-Ukraine war disrupted humanitarian supply chains. An interviewee from Ethiopia confirmed this, arguing that some essential commodities were no longer available on the local market, thereby creating severe delays in project implementation.

4.1.2 Distinguishing between humanitarian aid and reconstruction

Five interviewees mentioned the distinction between humanitarian aid and reconstruction, or development work made by sanctioning governments. They reported that, for instance, in the context of projects in Syria, fears of being targeted for aiding the reconstruction efforts of the Syrian government have caused challenges for the approval of certain projects. Moreover, concerning the DPRK, the US government has only allowed for short-term humanitarian operations but denied approval for longer-term development projects, such as one on reforestation addressing flooding in North Korea. The US might also view the training of health professionals or agricultural training as developmental rather than humanitarian in nature. As a consequence, humanitarian actors tend to be hesitant to engage in projects that may be considered reconstruction or development work. To increase the chances of receiving approval for projects that may be outside of the scope of humanitarian assistance, some organisations have also adapted the language in their applications to donors, speaking of "rehabilitation" or "early recovery" instead of reconstruction. However, many organisations have voiced frustration concerning these limitations as they prevent tackling the root causes of humanitarian problems and implementing sustainable solutions. This is illustrated by one

interviewee who stated that “providing water is not treating the underlying problem but fixing water infrastructure does”. Another interviewee stated:

One project was meant to fix irrigation networks in the suburbs of a major governorate in Syria. And here we faced the same issue. Donors considered it a reconstruction of infrastructure, and we could not do it. Instead, we had to do water trucking, which is more expensive, less efficient and less sustainable relative to fixing the water networks.

4.2 Administrative challenges

The following section outlines four administrative challenges faced by humanitarian organisations as a result of sanctions, which are 1) understanding the scope of sanctions, 2) legal repercussions and overcompliance, 3) obstacles faced when applying for humanitarian licences, and 4) enhanced due diligence requirements. Figure 6 below provides a summary of the main arguments concerning administrative challenges.

4.2.1 Understanding the scope of sanctions

A fundamental challenge that has far-reaching implications for humanitarian organisations' ability to efficiently implement humanitarian projects is understanding which sanctions apply in respective operational environments and corresponding requirements. This problem is based on the large number of different sanctions regimes being implemented by various states, regional organisations, and the UN, and their legal complexity. In this regard, four key observations were made during the interviews. Firstly, sanctions legislation is often perceived as vague, thereby leaving significant room for interpretation. This has led to notable operational challenges for humanitarian organisations, as exemplified by the case of one organisation which was shipping medical kits to the DPRK. Since the kits contained nail clippers and UN sanctions prohibited the import of all products made from metal into the DPRK, the container was halted for months in customs. Some humanitarian organisations also noted that it was not entirely clear to them what the consequences of unintentional non-compliance with sanctions would be - heavy fines or only a warning.

Secondly, to avoid these problems and understand sanctions requirements, most organisations had to obtain legal advice from lawyers specialising in sanctions legislation. One practitioner working in Canada illustrated this by clarifying that their organisation understood well what sanctions they needed to comply with but not what each specific provision meant due to their technical complexity. Another interviewee added that although external legal advice was crucial, small risks always persist for humanitarian organisations since there is no guarantee that this advice is correct.

Thirdly, several factors influence the ability of humanitarian organisations to understand what sanctions require of them to varying degrees. A) Smaller organisations with limited administrative and financial capacities struggle more as they can devote less staff to navigating sanctions legislation and are less likely to be able to finance expensive lawyers. B) Organisations that maintain close relations with other actors with sanctions expertise fare better. For instance, one interviewee emphasised the substantial support their organisation

received from a national government in navigating sanctions requirements. C) Organisations that operate independently in sanctioned environments and lack branches in sanctioning countries tend to struggle more with accessing information and technical expertise to deal with sanctions requirements, including applications for licences. This is important as those organisations may be required to deal with US extraterritorial sanctions. D) Finding ways of maintaining institutional memory on sanctions requirements was mentioned as a key challenge for humanitarian organisations as employees with niche knowledge on sanctions eventually leave the organisations.

Fourthly, humanitarian organisations are not the only stakeholders facing difficulties with understanding the complex requirements of sanctions legislation. Other actors also struggle with keeping up with the constantly changing requirements of various sanctions regimes. For instance, one interviewee mentioned a situation in which a bank through which their organisation regularly transferred funds for humanitarian projects was not aware that sanctions on Iraq had been lifted. Only after six months and providing documents confirming this did the bank process the transfer. Understanding what is permitted and prohibited according to sanctions requirements is not enough for humanitarian organisations navigating sanctions. Albeit important to ensure legal compliance, the issue of overcompliance, particularly by banks, poses further obstacles to the planning and implementation of humanitarian projects, as discussed in the following.

4.2.2 Legal repercussions and overcompliance

Humanitarian organisations have rarely become the target of legal investigations because of violations of sanctions requirements. This has been confirmed by several interviewees, stating that they have never been investigated and do not know of such cases because regulators did not have a real interest in obstructing the work of humanitarian organisations. However, while thinking that they were in compliance with relevant sanctions regimes, one organisation based in the US reported being investigated and subpoenaed by the US Department of Treasury for an alleged sanctions violation. In previous cases, the Treasury Department had sent letters to organisations known for operating in good faith requiring them to adjust their programs to remain in compliance with sanctions requirements. However, in this case, an investigation was opened immediately.

After lengthy discussions with US government entities, the investigation was closed, and no charges were filed. Despite that, the investigation took a mental toll on the organisation's staff, given the threat of large fines or prison time, and led other humanitarian organisations to voluntarily share sensitive information on their humanitarian projects with the Treasury Department to demonstrate compliance and avoid similar investigations. The affected organisation itself consults with external legal counsel on all elements of their projects and seeks advice from other humanitarian organisations when needed since the investigation. Thus, the interviews demonstrated that while humanitarian organisations tend not to be targeted by sanctions regulators, there is a real threat of legal consequences for non-compliance. Given the difficulty navigating and ensuring compliance with different sanctions regimes, humanitarian organisations find themselves in a vulnerable position in which the threat of being investigated encourages overcompliance.

However, risk-averse behaviour is not limited to humanitarian organisations but occurs, particularly, among banks, suppliers, and donors, thereby confirming O’Leary’s (2022) similar observation discussed in the literature review. Especially banks and suppliers were often reported as reluctant to engage in any transfers related to humanitarian operations in sanctioned environments due to their profit-oriented nature. Donors were described as increasingly cautious of being viewed as supporting sanctioned entities or individuals. As a consequence, banks, suppliers, and donors may halt their engagement with organisations operating in sanctioned environments. This can have severe implications for humanitarian organisations, limiting their ability to plan projects and implement them on time. Those actors that continue engaging with humanitarian organisations have often implemented more rigorous due diligence measures to minimise legal and reputational risks, as discussed in the following section.

4.2.3 Due diligence requirements

There are various due diligence measures that actors in the humanitarian supply chain, including banks, suppliers, and donors, require of organisations operating in sanctioned countries. Several interviewees operating in the DPRK and Syria stated that banks require additional documentation, namely copies of bills, screening of staff, supplies, implementing partners, and beneficiaries, and letters of permission granted by the UN 1718 Committee and the Treasury Department. Donors also have specific requirements concerning the use of funds, ranging from monitoring project implementation to using specific IT equipment. While big organisations have standard operating procedures to respond to enhanced due diligence requirements, smaller organisations often lack the financial resources and expertise to implement them. Additionally, several interviewees noted that banks, suppliers, and donors required humanitarian organisations to share information concerning beneficiaries. However, this not only raises concerns about data privacy and fundamental humanitarian principles but also is not feasible as humanitarian organisations lack the capacity to track beneficiaries.

All these measures generate additional costs for humanitarian organisations due to the need to hire new staff with relevant expertise, seek external legal counsel, and redirect staff on fulfilling due diligence requirements and applying for licences instead of focusing on project implementation. At the same time, expansive due diligence measures also obstruct the planning of humanitarian projects. In this regard, one interviewee mentioned that “understanding the scope of sanctions is not easy but it is possible, but where it becomes really difficult is anticipating the additional steps required to comply with requirements of overcomplying entities like banks”. Some organisations receive direct legal support from their governments to comply with due diligence measures, but this is rather an exception. The additional financial costs and concerns over humanitarian principles caused by requests to share data about final beneficiaries with sanctioning authorities confirm similar observations by Walker (2020) discussed in the literature review.

4.2.4 Applying for humanitarian licences

To ensure compliance with relevant sanctions regimes and minimise the risk of legal repercussions, several interviewees reported that their organisations have applied for

humanitarian licences. This section discusses the procedures for obtaining such licences in the US and the corresponding challenges faced by the constituencies of the WCC, CI, and WEA. While some interviewees also mentioned applying for licences from other governments and entities such as Canada, the EU, and the UN, these procedures were usually described as relatively easy to navigate and less time-consuming and invasive than those in the US. Two different agencies in the US can issue licences exempting humanitarian organisations from sanctions requirements. The BIS of the US Commerce Department is authorised to provide licences for directly exporting goods from the US or re-exporting US-origin goods from third countries to sanctioned environments. The OFAC, part of the US Treasury Department, can issue licences for transactions to sanctioned countries which would otherwise be prohibited according to US sanctions requirements.

Multiple interviewees reported that they had applied for licences from both agencies, facing three main challenges in the process. Firstly, several organisations reported that they struggled to understand which goods and services required licences, especially when not based in the US. Thus, those organisations that can afford it hire lawyers to support them when applying for BIS and OFAC licences. One interviewee described applying for a BIS licence as extremely time-consuming, requiring legal assistance to navigate the several hundred pages of legal text he needed to go through for the application.

Secondly, the interviews suggest that both application processes entail a long waiting time, typically ranging from around six months to over one year. One interviewee specified that this is the case because the applications go through a lengthy interagency review involving the Treasury Department, State Department, Commerce Department, intelligence agencies, and sometimes the National Security Council. Another interviewee reported that after taking six months to respond to their application, the BIS required them to make several changes and resubmit the application. At the time of the interview, several months after the resubmission, the organisation had yet to hear back from the BIS. Relatedly, it was reported that it is essential for organisations to carefully anticipate future needs when applying for licences, as each additional item needed in the future may require a new application.

Thirdly, several interviewees criticised the invasive nature of the application processes requiring humanitarian organisations to share sensitive information about partners, staff, and beneficiaries. They described the difficult balancing act of sharing enough information so they would be granted the relevant licence while protecting the privacy of partners, staff, and beneficiaries. According to several interviewees, the licence applications have created severe administrative burdens and financial costs, especially for smaller organisations, while complicating the planning of humanitarian projects. Similar challenges arise from the extensive due diligence measures other actors in the humanitarian supply chain have enacted in response to sanctions, as described in the following section.

| Administrative Challenges | |
|---|--|
| (1) Understanding the scope of sanctions | (2) Legal repercussions |
| <ul style="list-style-type: none"> • Vague sanctions legislation • Legal assistance often required • Small organisations can devote less time and resources to understanding sanctions requirements • Organisations based in sanctioned environments experience greater difficulties accessing information and legal expertise on sanctions requirements • Actors other than organisations also struggle understanding sanctions requirements <i>i.e.</i>: banks | <p>The threat of legal consequences (i.e. fines or prison time) for non-compliance with sanctions requirements causes de-risking.</p> |
| (3) Risk aversion | |
| <ul style="list-style-type: none"> • The threat of legal and reputational repercussions from engaging with sanctioned individuals or entities causes risk-averse behaviour. • This concerns not only banks, donors, and suppliers that are part of the humanitarian supply chain, but also humanitarian organisations themselves. • In particular, the de-risking of banks was reported as causing challenges for the implementation of humanitarian projects by limiting financial access to sanctioned environments. | |
| (4) Due diligence measures | (5) Applying for licences |
| <ul style="list-style-type: none"> • To minimise risks, some banks, donors, and suppliers working with constituencies of WCC, CI, and WEA require more extensive due diligence measures <ul style="list-style-type: none"> ◦ E.g. screening of staff, implementing partners, suppliers, and beneficiaries • Larger NGOs have higher financial and administrative capacity to implement due diligence measures • Licensing authorities require due diligence measures | <ul style="list-style-type: none"> • The application for humanitarian licences in the US was reported as particularly time-consuming and invasive. <ul style="list-style-type: none"> ◦ OFAC licensing procedure often exceed 6 months ◦ Detailed information of suppliers, staff, implementing partners and, in some cases, beneficiaries required • UN and EU licences less time-consuming and invasive |

Figure 6: Overview of administrative challenges

4.3 Operational challenges

Based on the interviews, three main operational challenges that impact humanitarian organisations' ability to effectively and timely implement their humanitarian projects were identified - the timely transferring of funds, the importing and exporting of humanitarian goods, and travel restrictions. Each will be discussed in this section, with a summary of the main arguments outlined in Figure 7.

4.3.1 Transferring funds

While the issue of overcompliance of banks and related additional due diligence requirements and costs has already been discussed above, this section focuses on the impact this has on humanitarian organisations' ability to implement humanitarian projects in sanctioned environments, predominantly in the DPRK and Syria. According to the interviewees, the challenges related to transferring funds to those two countries take three main forms – a refusal of banks to transfer funds into those countries, a refusal of banks to transfer funds related to humanitarian projects in those countries anywhere at all, and closures of bank accounts connected to humanitarian projects in those two countries.

Firstly, both countries' banking systems have been heavily impacted by sanctions, with banking channels to the DPRK entirely collapsing in 2017 and no one being able to transfer money there, according to one interviewee. When it comes to Syria, there has been a widespread refusal of banks to process any transfers for which Syria is the final destination. All interviewees engaging in humanitarian projects in Syria reported difficulties with transferring funds. This is not only the result of overcompliance of banks but also of risk-averse correspondent banks, which in the international banking system typically act as middlemen between a sending and receiving bank without established financial relationships. By refusing to process a transfer, any of those banks can prevent money for humanitarian projects from reaching its destination. Several interviewees stated that for transfers to Syria often several correspondent banks are used, which increasingly also reject transfers.

In most cases, the organisations would also not receive an explanation from the banks for rejecting a transfer but only state that the “transfer was returned due to an internal policy”. One interviewee interpreted the reasons as follows: “Banks know that we operate under a general humanitarian exemption in the US and the EU, but often decide not to transfer money to Syria given the limited volume and relatively high risk”. In other words, it is not generally impossible to transfer money to Syria, but as for-profit organisations, such transfers are only confirmed if the profit outweighs the expected risks. Thus, several organisations had to try several banks before finding one that would transfer their funds to Syria and then hope that no intermediary banks would obstruct the transfer. Due to this arbitrariness, the interviewees reported that transfers would, on some occasions, arrive in Syria within a few days and on others be halted for several months. In response, some humanitarian organisations rely on working for UN agencies that are not bound by unilateral sanctions and, therefore, have better access to banking channels to Syria. However, not many organisations have close ties with the UN and can benefit from their special status.

Secondly, because of these challenges, many organisations attempt to first transfer money to Lebanon and from there to Syria. However, due to the economic crisis in Lebanon and corresponding high fluctuations in the exchange rate, transfers to Lebanon have been increasingly reported as difficult. Another challenge is the inflation rate, which one interviewee highlighted in the following:

The inflation rate and the exchange rate of the local currency, in comparison to the dollar, are changing every day, sometimes every hour. And then, the value of your budget will change, so how are you going to report back to the donor? This has caused a lot of tension and problems with the donors.

Moreover, according to SWIFT regulations, senders need to mention the final destination of a transfer. According to several interviewees, banks had rejected transfers to Lebanon when they knew that Syria would be the final destination. In the case of the DPRK, banks have also refused to transfer funds associated with projects in the DPRK even if the DPRK was not the final destination. Two organisations have had explicit problems in this regard. One organisation unsuccessfully attempted to transfer funds to staff based in China but working on the DPRK and Chinese shipping companies that shipped humanitarian goods to the DPRK. Another organisation faced difficulties transferring money to other humanitarian organisations within Canada to support their projects in the DPRK. These cases of extreme overcompliance of banks illustrate the severe challenges faced by humanitarian organisations operating in sanctioned environments.

Thirdly, several humanitarian organisations interviewed either had bank accounts connected to humanitarian projects in sanctioned environments closed or were threatened with account closures. For instance, one interviewee reported that they had accounts in other countries closed because of their connections to their humanitarian projects in the DPRK. Another organisation was informed by their bank that they could not remain their client in case they started operating in the DPRK unless they could gather comfort letters confirming the legality of their engagement from their national government, the UN, and the US. While they successfully secured letters from their national government and the UN, the US refused to issue such confirmation by referring to a general humanitarian exemption that should not make this necessary. Since the bank insisted on such a letter and the organisation could not find another bank willing to accept their engagement, their project in the DPRK could not go ahead. This, coupled with the aforementioned issues, has serious implications for the organisations' ability to implement their humanitarian projects efficiently and timely. The overcompliance by banks seriously affects humanitarian organisations' ability to pay suppliers, implementing staff, and their own staff on time, and hence, may delay projects for months or cause total cancellations. Several interviewees have indeed confirmed that they had to postpone, halt or cancel humanitarian projects. This is detrimental for people in crisis situations relying on a timely humanitarian response.

