

GloMag Sanctions Database

Baseline Data on Human Rights Sanctions



This report accompanies the release of the GloMag Sanctions Database (GSD). The Center for Human Rights & Humanitarian Studies (CHRHS) at Brown’s Watson Institute provided the resources to develop the dataset, which is designed to assist researchers examining the intersection of sanctions and human rights. The GSD covers the first five years of the Global Magnitsky Act’s sanctions designations (2017-2022) and will be updated periodically. The data is available to download [HERE](#).

Mark Ferullo and Lucie Smith, May 2023

Introduction

In November 2018, the United States imposed sanctions on 17 security and government officials in Saudi Arabia for their role in the brutal murder of journalist Jamal Khashoggi. The high-profile sanctions grabbed international headlines because of the novel use of sanctions in response to the heinous crime. The United States was sending a message about accountability by imposing sanctions on Khashoggi's killers and, just months before, a surprising mix of other human rights abusers: the former president of The Gambia, a congressman in Guatemala, and even a surgeon in Pakistan.¹

The background of these human rights abusers differ but what ties them together is how the United States sanctioned them. These sanctions were all enacted under the Global Magnitsky Act (GloMag) as part of a broader effort by the United States government to use targeted sanctions to promote accountability for human rights abuse and corruption across the world. From its introduction under Executive Order (E.O.) 13818 in December 2017 through the end of 2022, the first-of-its-kind global sanctions regime has led the Department of the Treasury to designate 202 individuals and 250 entities.

In recent decades, policymakers have increasingly favored the use of targeted sanctions as a means to condemn certain behaviors without inflicting the widespread civilian harm associated with conventional, country-wide sanctions.² The formation of the GloMag sanctions regime follows this trend in the use of targeted sanctions as the Department of State and the Department of the Treasury pursue innovative ways to respond to foreign policy priorities.

GloMag's use has continuously evolved over the past five years. Initially focused on targeting a narrow group of serious human rights abusers, such as those involved in Khashoggi's murder, the regime has expanded to cover an ever widening range of human rights abuses and corruption.

¹ For more information on the first use of GloMag sanctions in December 2017 see: <https://crsreports.congress.gov/product/pdf/R/R46981/5> and for more on the genesis of GloMag see <https://humanrightsfirst.org/efforts/global-magnitsky-targeted-sanctions/>

² For more about the growing popularity of targeted sanction regimes see: Biersteker, T. J. (2009). Targeted sanctions and individual human rights. *International Journal*, 65(1), 99-117. <http://www.jstor.org/stable/25681088>

But due to GloMag’s relatively recent emergence and the novelty of it as a tool of economic statecraft, few scholars or policymakers have closely scrutinized its underlying rationale and implementation. Despite the existence of reputable resources offering valuable insights into the application of GloMag sanctions, there has been little comprehensive analysis and debate on the various justifications and uses of sanctions to support human rights and anti-corruption efforts.³

The Data

To fill the void in research and available data, CHRHS created the GloMag Sanctions Database (GSD) as a starting point for analysis. CHRHS developed the GSD to make available a sortable tool to help researchers study the use of sanctions for human rights abuses and corruption. By consolidating this data into a centralized and easily accessible platform, CHRHS aims to help researchers collate designations, uncover trends in the traits of designees, and study why and how GloMag has been deployed.

