

## SUDAN SANCTIONS ANALYSIS

18 April 2023

### UN SANCTIONS PROGRAM

On 30 July 2004, the UN Security Council adopted [Resolution 1556](#), imposing an **arms embargo**<sup>1</sup> aimed at preventing the flow of weaponry associated with armed conflict and human rights abuses. The arms embargo was imposed on all non-governmental entities and individuals, including the Janjaweed, and was expanded to include all parties to the N'djamena Ceasefire Agreement and any other belligerents under UNSCR 1591 (see next).

Under [UNSCR 1591](#) (2005), the Security Council imposed an **assets freeze**<sup>2</sup> and **travel ban**<sup>3</sup> on any individuals designated by the [Sudan Sanctions Committee](#) (which was operationalised on 29 March 2005). The Sudan Sanctions Committee comprises all 15 members of the Security Council and is currently chaired by Ghana (vice-chair Switzerland). Under [UNSCR 2035](#) (2012), the Security Council decided that the listing criteria set out in resolution 1591 also applies to entities.<sup>4</sup>

**Under UNSCR 1672 (2006), four individuals were sanctioned pursuant to UNSCR 1591 (2005); one has since died and been removed:**

Name	Position	Notes
Gabril Abdul Kareem Badri	Colonel for the National Movement for Reform and Development	Named by the UN Security Council
Gaffar Mohamed El Hassan	Major General and Commander of the Western Military Region for the Sudanese Armed Forces	Named by the UN Security Council
Musa Hilal	Sheikh and paramount chief of the Jalul tribe in North Darfur	Named by the UN Security Council
<del>Adam Yacub Shant</del>	<del>Commander for the SLA</del>	<del>Named by the UN Security Council;</del> <del>deceased 7 June 2012</del>

<sup>1</sup> Set out in paragraph 9 of resolution 1556 (2004) and paragraph 7 of resolution 1591 (2005), as updated in paragraph 9 of resolution 1945 (2010) and paragraph 4 of resolution 2035 (2012).

<sup>2</sup> See para. 3(e) of UNSCR 1591.

<sup>3</sup> See para. 3(d) of UNSCR 1591.

<sup>4</sup> See para. 3(c) of UNSCR 1591 (“[t]hose who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, violate the measures implemented by Member States in accordance with paragraphs 7 and 8 of resolution 1556 (2004) and paragraph 7 of resolution 1591 (2005) as implemented by a state, or are responsible for offensive military overflights described in paragraph 6 of resolution 1591 (2005)”).

## NATIONAL SANCTIONS PROGRAMS

### United States

On 12 October 2017, some sanctions imposed under sections 1 and 2 of [EO 13067](#) (3 November 1997) and [EO 13412](#) (13 October 2006) were revoked, ending the comprehensive embargo on the trade of goods and services to or from the US and the denial of financial services by US banks (which had functionally imposed a partial international blockade on the Sudanese banking system). Most sanctions against Sudanese companies were [lifted](#) at this point.

On 14 December 2020, the US rescinded the determination regarding Sudan as a State Sponsor of Terror, lifting the remaining blanket economic sanctions (e.g., those under the Terrorism List Governments Sanctions Regulations).

These decisions did not impact other OFAC sanctions related to the conflict in Darfur, which were imposed pursuant to [EO 13400](#) (26 April 2006) and the national emergency declared in EO 13067.<sup>5</sup> EO 13400 (as codified in the [Darfur Sanctions Regulations](#), Title 31 CFR Part 456) broadly authorises the imposition of sanctions against persons or entities determined to:

- a) Have constituted a threat to stability in Darfur and the region;
- b) Been responsible for conduct related to the conflict in Darfur that violates IHL;
- c) Have been responsible for heinous conduct with respect to human life or limb related to the conflict in Darfur;
- d) Have directly or indirectly supplied, sold, or transferred arms or any related materiel or any assistance, advice, or training related to military activities to the GoS, SLM/A, JEM, Janjaweed, or any other belligerents in the region;
- e) Have been responsible for offensive military overflights in and over the Darfur region;
- f) Have materially assisted, sponsored or provided financial, materiel or technological support to the activities above; or
- g) Be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person listed in or designated pursuant to this order.