Delays transfers of humanitarian funds can also seriously weaken the reputation of affected NGOs and their relationships with suppliers, implementing partners, and their own staff. Several interviewees active in the DPRK, Syria, and Iran reported that they were at times unable to pay their suppliers, implementing partners and own staff on time. One interviewee

described that his organisation's staff is largely contracted on a project basis, and if projects are postponed, they may need to find a new job, which heavily affects the organisation's credibility and willingness of people to work with them in the future. One organisation stated that they were unable to pay their own staff for approximately six months because they could not find a way of transferring funds to Iran. Another organisation was not even able to pay their implementing partners in Syria for more than one and a half years for similar reasons. According to one interviewee who spoke of occasional difficulties with paying suppliers in Syria, these issues can even pose security risks to humanitarian organisations operating in conflict zones. Thus, challenges to the transfer of humanitarian funds can cause a multitude of serious problems for humanitarian organisations in sanctioned environments, confirming previous findings by Debarre (2019), UN OCHA (2022), Daher (2021), and O'Leary (2022), as discussed in the literature review. On the one hand, they may delay the ability of organisations to pay their suppliers, implementing partners and own staff, thereby, at best, putting their organisations' credibility at risk and, at worst, their own security. On the other hand, they can delay or entirely prevent the implementation of humanitarian projects, thereby delaying an urgently needed humanitarian response and putting the lives of people in need at risk.

4.3.2 Importing and exporting goods

Not only the ability of humanitarian organisations to transfer funds to sanctioned environments but also restrictions on the import and export of goods, including those required for the implementation of humanitarian projects, significantly impair humanitarian work, as reported by the majority of interviewees working on humanitarian projects in Syria and the DPRK. These challenges express themselves in three main ways. Firstly, several interviewees reported that they faced difficulties exporting humanitarian goods to the DPRK and Syria. Although general humanitarian licences may apply, exports to the DPRK and Syria still require authorisation from the BIS of the US Department of Commerce before they can leave the US. The long waiting times for approval of these applications, which can take "anywhere from three months to two years", according to one interviewee, obstruct the planning and timely implementation of humanitarian projects. However, denials of these applications can also entirely prevent a humanitarian response, as in the case of one organisation that was denied the export of hygiene kits and cloth diapers for children to the DPRK on national security grounds.

Secondly, sanctions do not only impede the export of goods from sanctioning countries to sanctioned environments as humanitarian actors may also face difficulties when trying to import humanitarian goods from countries not applying unilateral sanctions restricting export. This can be based on fears of US secondary sanctions or overcompliance of risk-averse companies concerned about reputational repercussions. One interviewee reported that his organisation was currently applying for a licence from the BIS for a new enterprise and resource planning software not originating from the US. He stated that he was not even entirely aware why the application was necessary but pointed to the fact that it contained components from the US beyond the 10 per cent *de minimis* threshold and potential overcompliance out of fear of repercussions on the side of his organisation. He went on to describe his organisation's general struggle in securing IT equipment, such as computers and project management

software, because of companies' reluctance to sell products that would be used for humanitarian projects in Syria.

Thirdly, several interviewees stated that they faced difficulties with the procurement of relevant goods on the local Syrian market needed for humanitarian assistance because local businesses were restricted in their ability to import and export goods and affected by overcompliance of other businesses reluctant to engage in Syria. The reliance of some organisations on the local market is exacerbated by the difficulty and costliness of procuring licences for the import of humanitarian goods from sanctioning countries. One interviewee reported that, as a consequence, they could no longer support people in need of certain cancer medication. If such medication is available on the black market, it is often unaffordable for the vast majority of Syrians and local NGOs. In some cases, local organisations can resort to procuring substitute products of lower quality, including generic medicine, that was reported as entirely ineffective in some cases. One interviewee also reported that some donors were reluctant to support projects relying on the procurement of humanitarian goods from China – a market Syria has been heavily relying upon since the implementation of export and import restrictions by primarily Western countries. This demonstrates that import and export restrictions have serious implications on the quality of the humanitarian assistance provided in Syria and the DPRK by the organisations interviewed for this research project and confirms the findings of scholars such as Zadeh-Cummings and Harris (2020), Walker (2016), and Debarre (2019) which outlined import and export limitations as a major challenge to effective humanitarian assistance.

4.3.3 Travel restrictions

Several interviewees also reported that travel restrictions impeded their ability to provide humanitarian assistance, primarily in the DPRK. Those organisations with humanitarian operations in the DPRK stated that they needed to apply for travel approval for every visit to the DPRK. These applications were reported to take very long and sometimes were rejected. According to one interviewee, these decisions were heavily influenced by the political situation, given that humanitarian workers were initially exempted from travel restrictions but generally denied the ability to travel between the summer of 2018 and January 2019 when the Trump Administration engaged in negotiations with the DPRK. This has obstructed the ability of organisations to plan humanitarian projects and establish trust and rapport with their counterparts in the DPRK. Moreover, the travel restrictions have prevented one organisation interviewed from implementing a planned visit of five North Korean agriculturalists to Canada for a two-week learning program related to food security and basic agricultural and conservation methods, reportedly due to the prohibition of the transfer of knowledge in the Canadian sanctions regime targeting the DPRK. Another interviewee working in Syria stated that his travel to monitor humanitarian projects was indirectly impacted by sanctions on Syria's transportation sector because he could not use funds from donors to pay for flights to the north-east of Syria, the area outside of government control because the only airline offering flights there was sanctioned. Thus, albeit impacting humanitarian projects not as heavily as sanctions on the banking sector or banking overcompliance, and export and import limitations, travel restrictions pose challenges to the effective implementation of humanitarian projects by the organisations interviewed.

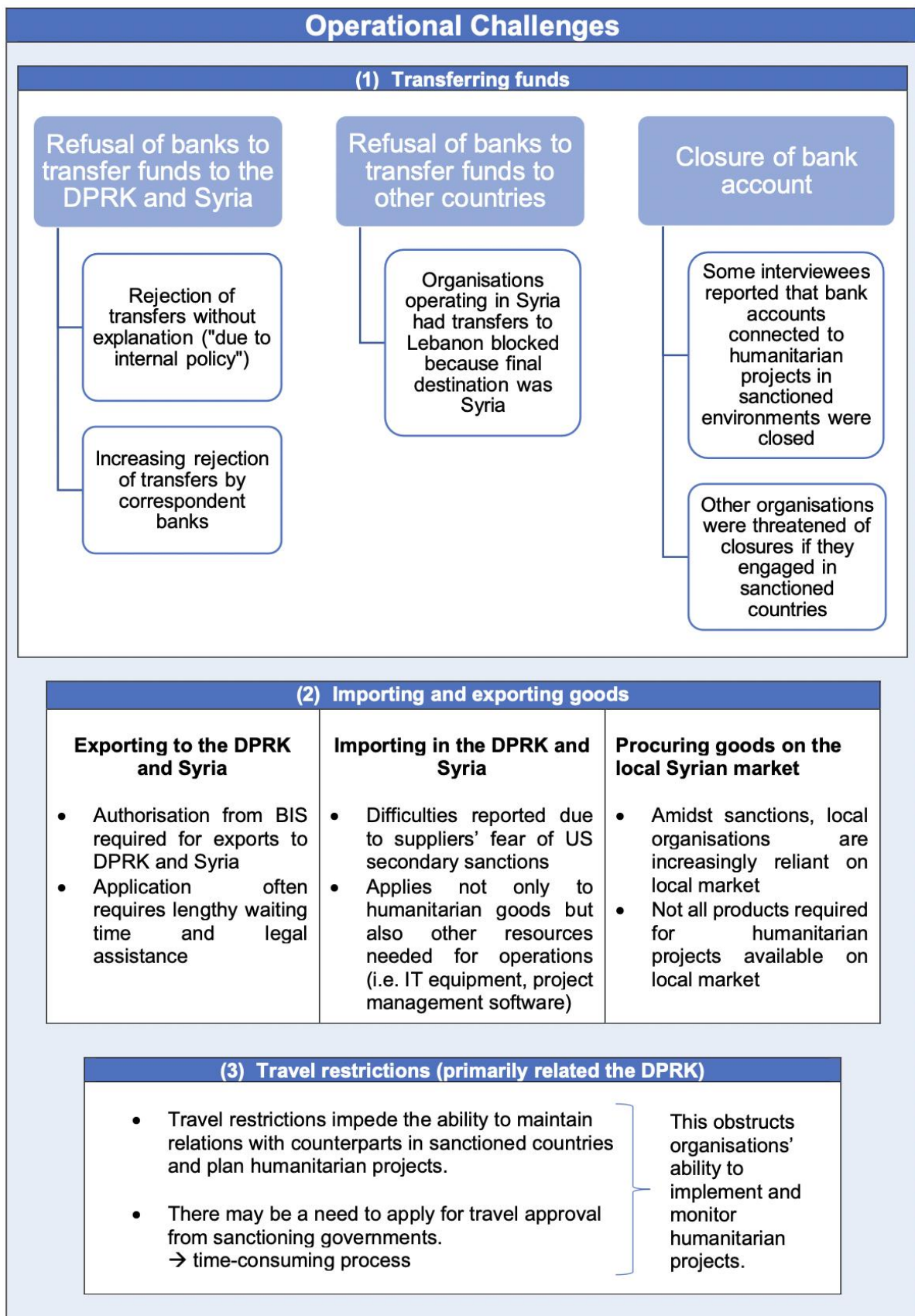


Figure 7: Overview of operational challenges

4.4 Measures to address the impact of sanctions

This section discusses 1) the various practical measures the interviewees' organisations adopted to address sanctions-related challenges and their associated risks and 2) relevant advocacy strategies to address the challenges faced by organisations engaged in the provision of humanitarian assistance in sanctioned environments. A summary of the main arguments is outlined in Figure 8 below.

4.4.1 Practical measures

The constituencies of the WCC, CI, and WEA reportedly adopted five main measures to address sanctions-related challenges in their humanitarian work. Firstly, to circumvent the financial access challenges, many humanitarian organisations, especially those operating in Syria, use informal value transfer systems, such as the Hawala system, or engage in bulk cash movement. One interviewee explained the Hawala system by stating:

If I want to transfer money to Iraq and I cannot do it through the banking system, I can take like \$10,000 to this person [outside of Iraq]. He will take it from me without any official invoice. And then another person, an Iraqi, gives \$10,000 to our people in Iraq. But they take a high commission - I don't remember the exact amount - and all this without any official documents.

Although the use of informal value transfer systems allows humanitarian organisations to sustain their work, it can generate serious risks. These include threats to the safety of staff members involved in cash movements, the possibility of money being stolen or lost, and the devaluation of money. Beyond that, engaging in informal value transfer systems can violate internal money laundering policies, generate reputational challenges, and create legal problems either with the local or donor governments. Informal cash movements can also be more costly. For instance, one organisation operating in Iran noted that relying on cash movement made the project implementation 14 to 25 per cent more expensive, given the commission taken by intermediaries and additional staff and travel costs.

Secondly, one interviewee operating in Syria shared that their organisation has implemented measures to maintain financial flexibility, such as keeping emergency funds and using several banking channels. This allowed the organisation to respond to delays in money transfers. Thirdly, several interviewees noted that their organisations have signed contracts with UN agencies through which the UN outsourced the project implementation to their organisations. As the UN is exempt from complying with unilateral sanctions, they tend to have easier financial access in sanctioned environments, which in turn benefits contracted humanitarian organisations. Fourthly, to navigate sanctions requirements, several humanitarian organisations have received pro-bono legal assistance or legal advice from their government. For instance, one Finnish organisation received substantive legal support from the Finnish Ministry of Foreign Affairs in their effort to secure licences from the EU, the UN, and the US. Fifthly, humanitarian organisations regularly exchange information on best practices to respond to sanctions-related challenges, including in networks such as FINGO or DINGO, forums for exchange among Finnish- and Damascus-based organisations, respectively.

4.4.2 Advocacy efforts

The constituencies of the WCC, CI, and WEA have undertaken significant advocacy efforts to address sanctions-related challenges. The advocacy efforts are focused on three main objectives: 1) improving the clarity and transparency of sanctions requirements and licencing procedures, including through proactive support by sanctioning governments; 2) obtaining more general humanitarian exemptions; and 3) addressing concerns of banks related to overcompliance, including through assurances from the sanctioning governments.

To achieve these objectives, three main advocacy strategies were raised by the interviewees. Firstly, in their advocacy efforts, humanitarian organisations emphasise the unintended consequences of sanctions that do not align with the interests of sanctioning governments. For instance, organisations operating in Syria would emphasise that sanctions result in the Syrian government deepening its political and economic ties with Iran and Russia. Furthermore, one interviewee pointed out that sanctions on crude oil in Syria do not necessarily harm the profits of Syrian corporations, as they continue to smuggle oil out of the country. Instead, the civilian population in Syria experiences the greatest burden as they either cannot access or afford oil.

Secondly, organisations engage in direct advocacy efforts with the sanctioning governments or donor governments. For instance, one Canadian organisation advocated for the Canadian government to 1) allow Canadian organisations with a history of good-faith engagement to continue their work in sanctioned environments without any constraints, 2) cease the implementation of unilateral sanctions and rely solely on UNSC sanctions, and 3) partner with like-minded countries, such as Finland and Sweden, to create a humanitarian financing channel for organisations operating in sanctioned environments. Additionally, some organisations wrote letters to elected members of the parliament or op-eds in national and regional newspapers to connect with like-minded lawmakers.

Thirdly, the constituencies of the WCC, CI, and WEA have engaged in collective advocacy with other affected organisations or in relevant forums to share experiences and coordinate advocacy efforts. For instance, several organisations engaged with ACT Alliance, a sister organisation of the WCC, not only through its International Secretariat in Geneva but also through national forums in Lebanon and Syria. The organisations have also engaged with the UNSR on UCMs, the DINGO forum in Damascus, the Lift Sanctions Save Lives network based in the US, and VOICE based in the EU. Beyond that, one organisation reported its engagement with the Dutch tri-sector working group consisting of banks, government agencies, and NGOs on the topic of sanctions and the challenges faced by organisations providing humanitarian assistance in sanctioned environments. Although important to raise awareness, several interviewees expressed pessimism about the prospects of success of future advocacy efforts, as their efforts so far have not led to systemic change.

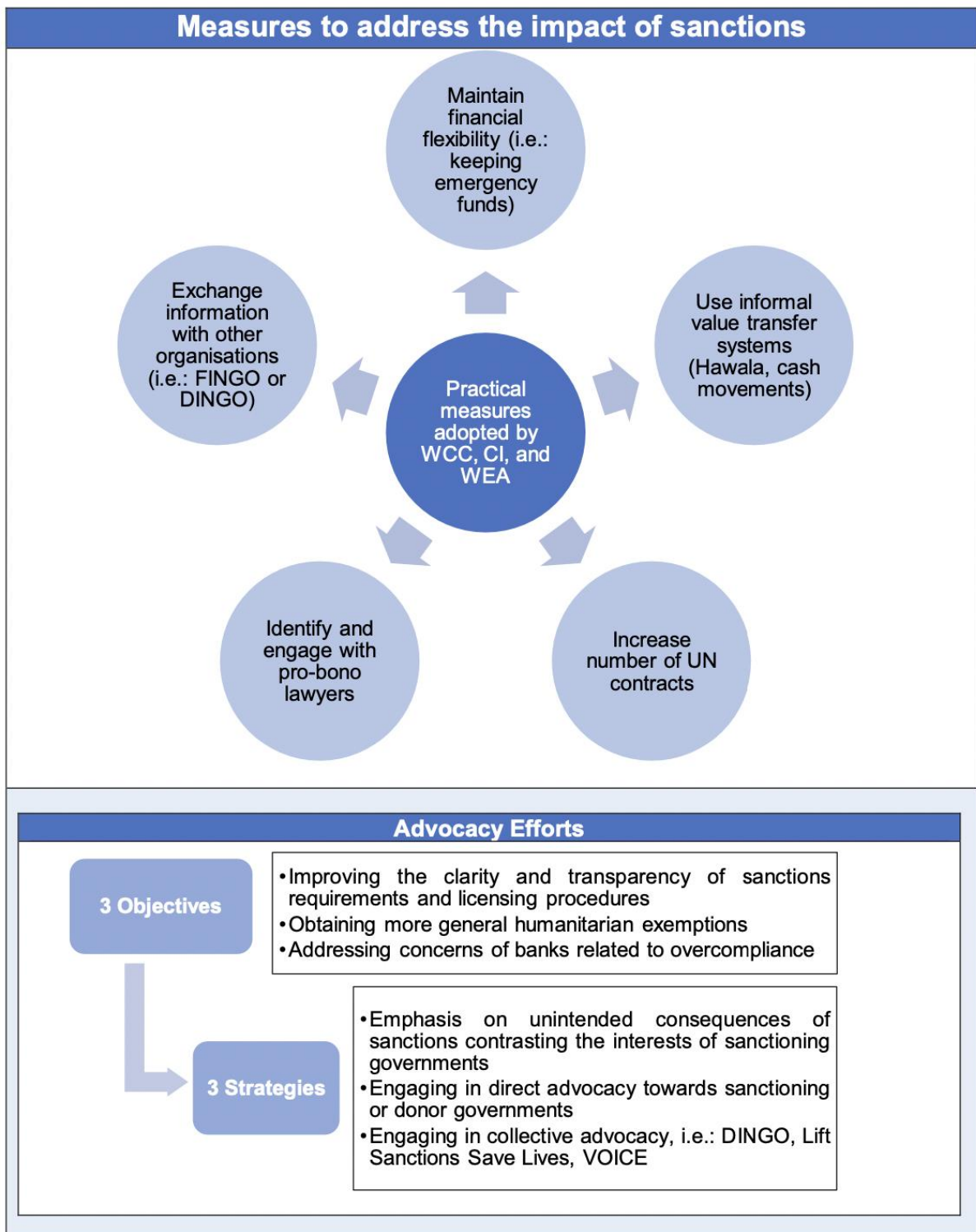


Figure 8: Overview of measures to address the impact of sanctions

4.5 Measures suggested by sanctions experts

This section outlines suggestions proposed by sanctions experts made in the second round of interviews of this project on how humanitarian organisations can address the challenges sanctions pose to their humanitarian work. It discusses 1) the general trends regarding sanctions' impact on humanitarian assistance the experts observed, 2) issues humanitarian organisations may focus on when engaging in advocacy, 3) different actors and initiatives humanitarian organisations may engage with to address the sanctions-related challenges, and 4) various resources that may be helpful for humanitarian organisations when navigating sanctions. A summary of the main findings is presented in Figure 9 below.