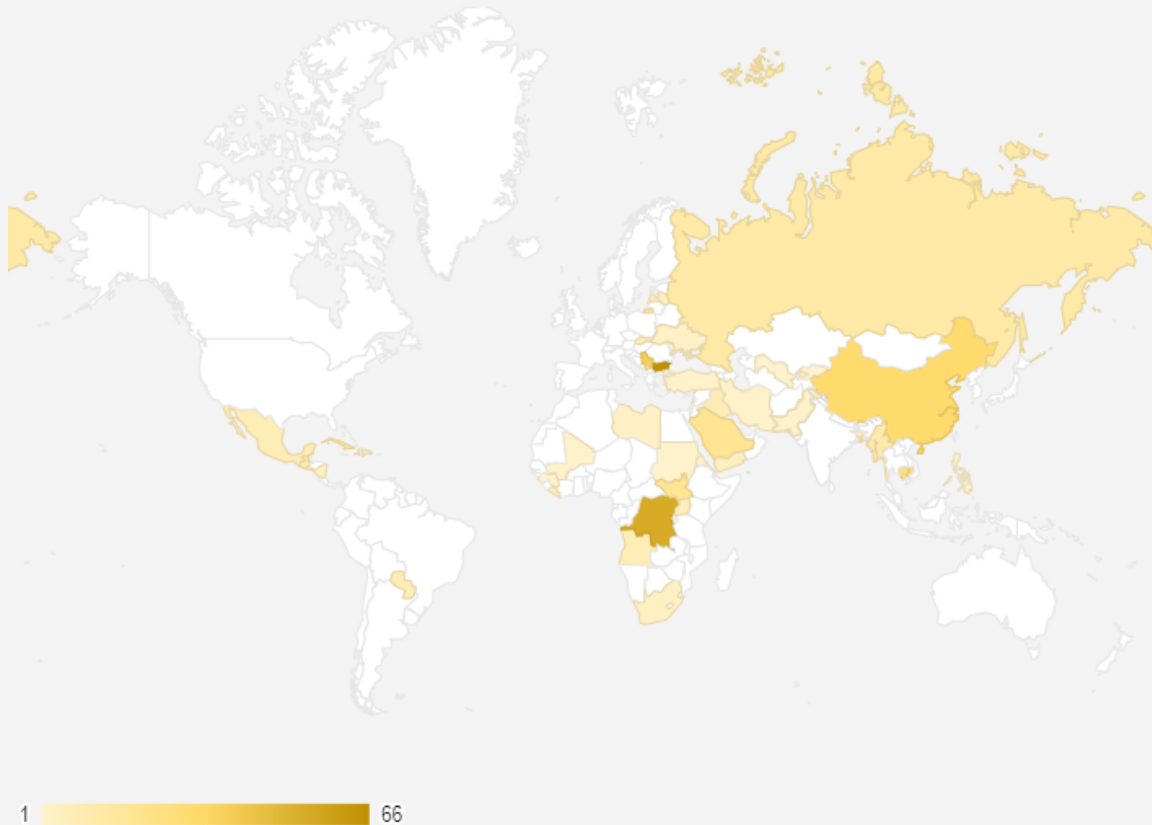
More than five years since the inception of GloMag, few clear trends have emerged. The scale (452 total sanctions designations) and scope (across 42 countries) has inadvertently hidden certain aspects about how the sanctions tool has been used. This paper uses the GSD to highlight how researchers might make use of the data to further study GloMag.⁴

³ For more statistical insights on the use of GloMag sanctions see: <https://humanrightsfirst.org/wp-content/uploads/2022/11/Multilateral-Magnitsky-Sanctions-at-Five-Years-November-2022.pdf>

⁴ The database includes all entities and individuals sanctioned under GloMag, according to the Department of the Treasury’s Office of Foreign Assets Control official Sanctions List Search. To facilitate data organization and improve usability, the database excludes vessels that have been sanctioned under GloMag. The data also excludes any designations made after December 31, 2022.

The Wide Scope of GloMag

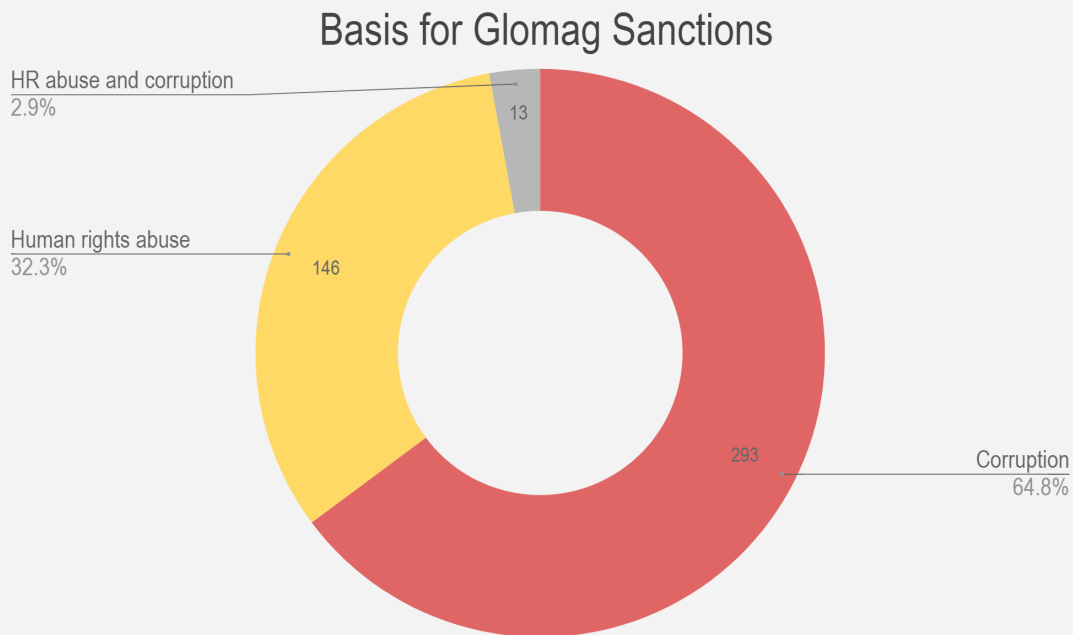
GloMag is a popular sanctions tool. By the end of 2022, about 20 percent of countries in the world had at least one individual or entity sanctioned under GloMag.