**Only seven people and one entity are designated under the US Sudan sanctions program:**

Name	Position	Notes
Ahmad Muhammed Harun	State Minister for Humanitarian Affairs; former State Minister for the Interior;	Designated 29 May 2007

<sup>5</sup> Successive US presidents have continued the national emergency with respect to Sudan, most recently Joe Biden on 1 November 2022. ([White House](#))

	former Coordinator of the Popular Police Forces	
Gabril Abdul Kareem Badri	Colonel for the National Movement for Reform and Development	Designated by the UN
Gaffar Mohmed El Hassan	Major General and Commander of the Western Military Region for the Sudanese Armed Forces	Designated by the UN
Musa Hilal	Sheikh and paramount chief of the Jalul tribe in North Darfur	Designated by the UN
Awad Ibn Auf	Head of Military Intelligence and Security	
Khalil Ibrahim Mohamed Achar Foudail Taha	Chairman, Justice and Equality Movement; Co-founder, National Redemption Front	
<del>Adam Yacub Shant</del>	<del>Commander for the SLA</del>	<del>Deceased — 7 June 2012</del>

**One entity and three individuals have been sanctioned under other US sanctions regimes:**

Name	Position	Notes	Authority
Central Reserve Police	The CRP is a <a href="#">militarized police unit</a> which falls under the responsibility of the Minister of the Interior but has an auxiliary relationship to the NISS.	Designated 21 March 2022	Global Magnitsky
Salah Abdalla Mohamed Mohamed Salih (Salah Gosh)	Former NISS director	Designated 14 August 2019; travel ban only	Section 7031(c) of the FY 2019 Department of State, Foreign Operations, and Related Programs Appropriations Act <sup>6</sup>
Awatif Ahmed Seed Ahmed Mohamed	Salah Gosh's wife	Designated 14 August 2019; travel ban only	Section 7031(c)
Shima Salah Abdallah Mohamed	Salah Gosh's daughter	Designated 14 August 2019; travel ban only	Section 7031(c)

<sup>6</sup> Section 7031(c) provides that, in cases where the Secretary of State has credible information that foreign officials have been involved in significant corruption or a gross violation of human rights, those individuals and their immediate family members are ineligible for entry into the United States. See [here](#).

## United Kingdom

The UK's [Sudan \(Sanctions\) \(EU Exit\) Regulations 2020](#) came into force on 31 December 2020, replacing existing EU legislation and related UK regulations, as required following Brexit. The regulations put into place sanctions measures to “encourage the resolution of the armed conflicts in and the stabilisation of Sudan, and to promote:

- h) The peace, security and stability of Sudan;
- i) Respect for democracy, the rule of law and good governance in Sudan;
- j) The effective delivery of the mandates of the regional or international monitoring and peace-support missions and mechanisms;
- k) Respect for humanitarian assistance;
- l) Compliance with the rules of international humanitarian law applicable to the armed conflicts in Sudan; and
- m) Respect for, and accountability in relation to violations or abuses of human rights in Sudan.”

**Three people have been [designated](#) by the UK. No one has been designated under the UK human rights sanctions regime. No other sanctions have been imposed under available sanctions regimes.**

Name	Position	Notes
Gaffar Mohamed El Hassan	Major General for the SAF (and commander of the Western Military Region)	Designated by the UN
Musa Hilal	Sheikh and paramount chief of the Jalul tribe in North Darfur	Designated by the UN
Gabril Abdul Kareem Badri (alt: Jibril Abdulkarim Ibrahim Mayu)	Colonel for the National Movement for Reform and Development	Designated by the UN

## European Union

The EU first imposed an arms embargo with respect to Sudan in March 1994 ([Council Decision 94/165/CFSP](#)). In January 2004, the Council of the European Union passed [Regulation No. 131/2004](#),<sup>7</sup> maintaining the 2004 arms embargo and strengthening it to include a ban on technical and financial assistance and other services related to military activities. In July 2005, the EU then passed [Regulation No. 1184/2005](#) to give effect to UN Security Council Res. 1591.<sup>8</sup>

<sup>7</sup> See also Common Position 2004/31/CFSP, maintaining the arms embargo on Sudan imposed by Council Decision 94/165/CFSP.

<sup>8</sup> See also Common Position 2005/411/CFSP, which integrated the measures imposed by Common Position 2004/31/CFSP and the measures to be implemented pursuant to UNSCR 1591(2005) into a single legal act.

Following South Sudan's split from Sudan, the EU adopted Decision 2014/450/CFSP, separating the measures concerning Sudan and integrating them into a single act.

**Only three people are subject to EU sanctions under any sanctions regime:**

<b>Name</b>	<b>Position</b>	<b>Notes</b>
Gaffar Mohmed El Hassan	Major General for the SAF (and commander of the Western Military Region)	Designated by the UN (and the US)
Musa Hilal	Sheikh and paramount chief of the Jalul tribe in North Darfur	Designated by the UN (and the US)
Gabril Abdul Kareem Badri (alt: Jibril Abdulkarim Ibrahim Mayu)	Colonel for the National Movement for Reform and Development	Designated by the UN (and the US)