4.5.1 General trends

All interviewees confirmed that they had heard of similar challenges faced by humanitarian organisations, as identified in this report. UNSR on UCMs, Prof. Alena Douhan, confirmed that she observed many of the same issues in her engagement with humanitarian actors, including 1) difficulties understanding sanctions requirements due to vague legislation, 2) costly and lengthy application processes for licences, 3) overcompliance of banks and other mediating companies like transportation or insurance companies, and 4) problems with paying staff and implementing partners in sanctioned countries on the side of humanitarian organisations. Aurelien Buffler and Julien Piacibello from UN OCHA pointed to the problems that added costs as a consequence of more extensive due diligence requirements to comply with sanctions pose to humanitarian organisations, as they not only reduce the amount of funding available for humanitarian projects but also have made some organisations ineligible for grants for which donors may cap the amount that can be allocated to administrative costs.

Professor George Lopez, a member of the UN Panel of Experts on North Korea, and Dr Erica Moret, Coordinator of the Geneva International Sanctions Network, pointed to access to banking channels to transfer funds to sanctioned countries like the DPRK and Syria as the most consequential challenge for humanitarian actors. Linked to this, Buffler and Piacibello confirmed another finding of this report, emphasising that ad-hoc solutions like reliance on informal banking channels create their own risks and should be avoided if possible. Instead, they are calling for more structural change to facilitate humanitarian work in sanctioned environments and engagement with sanctioning authorities. They called on sanctioning authorities to be more accepting of risks when exploring ways to facilitate humanitarian access. Relatedly, Lopez emphasised that “the Biden Administration is being seen as much more open to dialogue and much less threatening, and much more willing to engage in trial and not punishing errors if there's been good dialogue with the [humanitarian] organisation.”.

More generally, Moret and Lopez confirmed that there was an increasing awareness of sanctions-related challenges to humanitarian actors and willingness to work on practical solutions among sanctioning authorities in recent years. Moret highlighted the creation of new tri-sector working groups, providing a forum for discussions between banks, governments, and humanitarian organisations, for instance, in the UK and the Netherlands, or the humanitarian carve-out in the UNSC sanctions regime against the Taliban from December 2021 as confirmations of this trend. At the same time, she admitted that “none of the systemic problems has been solved yet, and the problem of de-risking continues to get worse”. Nevertheless,

now was the right time for humanitarian actors to become more engaged in exchanges with sanctioning authorities to work on practical solutions, given the increased sensitivity to the sanctions-related challenges humanitarian organisations face in their work.

4.5.2 Engaging in effective advocacy

All interviewees made specific recommendations on how sanctions regimes could be improved to accommodate the needs of humanitarian actors. These recommendations may be useful to guide effective advocacy based on practically feasible demands. All interviewees agreed that, in principle, efforts to address the challenges faced by humanitarian organisations should be led by those governments implementing them. According to Moret, sanctioning governments should also bear more of the added due diligence costs humanitarian organisations are currently confronted with. More specifically, three key issues were discussed by the interviewees: 1) the need for broader humanitarian exemptions in all sanctions regimes, 2) the importance of accessible and clear licences and exemptions, and 3) the exchange among affected humanitarian organisations to coordinate advocacy and develop a unified message on sanctions.

Firstly, Moret, Lopez, Douhan, and the interviewees from UN OCHA all pointed out that there is a need for broader humanitarian exemptions. Buffler noted that this is:

Something we (UN OCHA) have been pushing for a while...[and] the response we received from Member States has changed dramatically over the past year. Now I think something which did not appear very realistic to us two years ago has become a very tangible possibility in the coming months.

This observation is in line with relevant changes in the UNSC, with Resolution 2615 providing a broad humanitarian carve-out for humanitarian actors in Afghanistan and a similar provision in UNSC Resolution 2653, adopting a sanctions package against Haiti. Buffler noted that given this “window of opportunity”, they are continuing to coordinate with other NGOs in the IASC on this issue and engage with UN and national governments to advocate for similar provisions in further sanctions regimes, including unilateral ones. Regarding exemptions under UNSC sanctions regimes, Piacibello noted that it is crucial for national governments, who are obliged to implement UNSC sanctions, to also domesticate the exemptions foreseen by the UNSC since they would otherwise be ineffective.

Secondly, humanitarian organisations may advocate for improved accessibility of exemptions and specific licences. Piacibello explained that there is a need for straightforward exemptions that are accessible, clear, timely, and standardised. This means that they need to be promoted by sanctioning authorities, demonstrating a willingness to actually implement them. To facilitate access, they should provide written guidance, FAQs, and proactively engage with affected NGOs and the private sector. Moreover, requirements need to be understandable for humanitarian practitioners and with clear indication to whom they apply, not only with respect to humanitarian organisations but also other actors, such as banks or insurance companies, that belong to the humanitarian supply chain. Lastly, applications for licences should be processed as swiftly as possible and exemptions standardised, or in other words, “cutting

across [different] sanctions regimes”, according to Piacibello. Lopez added that while general humanitarian exemptions are crucial, humanitarian organisations should still be able to apply for specific licences or receive so-called letters of permission or endorsement, in which sanctioning authorities confirm that humanitarian organisations engage in legitimate projects in sanctioned countries. This may be crucial when engaging with private sector actors whose aim is to reduce risk exposure as much as possible.

Thirdly, several interviewees have stressed that humanitarian organisations should coordinate their advocacy work and try to develop unified messages. Douhan, for instance, pointed out that humanitarian organisations can limit risk exposure when delivering joint statements on the challenges they face due to sanctions, as some have reported fearing repercussions from donors for making (political) statements about sanctions. Buffler pointed out that the IASC Task Force 3 on Preserving Humanitarian Space he is co-chairing can act as a forum for NGOs to develop a unified, and thus, a stronger message that UN OCHA can relay to the UNSC and member states.

4.5.3 Actors and initiatives to engage with

The interviewees shared a number of relevant actors and initiatives which the WCC, CI, and WEA may engage with for advocacy or the identification of practical solutions to the challenges posed by sanctions. They can be divided into three main groups: 1) UN-level, 2) NGOs and Alliances, and 3) national governments and tri-sector working groups.

Firstly, there are several relevant actors at the UN level the WCC, CI, and WEA can engage with, in particular UN OCHA and the IASC Task Force 3 on Preserving Humanitarian Space, and the UNSR on UCMs. UN OCHA and the IASC can advocate on behalf of NGOs and relay messages to the UNSC and national governments. For instance, at the moment, they are engaging with several US initiatives which aim to explore ways to mitigate sanctions-related challenges for humanitarian organisations. The UNSR on UCMs is currently engaging in several initiatives that may be relevant to the WCC, CI, and WEA: 1) the launching of a sanctions research platform which creates an overview of existing research on, amongst others, the impact of unilateral sanctions on humanitarian work; 2) the development of guiding principles on overcompliance, secondary sanctions, and human rights; and 3) the creation of a sanctions assessment platform, which acts as a mechanism to monitor the negative impacts of unilateral sanctions.

Secondly, the interviewees pointed to several NGOs and other networks that the WCC, CI, and WEA may engage with, not only to coordinate their advocacy work but also to exchange experiences on coping mechanisms for sanctions-related challenges. These include, for instance, best practices when applying for licences and knowledge of open banking channels and correspondent banks. In this regard, Lopez recommended collaborating with the CSN in the US, a network of NGOs working in the humanitarian sector, as NGOs have used it to exchange their experiences on licence application processes. The findings of this research demonstrate that the lack of standardisation and predictability poses a serious challenge for organisations applying for humanitarian licences. Successful applications could serve as a

template for others, although Lopez and Buffler noted that humanitarian actors might be hesitant to share information and expose successful applications to additional scrutiny.

Moreover, InterAction, an alliance of international NGOs in the US, was mentioned by several interviewees as an important actor to engage with, given their leading role in advocacy, engagement with the US government, and provision of guidance on sanctions-related challenges. Another important network for organisations affected by sanctions is ACT Alliance which WCC and CI have already engaged with in the past. The national forums of ACT Alliance can take these issues further to ACT's Global Secretariat, which can engage in advocacy at the UN. For advocacy purposes, Moret also recommended coordination with the NRC and Save the Children as the NGOs leading on sanctions-related advocacy.

Thirdly, several interviewees highlighted the importance of maintaining a constructive relationship with the governments of sanctioning countries and engaging with tri-sector working groups which include national governments, banks, and humanitarian organisations and providing a space for exploring practical solutions to sanctions-related challenges. Tri-sector working groups have been operating for several years in the Netherlands, the UK, and France. In addition, the US is currently creating its own tri-sector working group, while Germany has similar plans, according to Moret. She added that NGOs may advocate for the creation of similar groups in countries where they are not yet available. Lopez noted that although such forums only constitute band-aid solutions in the absence of structural change, transparent engagement with banks and governments was crucial to counteract de-risking and potential legal repercussions from alleged violations of sanctions requirements. Buffler and Piacibello added that, generally, UN OCHA and the IASC have a gap when it comes to engagement at the national level due to them lacking presence in many countries and that organisations like the WCC and CI may be able to reach out to capitals to engage in advocacy. Buffler said:

What we need to do and what Caritas could help us with is to continue to push in our bilateral advocacy with Member States imposing sanctions to include exemptions in their sanctions regime, to domesticate these exemptions, to have regular dialogue with humanitarians and the private sector, to explain what their sanctions entail, and sort out some of the corresponding challenges.

Lopez added that in the absence of structural change, including through the creation of more general humanitarian exemptions, NGOs may also engage with the governments of certain European countries known for supporting UN and EU sanctions, but also for their contributions to humanitarian relief and development aid, and thus more aware of the sanctions-related challenges to humanitarian work, to explore the creation of a Code of Conduct stipulating basic principles sanctioning countries should follow to protect humanitarian actors. However, such large initiatives would need to be coordinated with other NGOs to share capacities.

4.5.4 Resources for sanctions-affected humanitarian actors

During the interviews, various resources were shared with the research team that humanitarian organisations can utilise to navigate and document sanctions. Additionally, the

research team conducted its own research to identify relevant materials. All compiled materials are listed in a comprehensive document in Appendix IV and can be divided into three main categories: 1) particularly relevant papers and reports, 2) (interactive) tools, and 3) sanctions databases. In the future, the WCC, CI, and WEA may consider creating a platform on which their constituencies can access the materials. For instance, a shared Google Drive may suffice to share the resources. The research team may update the list of resources in consultation with the partners after the finalisation of this report.

The research team has also created a Sanctions Impact Assessment Survey which can be circulated regularly amongst the constituencies of the WCC, CI, and WEA to systematically document the impact of sanctions on the humanitarian work of their constituencies. Several interviewees stated that rigorous documentation of sanctions' impact is still often lacking but can significantly strengthen advocacy and engagement with sanctioning authorities. The research team has piloted the survey, sharing it with all interviewees, thereby testing if the questions generate relevant results and exploring whether respondents have feedback to improve the survey. The survey questions and a sample of the responses from the pilot, excluding those with sensitive information, are included in Appendix V and VI. Alternatively, or in addition to the survey, the WCC, CI, and WEA may also consider including, for instance, an Excel sheet on the potential future platform with sanctions resources which affected organisations can access at any time to document any sanctions-related challenges they may face, according to Marianna Leite, Global Advocacy Manager at ACT Alliance. The Impact Catalogue on the Counter-Terrorism & Humanitarian Action Resource Library, created by InterAction (included in the list of resources), may serve as an example for such a documentation tool.

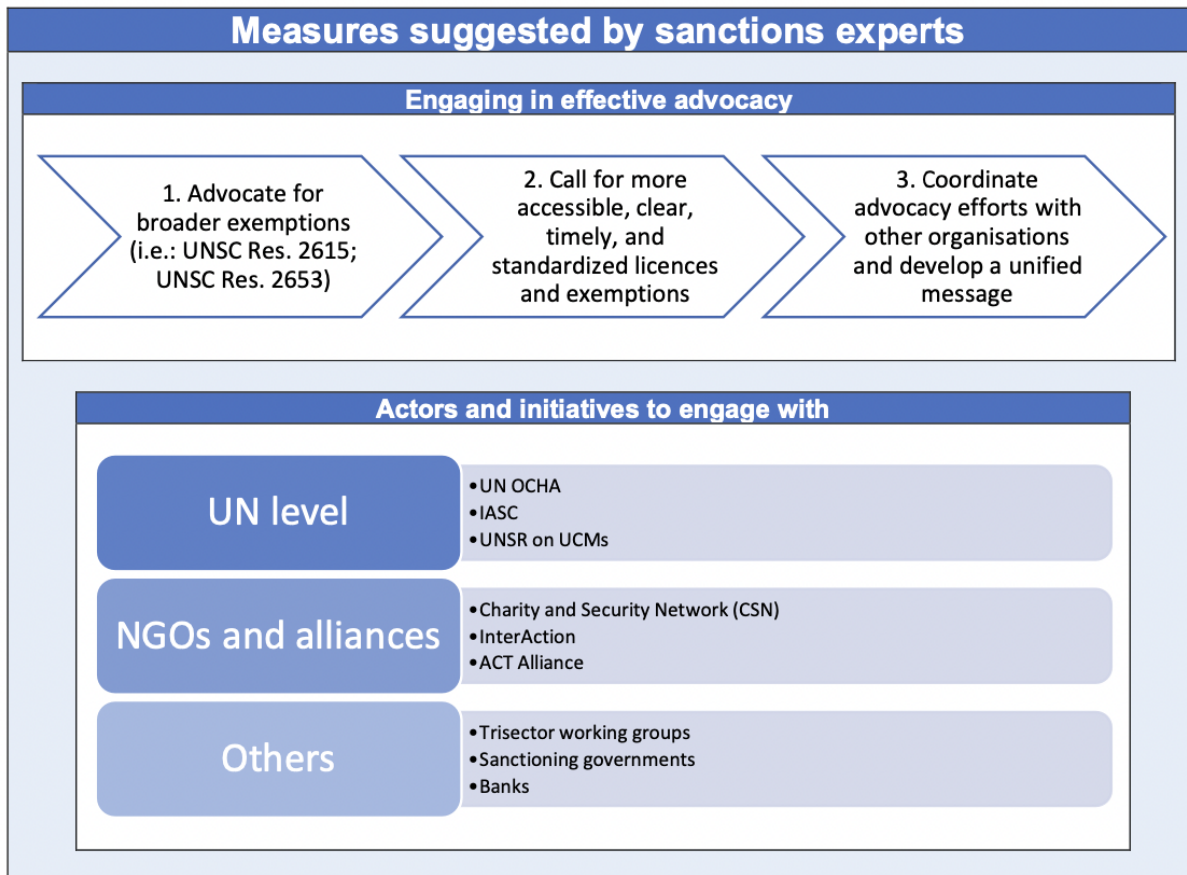


Figure 9: Overview of measures suggested by sanctions experts

5. Discussion and conclusion

This research has identified various challenges the constituencies of the WCC, CI, and WEA face in the provision of humanitarian assistance, measures the organisations have adopted to address these challenges and associated recommendations by sanctions experts. The challenges may impact the planning and implementation stage of humanitarian projects and often lead to delays, or at worst, to cancellations of projects while adding high costs. More specifically, the practitioners interviewed for this research expressed that they faced challenges understanding sanctions legislation and which specific requirements applied to them. As a consequence, those who can afford it and whose internal policies require it rely on external legal advice to minimise any risks of legal repercussions.

However, the threat of being held legally accountable for any violations of sanctions requirements persists amidst often ambiguous and unclear sanctions legislation and is exacerbated by a case in which an interviewed organisation was investigated by the US government for an alleged violation of sanctions requirements. While the charge was eventually dropped, such cases contributed to de-risking among organisations involved in the provision of humanitarian assistance, including humanitarian actors themselves, as well as banks, suppliers, and donors. Those that do not withdraw from projects in sanctioned environments tend to adopt more stringent due diligence measures, often requiring humanitarian actors to share detailed information on staff members, implementing partners, and in extreme cases, final beneficiaries. The unwillingness of banks to process transfers to sanctioned environments and bank account closures of related organisations has been reported as the biggest challenge to the implementation of humanitarian projects. Another issue that has been reported as causing severe delays in project implementation are the complicated application process for licences from sanctioning governments, in particular the US, associated difficulties related to the export and import of humanitarian goods to sanctioned countries, and travel restrictions.

The humanitarian practitioners interviewed described various measures they had adopted to address sanctions-related challenges, including increasing financial flexibility by keeping emergency funds and maintaining several open banking channels, increasing the number of UN contracts, requesting legal advice from pro-bono lawyers, exchanging information with other affected organisations, and using informal value transfer systems. However, these measures may entail their own risks, including serious security and legal risks when relying on bulk cash movements. Several organisations also reported that they had engaged in advocacy, in particular calling for more general humanitarian exemptions and more accessible and clear sanctions legislation and licensing processes. The sanctions experts interviewed confirmed the need for such changes and provided concrete suggestions on the actors and initiatives that the WCC, CI, and WEA may engage with to advocate for change and collaborate with like-minded organisations.

Based on the interviews with twenty humanitarian practitioners from various constituencies of the WCC, CI, and WEA, and five sanctions experts, this research makes the following recommendations:

- Advocate for the creation of more general humanitarian exemptions and more accessible, clear, timely, and standardised licensing processes. Leverage the network of constituencies located in sanctioning countries and directly engage with relevant governments. Consider convening regular encounters between national constituencies located in sanctioning countries to coordinate advocacy efforts and ensure that a unified message is disseminated.
- Collaborate with UN bodies and mandates, such as UN OCHA and the IASC Task Force 3 on Preserving Humanitarian Space, and other NGOs who face sanctions-related challenges in their humanitarian work and make use of existing forums and networks to exchange experiences and coordinate advocacy measures.
- Engage in multi-stakeholder consultations with sanctioning governments, financial institutions and humanitarian organisations affected by sanctions, including by joining meetings of existing tri-sector working groups, to identify practical solutions to overcompliance and bank de-risking. Wherever tri-sector working groups do not yet exist, utilise national networks to advocate for the creation of such groups.
- Continue to document the impact of sanctions on the humanitarian work of the constituencies of the WCC, CI, and WEA to strengthen general advocacy and engagement with sanctioning governments.
- Coordinate information-sharing within and among constituencies on sanctions-related challenges. Consider organising webinars and forums with relevant sanctions experts from outside the WCC, CI, and WEA, to allow constituencies to ask questions and raise sanctions-related issues of relevance to their work.
- Consider creating the position of a focal point on sanctions from which different constituencies can seek advice and guidance on sanctions-related challenges. Staff working in this position could be tasked with producing relevant fact sheets on sanctions requirements which can guide the work of national constituencies. If the required resources are not available, consider requesting staff working on related issues, such as risk and compliance, to allocate time to address sanctions-related challenges.

The findings on the sanctions-related challenges humanitarian actors face largely confirm the findings of previous research examined in the literature review. Given the relatively large number of interviewees, it is not to be expected that further interviews with the same geographic focus would generate a substantial addition to the findings. From an academic perspective, this suggests that future research should shift its focus from studying the impact of sanctions on humanitarian work to assessing how these challenges can be effectively addressed. The primary relevance of this research is based on the need of the WCC, CI, and WEA to generate a systematic overview of the impact of sanctions on the humanitarian work of their constituencies, to facilitate an evidence-based advocacy work. In this regard, several sanctions experts encouraged organisations to keep documenting the impact of sanctions on their humanitarian work which can be used as evidence when engaging in advocacy.

This relates to three main strengths of this research which can be identified: Firstly, the study not only captures the general sanctions-related challenges humanitarian actors face based on a literature review but focuses on the concrete problems the WCC, CI, and WEA face in their humanitarian work in different countries. The research suggests that the challenges are largely

similar across the different organisations. At the same time, church-related organisations engaged in the provision of humanitarian assistance, such as the WCC, CI, and WEA, may face additional sanctions-related challenges as their work is frequently not limited to humanitarian assistance but may extend to social services and other church-related functions. However, a systematic examination of these challenges was beyond the scope of this research. Moreover, this research suggests that sanctions-related challenges to humanitarian work are similar in heavily sanctioned countries such as the DPRK and Syria. While there are specificities, such as additional access challenges in the case of the DPRK because of the closure of its border, in both cases, humanitarian practitioners face problems related to transferring funds, obtaining licences, exporting and importing humanitarian goods, and additional due diligence requirements. Moreover, the interviews with humanitarian practitioners in Ethiopia demonstrate that sanctions-related challenges are much more limited since the scope of sanctions is much more restricted compared to the DPRK or Syria. While the cancellation of the AGOA Trade Preference Program in January 2022 has had serious economic repercussions, which have also affected the ability of humanitarian actors to respond to humanitarian emergencies, none of the aforementioned sanctions-related challenges were reported.

Secondly, the diversity of the individuals interviewed for this research adds value to the existing academic literature on sanctions-related challenges to humanitarian work. The study captures different views from sanctions experts from academia and the UN and humanitarian practitioners working in sanctioned and sanctioning countries. Thirdly, the research provides a practical toolkit to the WCC, CI, WEA, and other humanitarian actors for whom this may be relevant, including a list of relevant resources that can be accessed to understand sanctions requirements, a list of actors and initiatives they can engage with to advance advocacy and exchange best practices and other experiences related to sanctions-related challenges, and a survey which can be distributed among the constituencies of the WCC, CI, and WEA to document the impact of sanctions on their work in the future. Hence, the toolkit does provide not only practical support but also facilitates future advocacy work.

Two main limitations of this research, related to its limited scope, were identified. Firstly, the geographic scope of the interviewees of Group 1 was largely restricted to participants providing humanitarian assistance in the DPRK, Syria, Iran and the broader MENA region, and Ethiopia, while the sample size of the second group of interviewees was limited to five. Expanding the sample of expert interviews may have facilitated exploring and ranking the feasibility of the different suggested measures for addressing sanctions-related challenges to humanitarian work. Secondly, as mentioned above, the scope of the research did not allow for a systematic distinction between the various types of work the WCC, CI, and WEA are engaged in, including humanitarian assistance, social service provision, and other church-related functions. The research was limited to exploring sanctions-related challenges related to the provision of humanitarian assistance. Further research may examine to what extent these different types of work cause different sanctions-related challenges.

In addition, further research can explore the financial cost sanctions pose to humanitarian organisations due to more extensive due diligence requirements, costs of lawyers, and staff assigned to navigating sanctions requirements. While estimates exist, a systematic

understanding of the precise costs is lacking. In this regard, the survey compiled as part of this research may facilitate the documentation of the financial impact. This could support exchanges with donors on the amount of funding relocated to address sanctions-related costs. Lastly, more research on measures to effectively address sanctions-related challenges to humanitarian work is required. In particular, de-risking of banks related to sanctioned environments continues to lack clear solution approaches and may thus be a subject of further research.

Bibliography

- Baran, D. (2022). *What is International Law on Unilateral Sanctions? Examining the Case of Unilateral Sanctions Imposed on Russia*. Retrieved 15 November 2022 from <https://research.sharqforum.org/2022/04/22/unilateral-sanctions/>.
- Biersteker, T. J. (2009). Targeted sanctions and individual human rights. *International Journal*, 65(1), 99–117. doi: 10.1177/002070201006500107.
- Biersteker, T. J., Eckert, S. E., Tourinho, M., & Hudáková, Z. (2013). *The effectiveness of United Nations targeted sanctions*. The Graduate Institute of International and Development Studies.
- Braun, V. & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77-101. doi: 10.1191/1478088706qp063oa.
- Braun, V. & Clarke, V. (2021). One size fits all? What counts as quality practice in (reflexive) thematic analysis? *Qualitative Research in Psychology*, 18(3), 328-352. doi: 10.1080/14780887.2020.1769238.
- Braun, V. & Clarke, V. (2022). Toward good practice in thematic analysis: Avoiding common problems and be(com)ing a knowing researcher. *International Journal of Transgender Health*. doi: 10.1080/26895269.2022.2129597.
- Brubaker, R. & Huvé, S. (2021). *UN sanctions and humanitarian action: Review of past research and proposals for future investigation*. New York: United Nations University. Retrieved 26 June 2022 from http://collections.unu.edu/eserv/UNU:7895/UNSHA_ScopingPaper_FINAL_WEB.pdf.
- Cameron, M. A., Ribeiro, A., Baier, G., McKay, S., Monnerat, R. A. & Cameron, C. A. (2022). Partisanship and political learning: Lessons from training politicians. *Journal of Political Science Education*. doi: 10.1080/15512169.2022.2130070.
- Council of Europe (n.d.). De-risking. Retrieved 01 December 2022 from <https://www.coe.int/en/web/moneyval/implementation/de-risking>.
- Council of the European Union (2018). Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy. 5664/18. Retrieved 26 June 2022 from <https://data.consilium.europa.eu/doc/document/ST-5664-2018-INIT/en/>.
- Council on Foreign Relations (2022, July 27). *What to know about sanctions on North Korea*. Retrieved 24 October 2022 from <https://www.cfr.org/backgrounder/north-korea-sanctions-un-nuclear-weapons#chapter-title-0-5>.
- Daher, J. (2020). *Invisible sanctions: How over-compliance limits humanitarian work on Syria*. Retrieved July 7, 2022, from https://impact-csr.org/reports/Invisible_Sanctions_IMPACT_EN.pdf.
- Debarre, A. (2019). Making sanctions smarter: Safeguarding humanitarian action. *International Peace Institute*. Retrieved 26 June 2022 from https://www.ipinst.org/wp-content/uploads/2019/12/1912_Making-Sanctions-Smarter.pdf.
- Diakonia (2021). *The US' Caesar Act*. Retrieved 28 October 2022 from <https://reliefweb.int/report/syrian-arab-republic/fact-sheet-2-us-caesar-act>.
- Douhan, A. (2021). Unilateral Coercive Measures: Notions and qualification. *Journal of the Belarusian State University*, 2, 26–48. Retrieved 07 July 2022 from <https://journals.bsu.by/index.php/internationalRelations/article/view/4239>.
- Ebneyamini, S., & Sadeghi Moghadam, M. R. (2018). Toward developing a framework for conducting case study research. *International Journal of Qualitative Methods*. doi: 10.1177/1609406918817954.
- Elmir, R., Schmied, V., Jackson, D. & Wilkes, L. (2011). Interviewing people about potentially sensitive topics. *Nurse Researcher*, 19(1), 12-16. doi: 10.7748/nr2011.10.19.1.12.c8766.
- European Commission (2021). *Communication from the Commission to the European Parliament, the Council, the European Central Bank, the European Economic and*

- Social Committee and the Committee of the regions*. Retrieved 29 June 2022 from <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021DC0032&from=EN>.
- European Council (n.d.). *EU restrictive measures against North Korea*. Retrieved 24 October 2022 from <https://www.consilium.europa.eu/en/policies/sanctions/history-north-korea/>.
- Gavin, M. (2021, September 20). Ethiopia: US sanctions threat attempts to change the equation. *Council on Foreign Relations*. Retrieved 24 October 2022 from <https://www.cfr.org/blog/ethiopia-us-sanctions-threat-attempts-change-equation>.
- Gottemoeller, R. (2011) The Evolution of Sanctions in Practice and Theory. *Survival*, 4(49), 99 - 110. doi: 10.1080/00396330701733902.
- Gramer, R. (2022, October 20). Team Biden balks on Africa sanctions. *Foreign Policy*. Retrieved 24 October 2022 from <https://foreignpolicy.com/2022/10/20/us-africa-sanctions-human-rights-biden-ethiopia-sudan/>.
- Gray, D. E. (2014). *Doing research in the real world (Third Ed.)*. London: SAGE Publications.
- Hennink, M. & Kaiser, B. N. (2022). Sample sizes for saturation in qualitative research: A systematic review of empirical tests. *Social Science and Medicine*, 292. Retrieved 24 October 2022 <https://doi.org/10.1016/j.socscimed.2021.114523>.
- Ibrahim, A. (2020, June 16). Caesar Act: How will new US sanctions on Syria be different? *Al Jazeera*. Retrieved 28 October 2022 from <https://www.aljazeera.com/features/2020/6/16/caesar-act-how-will-new-us-sanctions-on-syria-be-different>.
- International Peace Institute (2021). *Safeguarding humanitarian action in sanctions regimes*. Retrieved July 7 2022 from https://www.ipinst.org/wp-content/uploads/2019/06/1906_Sanctions-and-Humanitarian-Action.pdf.
- Keatinge, T. & Keen, F. (2017). Humanitarian action and non-state armed groups: The impact of banking restrictions on UK NGOs. *Chatham House*. Retrieved 26 June 2022 from <https://www.chathamhouse.org/sites/default/files/publications/research/2017-04-28-nsags-banking-restrictions-ngo-keatinge-keen.pdf>.
- King, K., Modirzadeh, N. & Lewis, D. (2016). Understanding humanitarian exemptions: UN Security Council sanctions and principled humanitarian action. Working group briefing memorandum. *Harvard Law School Program on International Law and Armed Conflict Counterterrorism and Humanitarian Engagement Project*. Retrieved 07 July 2022 from <http://nrs.harvard.edu/urn-3:HUL.InstRepos:29998395>.
- Lift Sanctions, Save Lives (n.d.). *Who we are*. Retrieved 08 July 2022 from <https://www.liftsanctionssavelives.org/>.
- Lynch, J. (2013). 1. Aligning Sampling Strategies with Analytic Goals. In L. Mosley (Ed.), *Interview Research in Political Science* (pp. 31-44). Ithaca, NY: Cornell University Press. doi: 10.7591/9780801467974-004.
- Maguire, M. & Delahunt, B. (2017). Doing a thematic analysis: A practical, step-by-step guide for learning and teaching scholars. *The All Ireland Journal of Teaching and Learning in Higher Education*, 3(2017). Retrieved 28 October 2022 from <https://ojs.aishe.org/index.php/aishe-j/article/view/335>.
- Mallard, G., Sabet, F. & Sun, J. (2020). The humanitarian gap in the global sanctions regime: Assessing causes, effects, and solutions. *Global Governance*, 26(2020), 121-153. doi: 10.1163/19426720-02601003.
- Moret, E. S. (2015). Humanitarian impacts of economic sanctions on Iran and Syria. *European Security*, 24(1), 120-140. doi: 10.1080/09662839.2014.893427.
- Moret, E. S. (2021). Chapter 2: Unilateral and extraterritorial sanctions in crisis: implications of their rising use and misuse in contemporary world politics. In C. Beaucillon (Ed.) *Research Handbook on Unilateral and Extraterritorial Sanctions*. (pp.19 - 36) United Kingdom: Cheltenham.
- Neuman, W. (2014). *Social Research Methods: Qualitative and Quantitative Approaches (Seventh Ed.)*. doi: 10.2307/3211488.

- O'Leary, E. (2022). Politics and principles: The impact of counterterrorism measures and sanctions on principled humanitarian action. *International Review of the Red Cross*, 103(916-917), 459–477. doi: 10.1017/S1816383121000357.
- OFAC (2013). *Syria sanctions program*. Retrieved 24 October 2022 from <https://home.treasury.gov/system/files/126/syria.pdf>.
- Office of the United States Trade Representative (2022). *U.S. terminates AGOA trade preference program for Ethiopia, Mali and Guinea*. Retrieved 24 October 2022 from <https://ustr.gov/about-us/policy-offices/press-office/press-releases/2022/january/us-terminates-agoa-trade-preference-program-ethiopia-mali-and-guinea#:~:text=U.S.%20Terminates%20AGOA%20Trade%20Preference%20Program%20for%20Ethiopia%2C%20Mali%20and%20Guinea,January%201%2C%202022&text=WASHINGTON%20%E2%80%93%20The%20United%20States%20today,violation%20of%20the%20AGOA%20Statute>.
- Ruys, T. & Ryngaert, C. (2020). Secondary sanctions: A weapon out of control? The legality of, and European responses to, US secondary sanctions. *The British Yearbook of International Law*, 0(0), 1-116. doi: 10.1093/bybil/braa007.
- Smith, A. F. & Sullivan, C. R. (2022). Exiting far-right extremism: A case study in applying the developmental core need framework. *Behavioral Sciences of Terrorism and Political Aggression*. doi: 10.1080/19434472.2022.2076718.
- The Carter Center (2020). *US and European sanctions on Syria*. Retrieved 24 October 2022 from https://www.cartercenter.org/resources/pdfs/peace/conflict_resolution/syria-conflict/us-and-european-sanctions-on-syria-091620.pdf.
- The White House (2021, September 17). *Executive order on imposing sanctions on certain persons with respect to the humanitarian and human rights crisis in Ethiopia*. Retrieved 24 October 2022 from <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/09/17/executive-order-on-imposing-sanctions-on-certain-persons-with-respect-to-the-humanitarian-and-human-rights-crisis-in-ethiopia/>.
- United Nations (2015, December 17). *Unanimously adopting resolution 2253 (2015), Security Council expands sanctions framework to include Islamic State in Iraq and Levant*. Retrieved 24 October 2022 from <https://press.un.org/en/2015/sc12168.doc.htm>.
- United Nations General Assembly (2021) *Draft Resolution: Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba*. A/75/L.97. Retrieved 29 June 2022 from <https://digitallibrary.un.org/record/3928861?ln=en>.
- United Nations Security Council (2005). *Letter dated 14 February 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities addressed to the President of the Security Council, S/2005/83*. Retrieved 29 June 2022 from https://digitallibrary.un.org/record/556582/usage?ln=zh_CN.
- US Department of the Treasury (2017, September 25). *Executive order 13810 of September 20, 2017*. Retrieved 24 October 2022 from <https://home.treasury.gov/system/files/126/13810.pdf>.
- Walker, J. (2016). Humanitarian impact of Syria-related unilateral restrictive measures. *United Nations Economic & Social Commission for Western Asia*. Retrieved 26 June 2022 from <https://s3.documentcloud.org/documents/3114567/Study-on-Humanitarian-Impact-of-Syria-Related.pdf>.
- Walker, J. (2020). Risk management principles guide for sending humanitarian funds into Syria and similar high-risk jurisdictions. Retrieved 27 November 2022 from <https://www.graduateinstitute.ch/sites/internet/files/2020-05/26-MAY-SYRIA-Risk%20Management%20GuideFINAL.pdf>.
- Walker, J. (2021). The public policy of sanctions compliance: A need for collective and coordinated international action. *International Review of the Red Cross*, 103(916-917), 705–716. doi: 10.1017/S181638312100093X.
- Yin, R. K. (2009). *Case study research: Design and methods*. Thousand Oaks, Calif: Sage Publications.

Zadeh-Cummings, N. & Harris, L. (2020). The impact of sanctions against North Korea on humanitarian aid. *Journal of Humanitarian Affairs*, 2(1), 44–52. <https://doi.org/10.7227/JHA.033>.

Appendices

I. Additional methodological considerations

A. External and internal validity

External validity refers to the generalisability of the study's results to other cases or situations (Gray, 2014). In this regard, Gray (2014) distinguishes between idiographic and nomothetic generalisations. Whereas idiographic research is cautious of generalisations based on individual cases, nomothetic research contends that general statements about social patterns are possible, thereby adopting a rather positivist stance. This study is partly idiographic, as indicated by the purposive sampling strategy, and partly nomothetic. On the one hand, it is acknowledged that universal generalisations that apply to all times and situations are impossible. In the case of the impact of sanctions on humanitarian work, many different factors must be considered that determine the precise way in which a humanitarian organisation is impacted by a sanctions regime. This may range from the capacities of the organisation to adapt to the characteristics of the economy in which they operate to the precise design of the respective sanctions. Hence, a general theory of the impact of sanctions on humanitarian work cannot be established. On the other hand, the study also takes a nomothetic approach, given that several patterns can be identified across the different cases and country contexts regarding the impact of sanctions on humanitarian work and potential pathways for addressing them. Internal validity refers to the researcher's positionality and whether the results accurately represent the studied reality (Gray, 2014). In this regard, it must be acknowledged that each of the researchers has personal political convictions that may impact their view on sanctions and the analysis. However, a thematic analysis was used to ensure that the researchers rely on the data findings rather than on preconceptions, thereby limiting the influence of confirmation bias on the results of this research.

B. External and internal reliability

External reliability refers to the extent to which the findings of this study can be replicated (Gray, 2014). Since this study involves the subjective opinions of the interviewees and the semi-structured interviews may lead to questioning one interviewee more than another in a particular area, it is unlikely that the findings of this study can be replicated. Hence, conducting the study in a different context would likely produce different results. Internal reliability refers to the consistency of a study's results based on data collection and data analysis (Gray, 2014). One significant challenge in this regard is maintaining inter-coder reliability, or in other words, ensuring consistency in coding the data by different members of the research team. To address this issue, at least two members of the research team coded each interview and compared and synthesised their results. To further maximise the internal reliability of this study, all interviewees were asked the same initial questions.

C. Methodological limitations

Three main methodological limitations of this study can be identified. Firstly, the research looks at the specific dynamics related to the impact of sanctions in several countries and organisations. Hence, the findings may not, or only to a limited extent, be applicable to the experiences of the partner organisations' constituencies in other countries and, more generally, other humanitarian organisations. Secondly, while this research focused on the impact of sanctions on humanitarian work in several countries, it was beyond its scope to systematically compare sanctions' impacts in different countries. Instead, this research focused on establishing a broad overview of sanctions on the humanitarian work of the WCC, CI, and WEA. Thirdly, given the volatile environments in which most of our interviewees operate and the sensitive nature of some of the issues discussed, some interviewees stated that they could not share all information on their sanctions-related activities with the research team as this may have negative repercussions for the organisations concerned. Hence, gaining a very detailed understanding of the challenges sanctions pose to the humanitarian work of interviewees, in some individual cases, may not have been fully achieved.

D. Ethical considerations

Before commencing the interviews, the participants of this study received the consent form (see Appendix III). On the consent form, the researchers informed the interviewees about 1) the purpose of this study; 2) their right to withdraw at any time without explanation of the reasons; 3) that they will not be financially compensated for participation in the study; 4) that they may request any information collected about them as part of this study; 5) that the final results of this study will be shared with the WCC, CI, and WEA and professors from the Graduate Institute Geneva; 6) that they may ask questions about the study; 7) that the recordings of the interviews will have been destroyed by March 01, 2023; and 8) that they may choose to be anonymised or not. Regarding the last issue, the research team has decided to anonymise all participants from Group 1, given that related concerns were voiced by several interviewees and the sensitive work environment of many participants. Besides these ethical considerations, no others are identified at the time of writing.

II. Interview questions

A. Interviews with humanitarian practitioners (Group 1)

General information

1. What kind of humanitarian services are you providing and who are the main recipients of those services?
2. What are your main sources of funding?

The humanitarian impact of sanctions

3. How do sanctions impact your organisation's ability to provide humanitarian services?
 - a. If and how have sanctions limited your ability to purchase/import products required for the provision of humanitarian services?
 - b. If and how have sanctions impacted your funding?
4. Has your organisation ever refused to grant humanitarian services to specific individuals/groups because they are targeted by sanctions?
 - a. If so, how has this affected the perception of your organisation and the safety of your staff?
5. How does sanctions-related economic instability affect the long-term planning of your organisation (e.g. fluctuations in inflation and exchange rate)?
6. Does the impact of sanctions on the economic/health situation in your country increase the demand for your organisation's humanitarian services?

Compliance

7. To what extent is your organisation aware of what is and what is not permitted according to existing sanctions regimes?
 - a. What challenges are you facing in acquiring more information about the scope of the sanctions?
8. What due diligence measures has your organisation adopted to ensure compliance with sanctions?

Overcompliance

9. Has your organisation ever refused to grant humanitarian services to specific individuals/groups due to reputational concerns?
10. Have you ever experienced the private sector, donors or banks refusing cooperation with your organisation due to their sanctions-related overcompliance?
 - a. Have banks ever prevented you from sending or receiving transfers?
 - b. How has this impacted your organisation's work (e.g. inability to pay employees, program suspensions or interruptions, procurement of critical goods)?
11. Were you ever asked to conduct screenings of beneficiaries to be eligible to receive funds from donors?

Addressing the impact of sanctions

12. How do you circumvent/navigate sanctions?

- a. Did you employ alternative transfer channels such as unregulated transfer agents or bulk cash movements?
13. What is your experience regarding the application for licences granting exemptions from sanctions?
- a. Do you have the organisational capacity for such applications?
 - b. Who in your organisation is responsible for this?
 - c. What problems have you encountered in the process (e.g. response time, accessibility of information, limits to certain activities)?
14. How do you think sanctions regimes should be adjusted to allow for effective humanitarian work?
- a. Have you been able to advocate for such changes?

B. Interviews with sanctions experts (Group 2)

The structure of the second round of interviews was based on the findings about the impact of sanctions on the work of the WCC, CI, and WEA. This basic structure was slightly modified for each interview in light of the specific background of each interviewee.

1. Do you see any progress in adapting sanctions regimes to the needs of humanitarian organisations over the last years (focus on targeted sanctions but increasing constraints on humanitarian action)?
2. What is your experience regarding humanitarian organisations' ability to understand sanctions requirements? Do you have any recommendations or know of any resources that may facilitate this process?
3. Do you have any advice on how humanitarian organisations can protect themselves against potential sanctions-related legal risks?
4. What has been done to prevent bank de-risking and how effective has it been? What other steps should be taken in this regard?
 - a. What can our partner organisations do to encourage donors and banks to continue engaging with them?
5. What should be done to improve application processes for licences/exemptions? What is realistic?
6. How can humanitarian organisations limit additional sanctions-induced costs?
7. What practical steps can our partner organisations take to mitigate the impact of restrictions on import/export, travel, and transfers of funds?
8. What changes in current sanctions regimes should our partners advocate for to facilitate humanitarian assistance? What changes are realistic?
 - a. What forums should our partners use for advocating for sanctions-related policy change?

III. Consent form

Declaration of consent for participation in an interview on the impact of sanctions on humanitarian work

Researchers: Paul Hausmann, Elodie Pearson, Maja Liechti

Institution: Graduate Institute Geneva

In collaboration with the World Council of Churches, the World Evangelical Alliance, and Caritas Internationalis we are conducting a research project that analyses the impact sanctions have on their humanitarian work. Thus, through this interview we aim to gain an understanding of your organisation's experience with sanctions. We will present you with information about our research and ask you to answer relevant questions. Please be assured that information about you will be kept completely confidential. Your participation in this research is voluntary. You have the right to withdraw your consent without explanation at any point during the interview. If you would like to contact the researchers of this study, please email arp2022.sanctions@graduateinstitute.ch.

By choosing an option below, you acknowledge that your participation in the interview is voluntary, you are 18 years of age or above, and that you are aware that you may choose to terminate your participation in the interview at any time and for any reason. You can choose whether the information collected from you will be anonymized or not.

There are no reasonably foreseeable risks of participating in the interview. Your participation will help to attain the stated purposes of the study. Your participation will not be compensated financially. You have the right to access all the information collected about you as part of the study. Upon request, we will be happy to send you the information collected from you for the purpose of the research. Upon completion of this research project, the final results will be shared with our partners and professors of the Graduate Institute Geneva in the form of a written report and a presentation. The recordings containing the information collected from you will have been destroyed by March 01, 2023.

I have been informed of the study. I have had the opportunity to ask questions about the study. I have been able to consider my participation in the interview which is completely voluntary. I have the right to withdraw my consent and quit the interview at any time without needing to give a reason.

Check one:

- I give consent and wish to continue
- I do not give consent and wish to terminate the interview

Check one:

- I wish to be anonymized
- I do not wish to be anonymized

Other concerns? _____

Name and signature of participant: _____

Date and place: _____

IV. List of resources

Publications

- [IASC guidance on the impact of sanctions and counterterrorism measures on humanitarian operations](#)
 - Guidance on monitoring the impact of sanctions on humanitarian action and engaging with relevant interlocutors to address relevant challenges
- [EU DG ECHO helpdesk on restrictive measures](#)
 - Website of DG ECHO providing various tools and guidance for humanitarian work in sanctioned environments
- [Justine Walker – Risk management principles guide for sending humanitarian funds into Syria and similar high-risk jurisdictions](#)
 - Based on the compliance dialogue on Syria-related humanitarian payments
 - The Dialogue was organised by the Graduate Institute Geneva, and supported by the Swiss Government and the European Commission
- [Erica Moret – Time to act: Harmonizing global initiatives and technology-based innovations addressing de-risking at the interfacing sanctions-counterterrorism-humanitarian nexus](#)
 - Article (p. 74) including a comprehensive mapping of initiatives and research on overcompliance
- [Carter Centre - Navigating humanitarian exceptions to sanctions against Syria](#)
 - Article providing specific recommendations to NGOs on effectively utilising humanitarian exceptions
- [US Government Accountability Office](#)
 - Detailed report on de-risking, problems associated with it, and potential solutions
- [InterAction – Detrimental impacts: How counter-terrorism measures impede humanitarian action](#)
 - InterAction review of available evidence on the negative impact of counter-terrorism measures on humanitarian work
- [Diakonia factsheets on sanctions and humanitarian action](#)
 - Factsheets with information on sanctions relevant to humanitarian action in Syria, the 2020 Caesar Act, counterterrorism measures relevant to humanitarian action in Syria, and the screening of final beneficiaries of humanitarian programs
- [NRC report on NGO access to financial services in Afghanistan](#)
 - NRC report providing a comprehensive overview of existing options for transferring humanitarian funds to Afghanistan
- [Harvard Law School background briefing on OFAC licensing](#)
 - Briefing providing an introduction to the role and authority of OFAC and its licensing procedure

Tools

- [NRC toolkit for principled humanitarian action and managing counterterrorism risks](#)
 - The NRC toolkit may help practitioners understand the different types of applicable sanctions regimes and how they impact humanitarian work.
- [InterAction Counter-Terrorism & Humanitarian Action Resource Library](#)
 - The resource library contains a list of relevant sources, as well as an impact catalogue outlining the different challenges humanitarian actors face due to sanctions and a recommendations catalogue detailing a consolidated list of relevant recommendations to states, donors, UN, financial institutions, and other actors.
- [DG ECHO overview of sanctions-related tools and initiatives](#)
 - This overview is part of the DG ECHO helpdesk on restrictive measures and provides a list of tools, initiatives, and publications related to the impact of sanctions on humanitarian work.

Sanctions Databases

- UN and national sanctions lists and databases
 - [United Nations Security Council Consolidated List](#)
 - [US OFAC Sanctions Lists](#)
 - [UK Sanctions List](#)
 - [EU Sanctions Map](#)
 - [Swiss Sanctions Database](#)
- Academic sanctions databases
 - [UN Sanctions App](#)
 - [The Global Sanctions Database](#)
 - [Threat and Imposition of Economic Sanctions \(TIES\) Data](#)
 - [EUSANCT Dataset](#)

V. Survey

Impact Assessment of Sanctions on Humanitarian Work

This survey aims to assess the impact of sanctions on the humanitarian work of your organisation. It is part of a joint research project by the World Council of Churches, Caritas Internationalis, and the World Evangelical Alliance in collaboration with the Graduate Institute Geneva. Through this survey the research team aims to gain a quantitative overview of the impact of sanctions on humanitarian work.

This survey will be shared with all involved organisations as a possible template for further regular circulation amongst their members, thereby allowing for a systematic documentation of the impact of sanctions on humanitarian work. As such, your feedback for improving the survey is very welcome. You can provide your comments in a separate section at the end of this survey.

Please rest assured that your responses will be anonymised. Neither your name nor the name of your organisation will be included in the final report of this research project. **The completion of the survey takes approximately 15 minutes.** All the questions are voluntary, so feel free to skip any questions that are not applicable to your work. Thank you very much for your contribution!

CONTEXT

1. In **which country** do you conduct/finance humanitarian operations? (OPTIONAL)

APPLICABLE SANCTIONS AND GENERAL IMPACT

2. Are **any actors in the State** in which you provide humanitarian assistance **sanctioned**?

- Yes
- No
- I don't know

If yes, please indicate who:

- Government
- (Armed) groups
- Individuals
- Corporations

3. To what extent do **sanctions negatively impact** your organisation's ability to provide high quality humanitarian assistance? 1 (insignificantly) to 5 (very significantly)

4. To what extent is your organisation **aware of what is and what is not permitted** according to existing sanction regimes? 1 (I have no knowledge of the applicable sanction legislation) to 5 (I have full knowledge)

5. **Which organisation's/State's sanctions** impact your humanitarian work?

- United Nations

- United States
- Other States
- European Union
- Other Regional Bodies
- Other

6. Has your organisation **hired legal experts** to better understand sanctions requirements?

- Yes
- No
- I don't know

ADMINISTRATIVE CHALLENGES

7. How much have your operations been **restricted due to administrative regulations and processes** (e.g. the need to obtain a specific authorisation or licence)? 1 (not at all restricted) to 5 (very restricted)

8. Was your organisation **required to implement additional due diligence measures** related to sanctions in funding agreements with donors (e.g. partner screening; staff screening; beneficiary screening)?

- Yes
- No
- I don't know

9. Have sanctions translated into a **decrease in the overall amount of funding** your organisation received by donors?

- Yes
- No
- I don't know

10. Does your organisation's work **benefit from exemptions/general licences that exclude humanitarian action** from the scope of application of sanctions?

- Yes
- No
- I don't know

11. Has your organisation ever **applied for a specific licence** to facilitate the implementation of humanitarian projects in sanctioned environments?

- Yes
- No
- I don't know

12. Do sanctions **increase the costs of your humanitarian work** (e.g. paying staff and lawyers to understand applicable sanctions regimes; applying for licences; implementing due diligence measures; dealing with banks)?

- Yes
- No

- I don't know

If yes, what is the **share of your humanitarian funds required for dealing with sanctions**, according to your estimations? (in %)

OPERATIONAL CHALLENGES

13. Have sanctions on the government of the State in which you operate, or other groups affected your organisation's **access to banking and other financial services**?

- Yes
- No
- I don't know

14. Have banks made any **additional requests** as a condition to transferring your funds (e.g. obtaining a specific exemption or licence; providing information about partners or beneficiaries)?

- Yes
- No
- I don't know

15. Have banks **refused to provide services to your organisation** intended for humanitarian projects and covered by specific licences/general humanitarian exemptions?

- Yes
- No
- I don't know

16. Have you ever encountered **sanctions-related delays** after banks agreed to transfer your funds (e.g. because of the unwillingness of correspondent banks to process the transfer)?

- Yes
- No
- I don't know

If yes, please indicate the typical **length of these delays**?

17. Have you faced difficulties with **paying implementing partners, suppliers, or staff members on time** because of these delays?

- Yes
- No
- I don't know

18. Has your organisation faced sanctions-related **travel restrictions** affecting your humanitarian work?

- Yes
- No
- I don't know

19. Have international vendors ever **refused to provide goods/services** (e.g. transportation, insurance) required for humanitarian operations despite being covered by specific licences/exemptions?

- Yes
- No
- I don't know

If yes, have you been able to **procure humanitarian goods** of the same quality **on the local market**?

- Yes
- No
- I don't know

20. To what extent do sanctions **damage the acceptance and trust** of your organisation by the local population and local partners? 1 (Do not damage trust and acceptance at all) to 5 (Significantly damage trust and acceptance)

ADDRESSING THE IMPACT OF SANCTIONS

21. Has your organisation ever used **alternative channels for transferring funds** for humanitarian projects (e.g. informal channels for transferring funds; bulk cash movements)?

- Yes
- No
- I don't know

22. Has your organisation been able to **share best practices** with other affected NGOs in your network/country of operations?

- Yes
- No
- I don't know

23. Has your organisation engaged in **advocacy** related to the impact of sanctions on your humanitarian work?

- Yes
- No
- I don't know

24. Which **other measures** has your organisation adopted to address the challenges posed by sanctions? (e.g. keeping emergency funds for delays; maintaining several functioning banking routes)

FEEDBACK AND GENERAL COMMENTS

25. Do you have any **other comments** on the impact of sanctions on your humanitarian work?

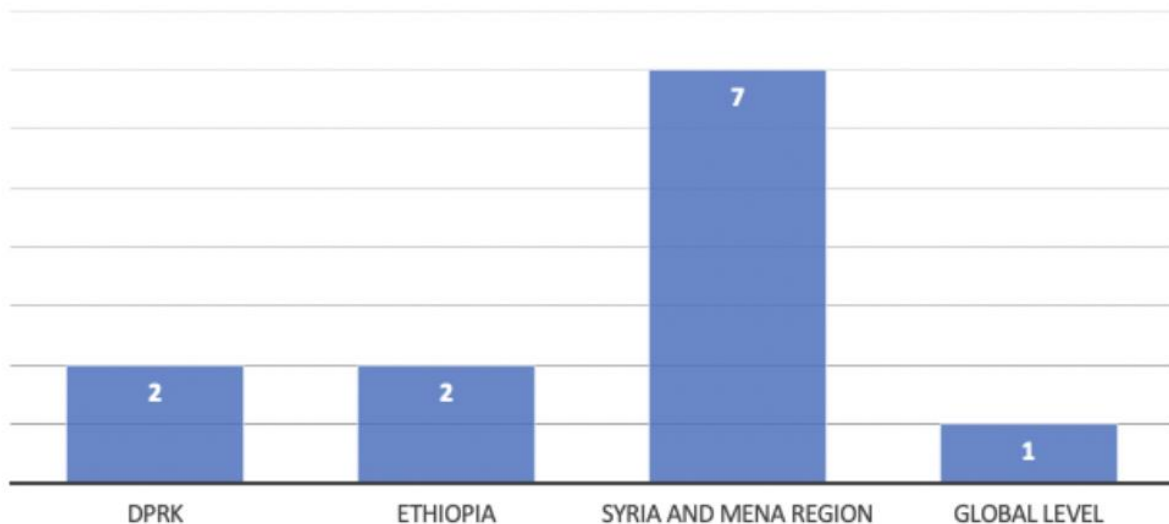
26. Do you have any **feedback** for improving this survey?

VI. Responses to the pilot survey

The research team has received 12 responses from the individuals participating in interviews in Group 1. The current sample is rather small and should be increased to gain a more representative overview of the impact of sanctions on the humanitarian work of the constituencies of the WCC, CI, and WEA, in case they decide to circulate the survey in the future.

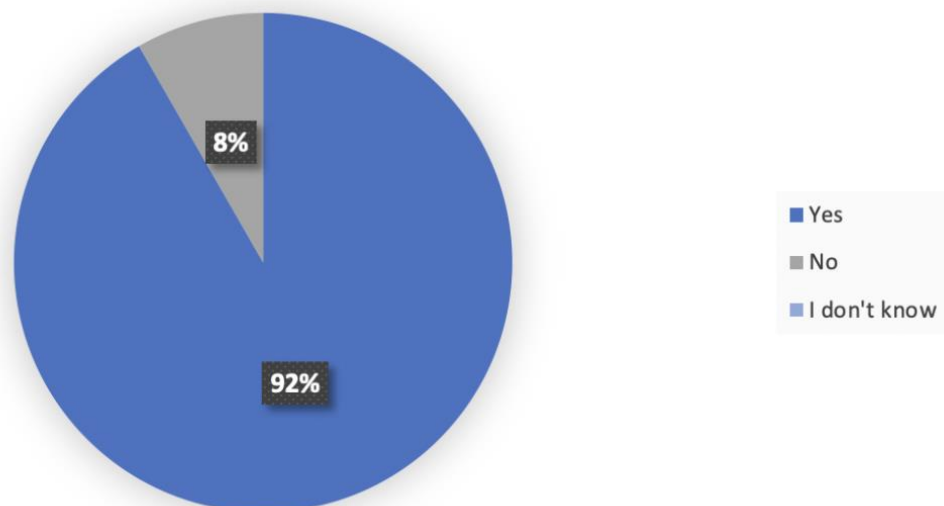
CONTEXT

1. In **which country** do you conduct/finance humanitarian operations? (OPTIONAL)

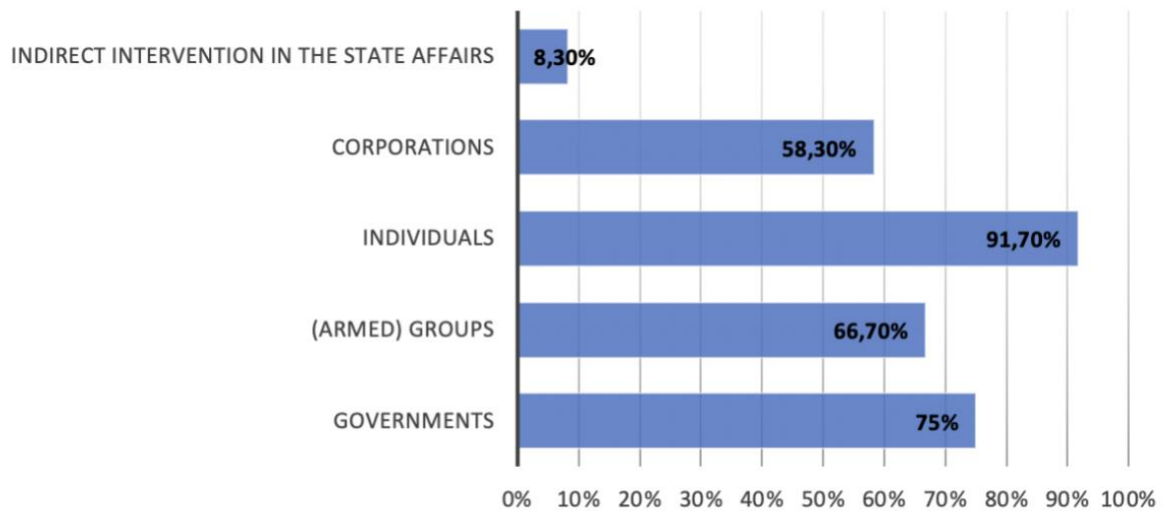


APPLICABLE SANCTIONS AND GENERAL IMPACT

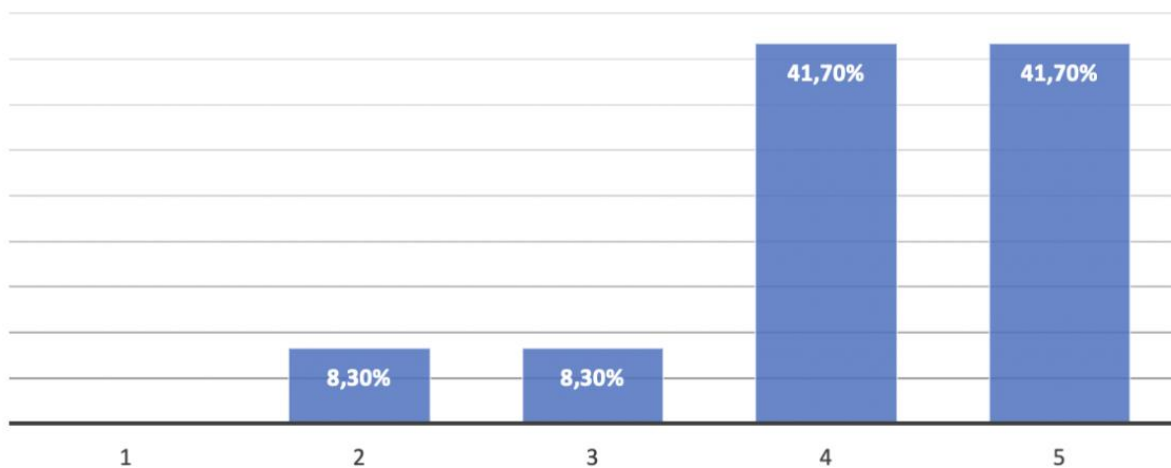
2. Are **any actors in the State** in which you provide humanitarian assistance **sanctioned**?



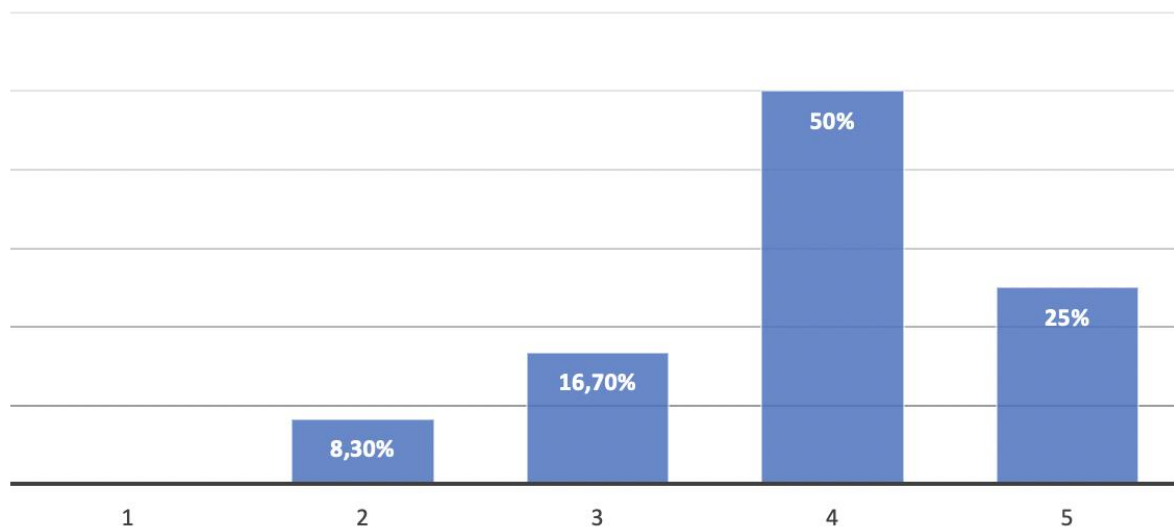
If yes, please indicate who:



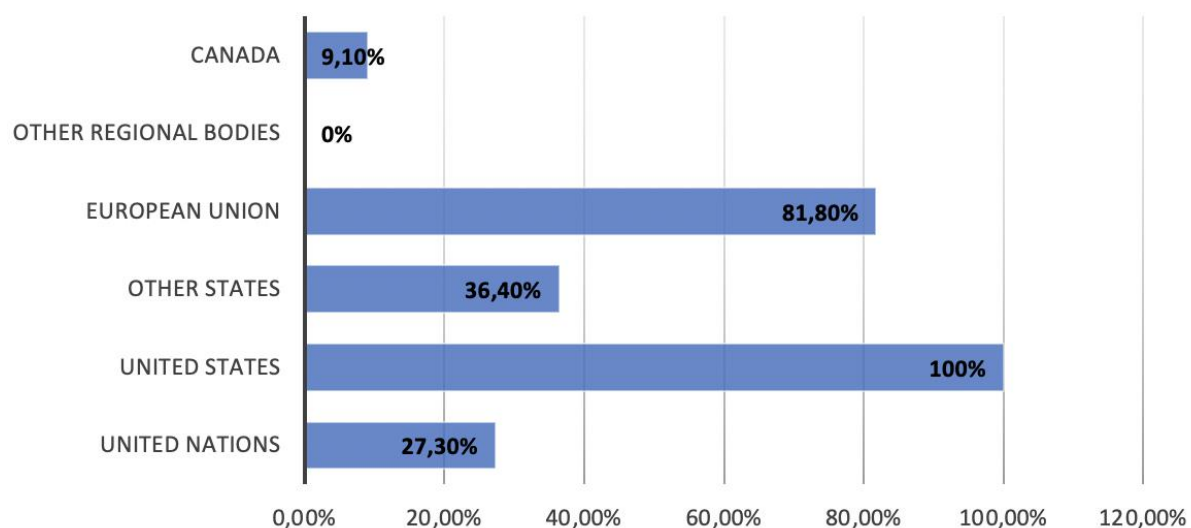
3. To what extent do **sanctions negatively impact** your organisation's ability to provide high quality humanitarian assistance? 1 (insignificantly) to 5 (very significantly)



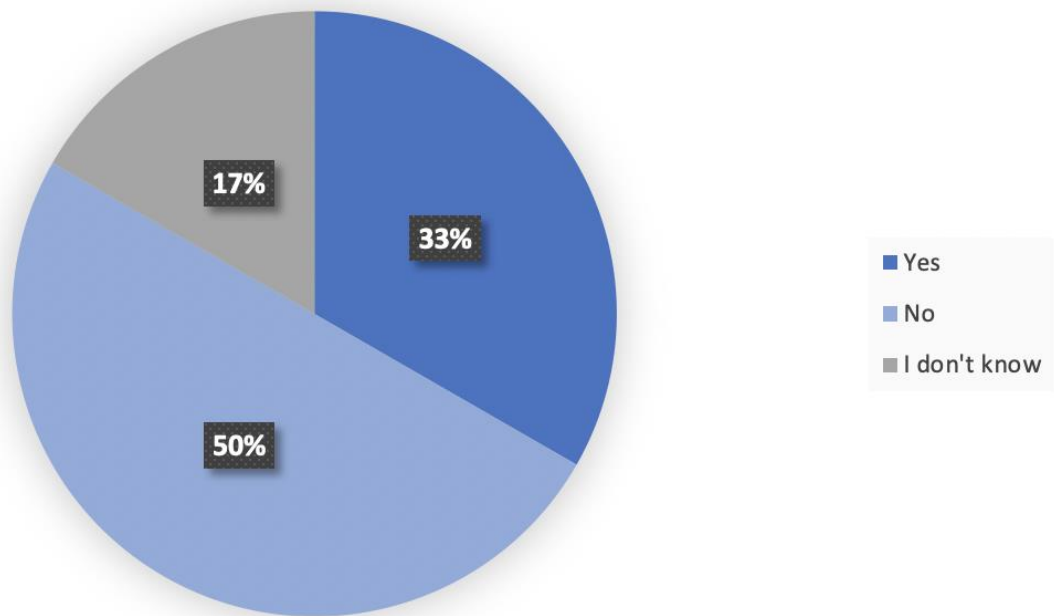
4. To what extent is your organisation **aware of what is and what is not permitted** according to existing sanction regimes? 1 (I have no knowledge of the applicable sanction legislation) to 5 (I have full knowledge)



5. Which organisation's/State's sanctions impact your humanitarian work?

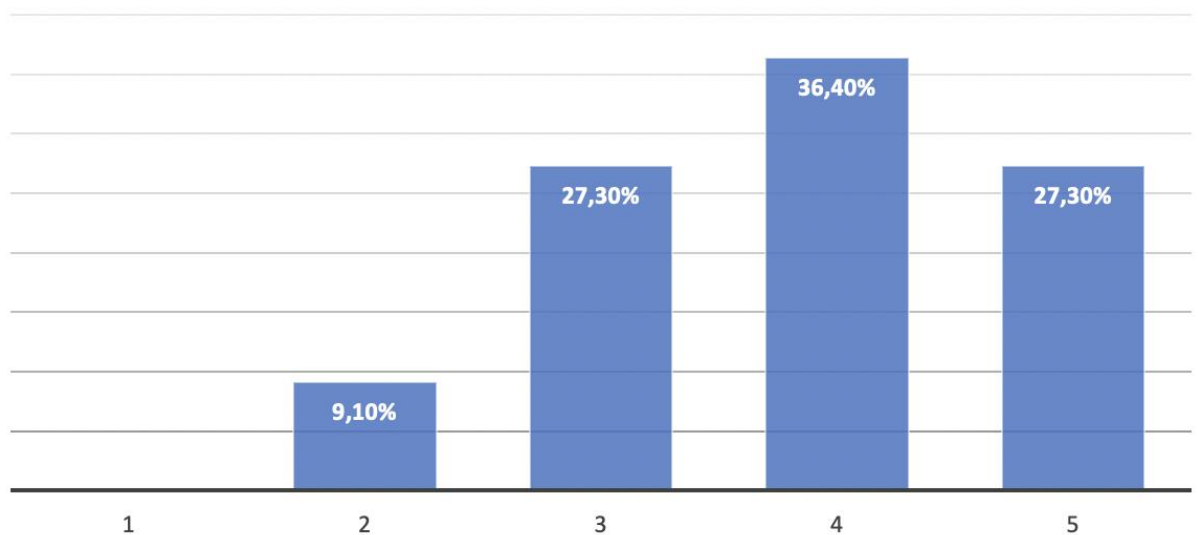


6. Has your organisation **hired legal experts** to better understand sanctions requirements?

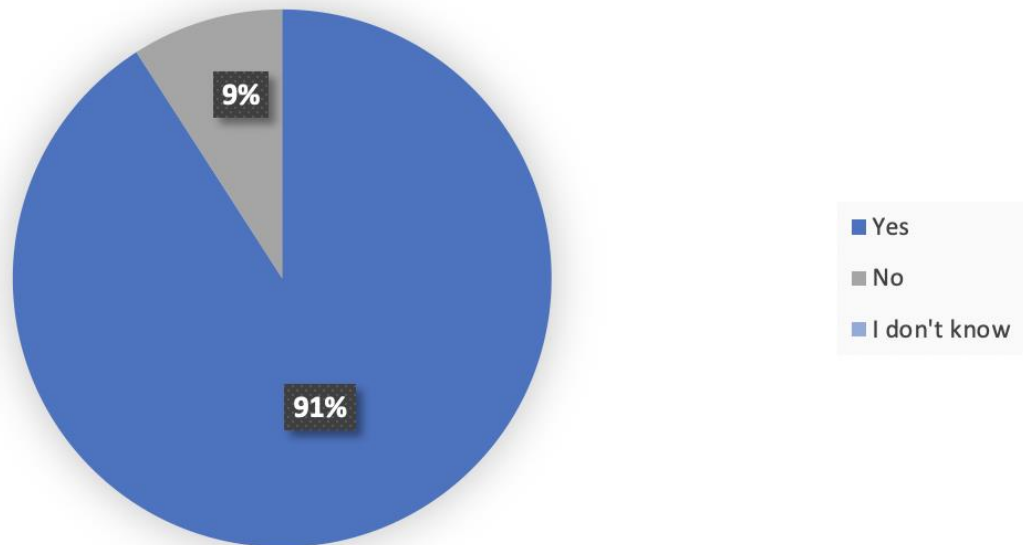


ADMINISTRATIVE CHALLENGES

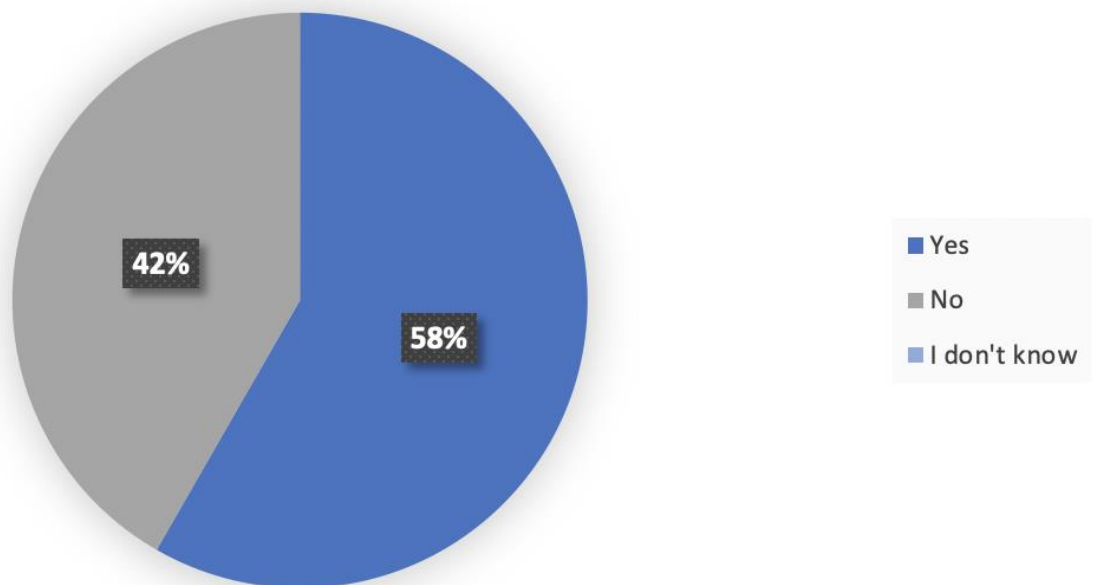
7. How much have your operations been **restricted due to administrative regulations and processes** (e.g. the need to obtain a specific authorisation or licence) ? 1 (*not at all restricted*) to 5 (*very restricted*)



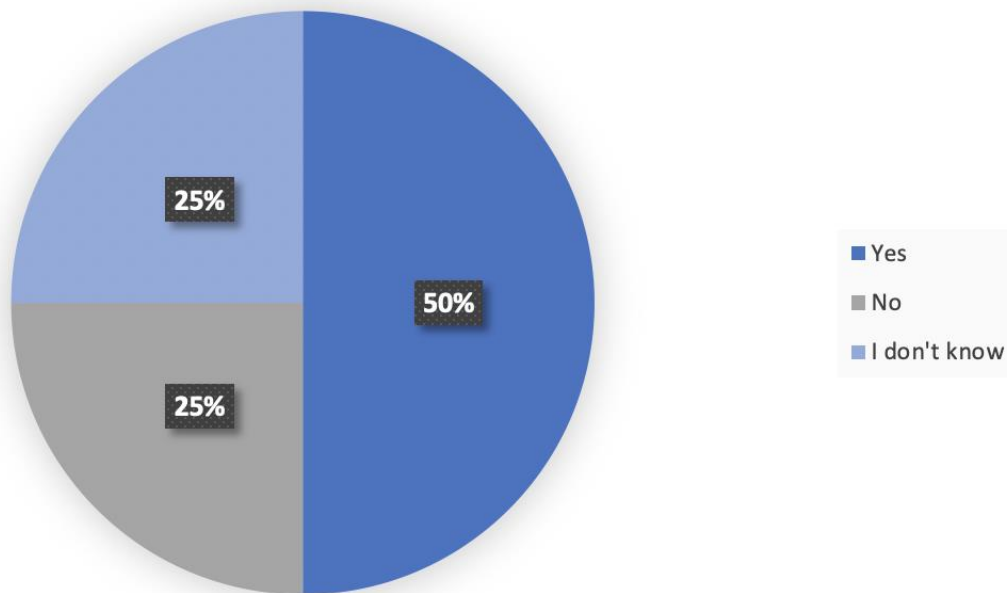
8. Was your organisation **required to implement additional due diligence measures** related to sanctions in funding agreements with donors (e.g. partner screening; staff screening; beneficiary screening)?



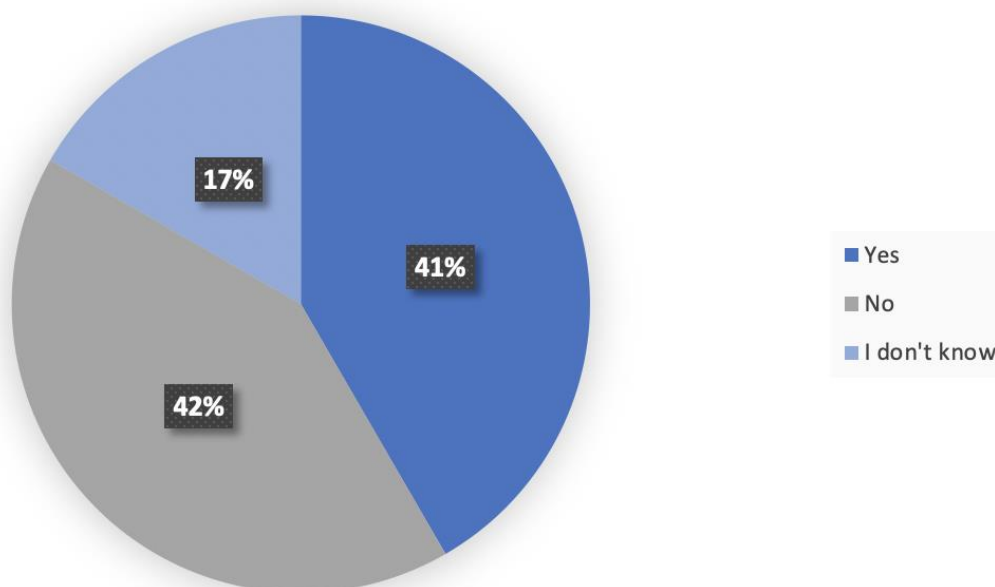
9. Have sanctions translated into a **decrease in the overall amount of funding** your organisation received by donors?



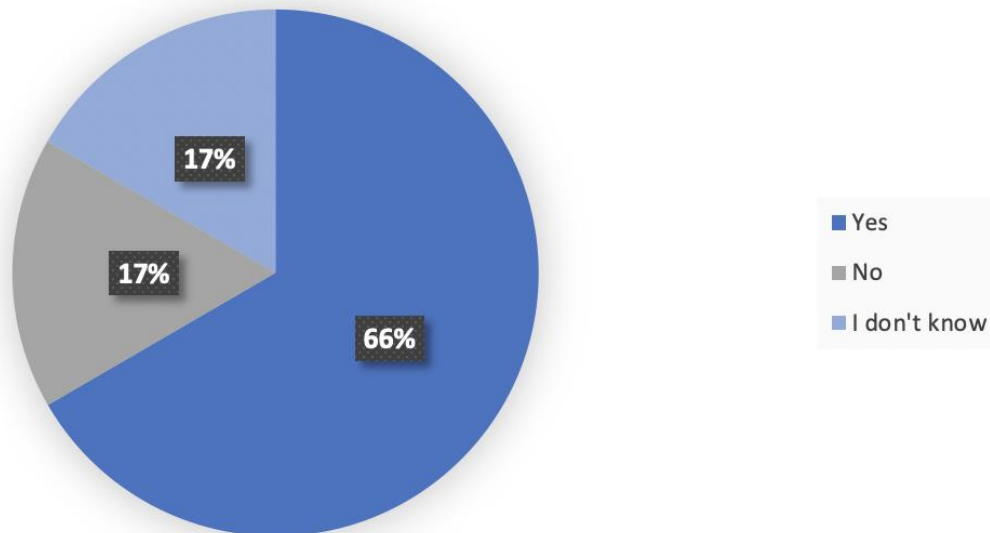
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11. Has your organisation ever **applied for a specific licence** to facilitate the implementation of humanitarian projects in sanctioned environments?



12. Do sanctions **increase the costs of your humanitarian work** (e.g. paying staff and lawyers to understand applicable sanctions regimes; applying for licences; implementing due diligence measures; dealing with banks)?

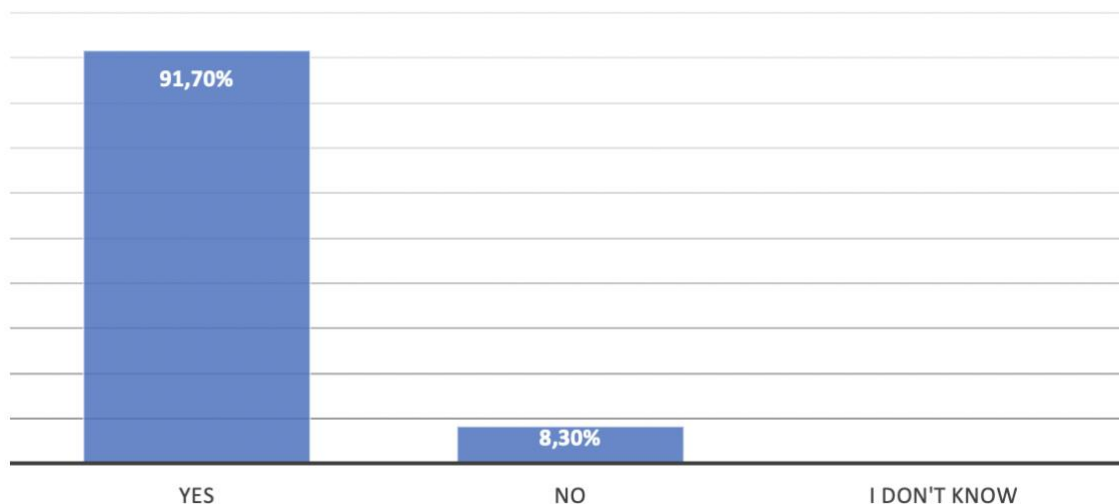


If yes, what is the **share of your humanitarian funds required for dealing with sanctions**, according to your estimations? (in %)

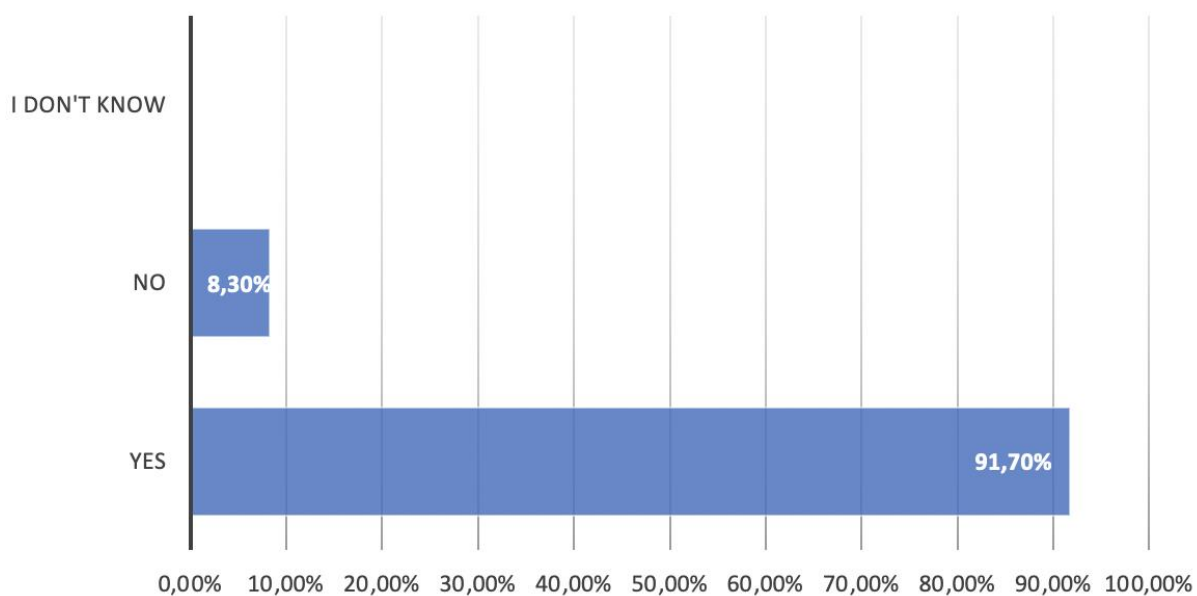
| |
|--|
| I don't know |
| 3% |
| 30-40% |
| 10% |
| 3% |
| 6% |
| 10% for direct impact, 70% if we consider how sanctions are generating needs on the population |
| Difficult to answer. Staff time and pro bono legal assistance |

OPERATIONAL CHALLENGES

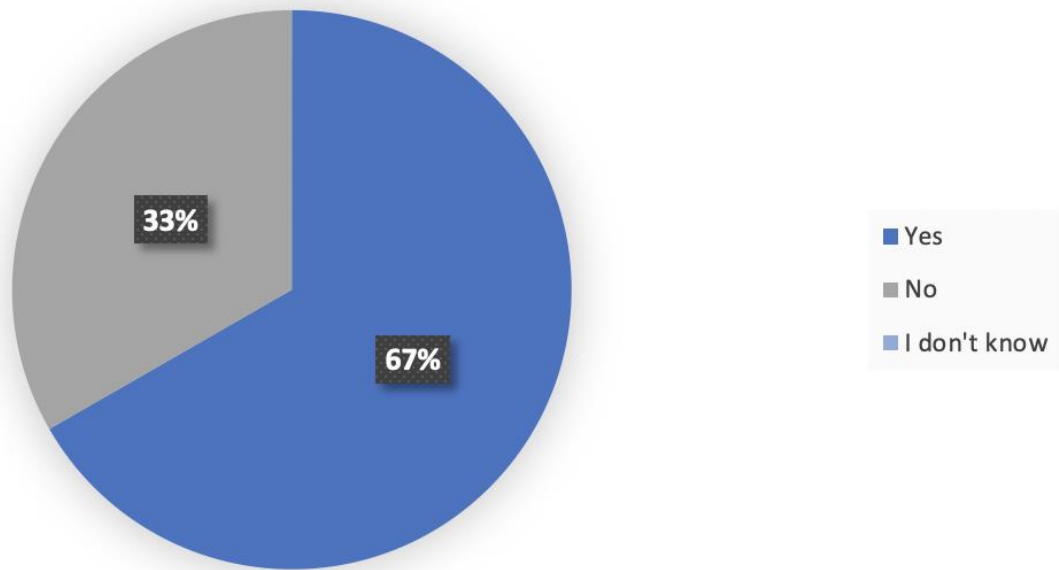
13. Have sanctions on the government of the State in which you operate or other groups affected your organisation's **access to banking and other financial services**?



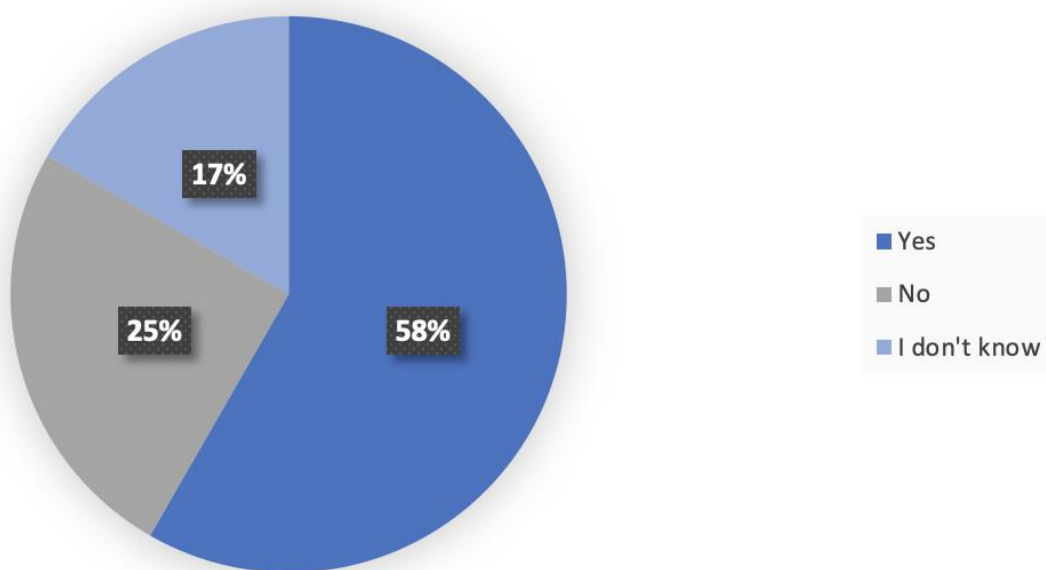
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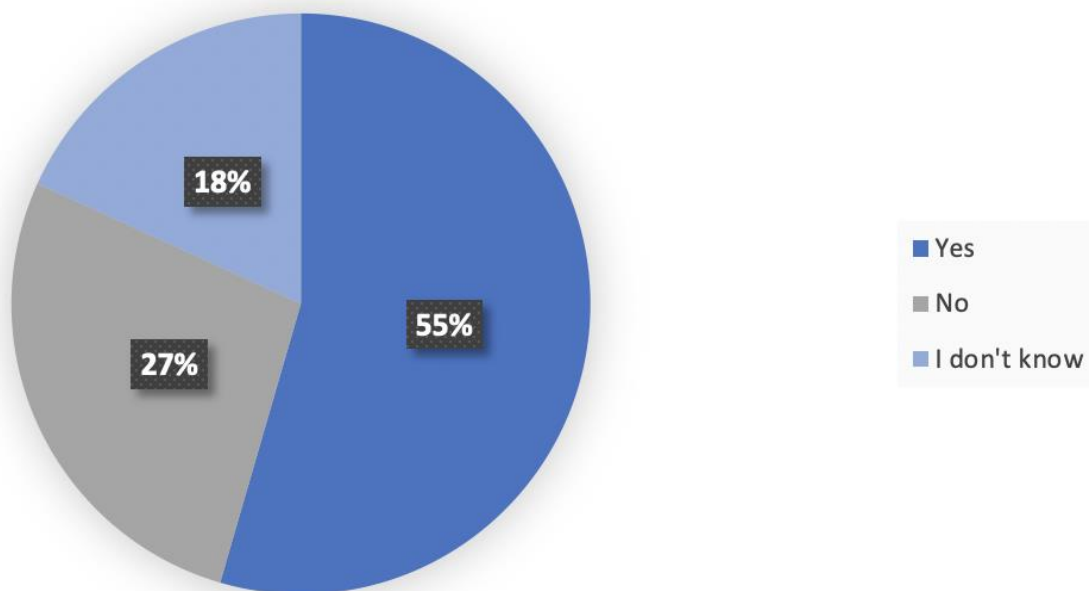
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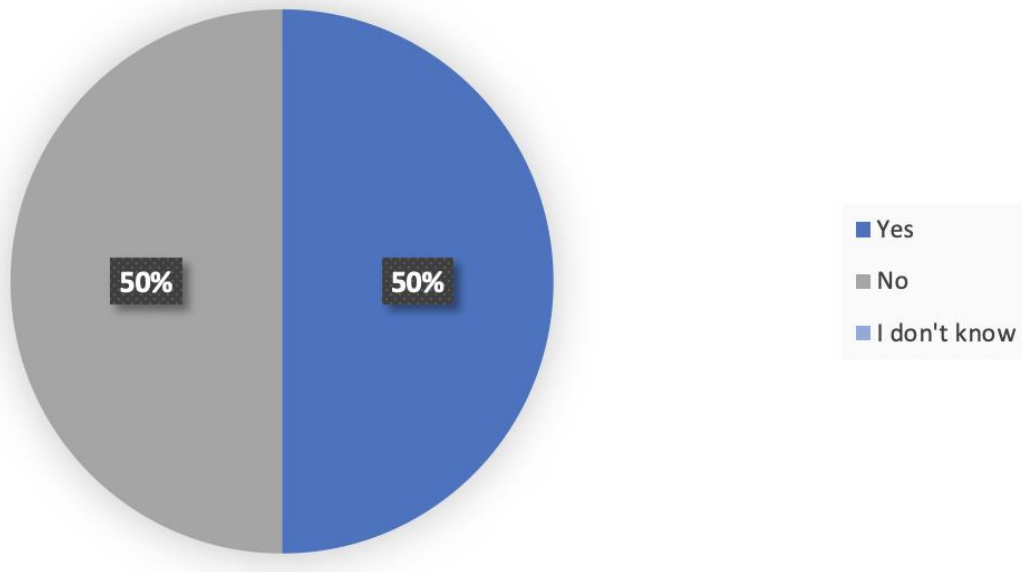
If yes, please indicate the typical **length of these delays?**

| |
|---|
| Anywhere from a few days to several weeks |
| A month approximately |
| 20 days |
| 20 to 30 days |
| Some times the delay reaches three months |
| 30 days |
| it is highly variable: can be up to 45 days (and sometimes full cancelation of the transfers) |

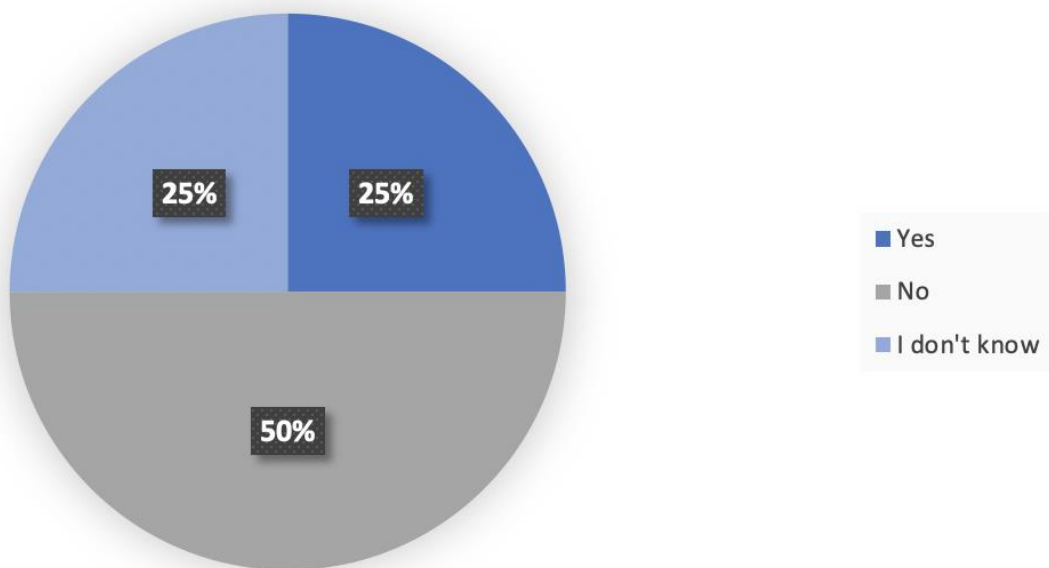
17. Have you faced difficulties with **paying implementing partners, suppliers, or staff members on time** because of these delays?



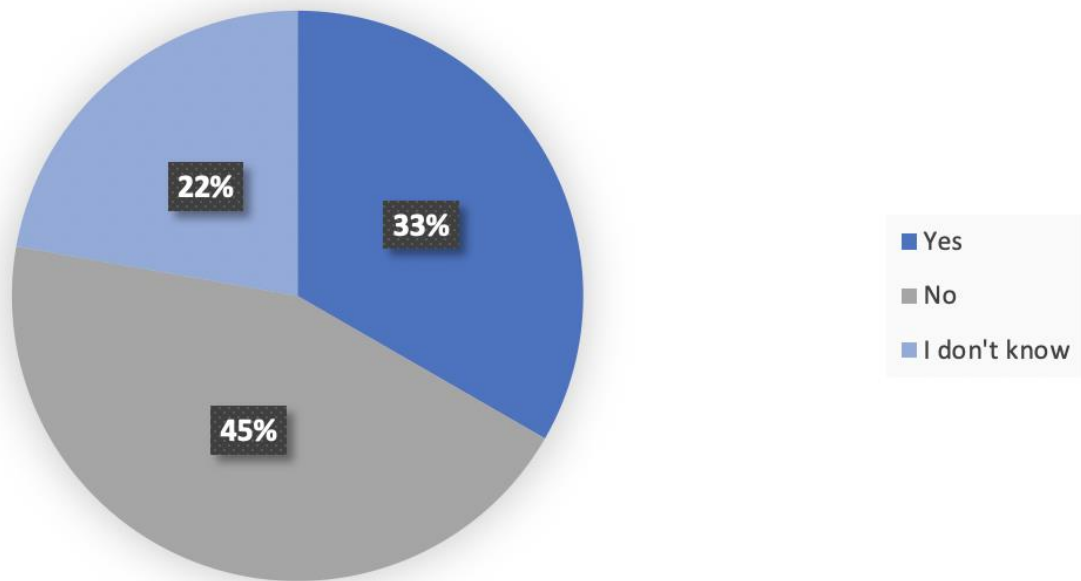
18. Has your organisation faced sanctions-related **travel restrictions** affecting your humanitarian work?



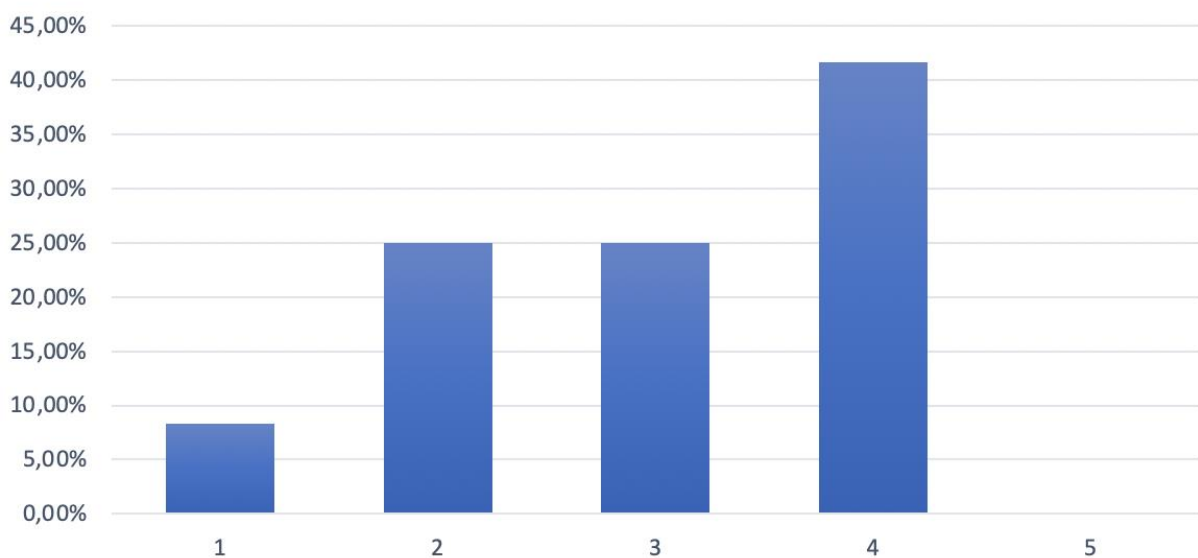
19. Have international vendors ever **refused to provide goods/services** (e.g. transportation, insurance) required for humanitarian operations despite being covered by specific licence/exemptions?



If yes, have you been able to **procure humanitarian goods** of the same quality **on the local market?**

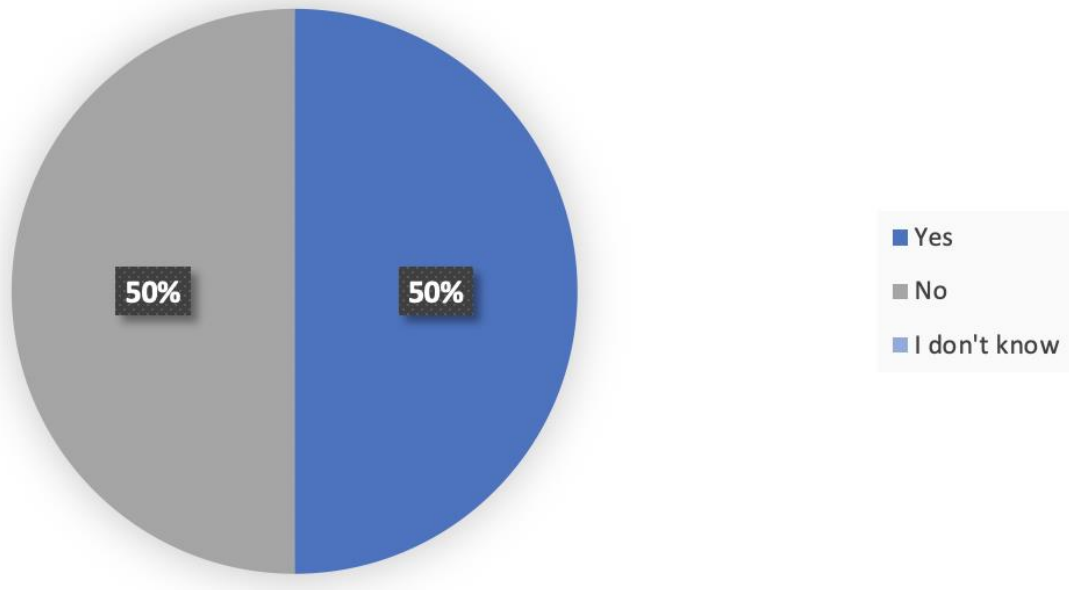


20. To what extent do sanctions **damage the acceptance and trust** of your organisation by the local population and local partners? *1 (Do not damage trust and acceptance at all) to 5 (Significantly damage trust and acceptance)*

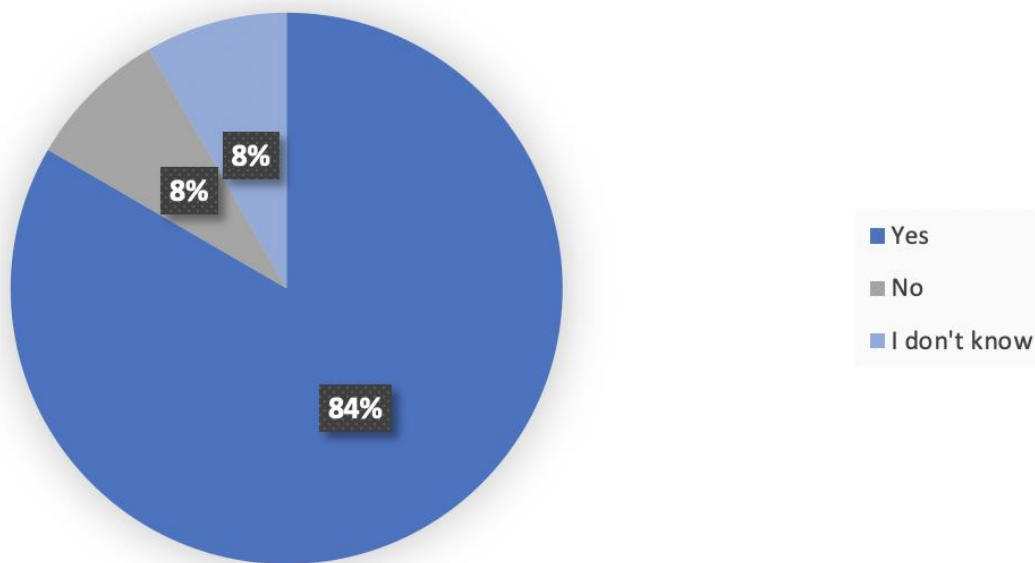


ADDRESSING THE IMPACT OF SANCTIONS

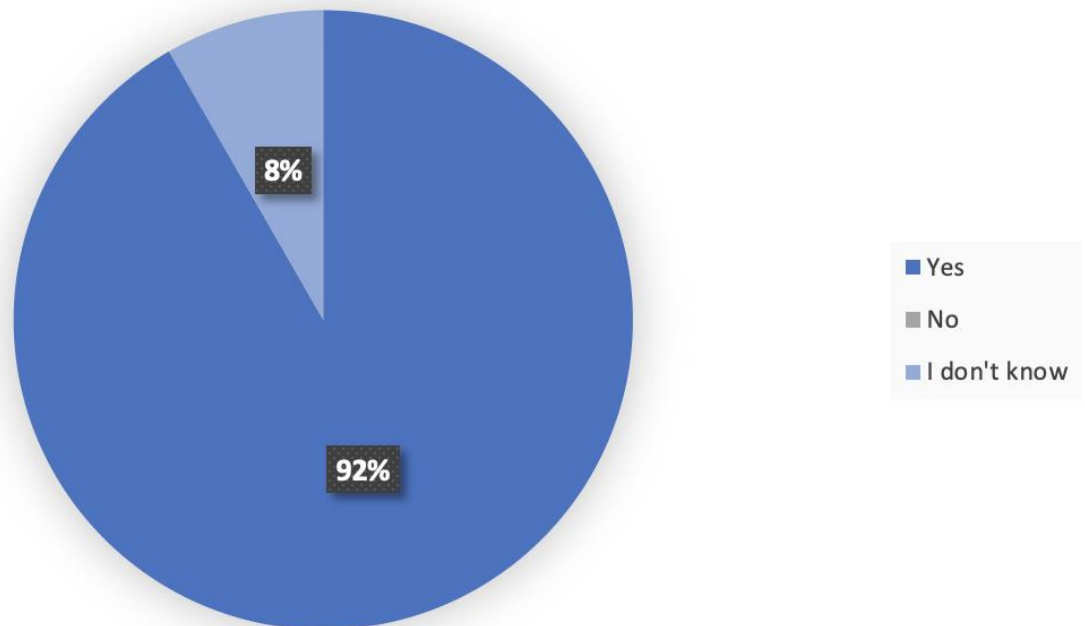
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23. Has your organisation engaged in **advocacy** related to the impact of sanctions on your humanitarian work?



24. Which **other measures** has your organisation adopted to address the challenges posed by sanctions? (e.g. keeping emergency funds for delays; maintaining several functioning banking routes)

| |
|---|
| Cash transfer through individual by consent of related government ministries. |
| Advocacy |
| tested different banking channels, training staff on sanctions related issues, engaging with NCA |
| National and international political advocacy; discussions with the banks; |
| by putting a condition on partners that the swift explanation for any transfer should indicate clearly that the final destination is Syria. |
| Pre-stocking of funds in neighbouring country, seeking alternative banking routes |
| Creation of a buffer amount / several banking routes + constant advocacy and information collection |