During the period under review, the United States designated more individuals and entities based on the corruption pillar of GloMag than the human rights abuses pillar. The U.S. executive order that authorizes GloMag designations requires a compelling legal justification for imposing the sanctions, including a nexus to either corruption, human rights abuses, or both. Based on the GSD, only two cases explicitly target both corruption and human rights.⁵ In other words, the United States has more often sanctioned someone

⁵ Former President of The Gambia, Yahya Jammeh, and former Inspector General of the Ugandan police have been designated based on both corruption and human rights abuse.

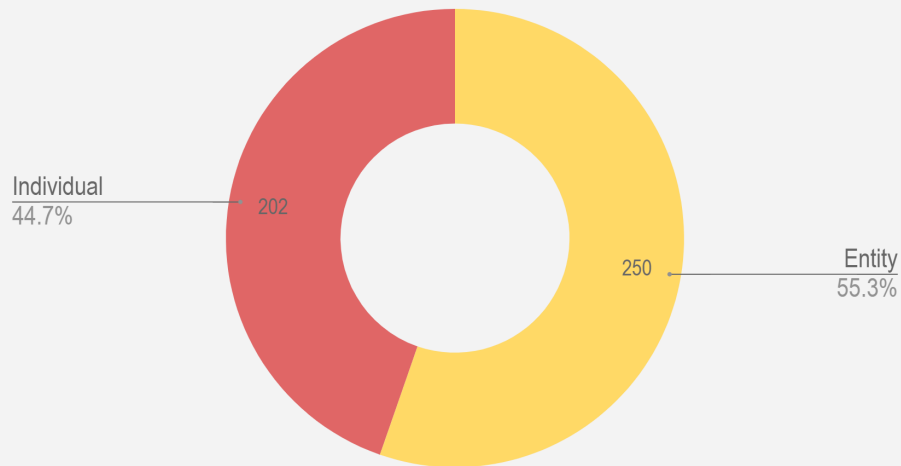
for corruption than for human rights abuses, even though the Global Magnitsky Act was intended to target both.



The corruption pillar of GloMag has been more widely used in part because the Department of the Treasury has emphasized network sanctions, which are sanctions that target a primary individual but also focus on their wide business networks of companies and associates. As a result, entities—most often companies tied to corrupt individuals—have been sanctioned twice as much as individuals.

But the bulk data can be misleading. Given the network nature of corruption designations, the aggregated data skews how the sanctions have been used. For instance, Bulgaria is the country with the most GloMag targets with 66 designations, or 14.6% of all GloMag designations. But 63 of these designations are business entities owned by just three individuals designated for political corruption.

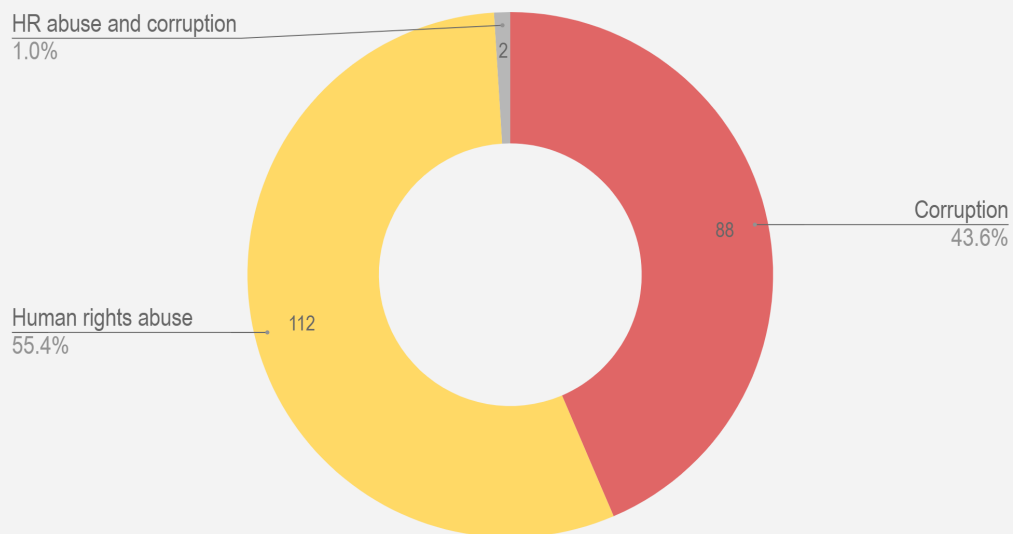
Sanctions Target



Alternative Sorting: Focus on the Individual

To account for how network sanctions more frequently involve corruption-based designations, the GSD can sort the data to include only individuals, who are most often the primary targets of GloMag sanctions. There have been 202 individuals designated from 41 countries.⁶ Sorting the data to exclude entities reveals that human rights abuse is the primary legal justification for the use of GloMag sanctions.

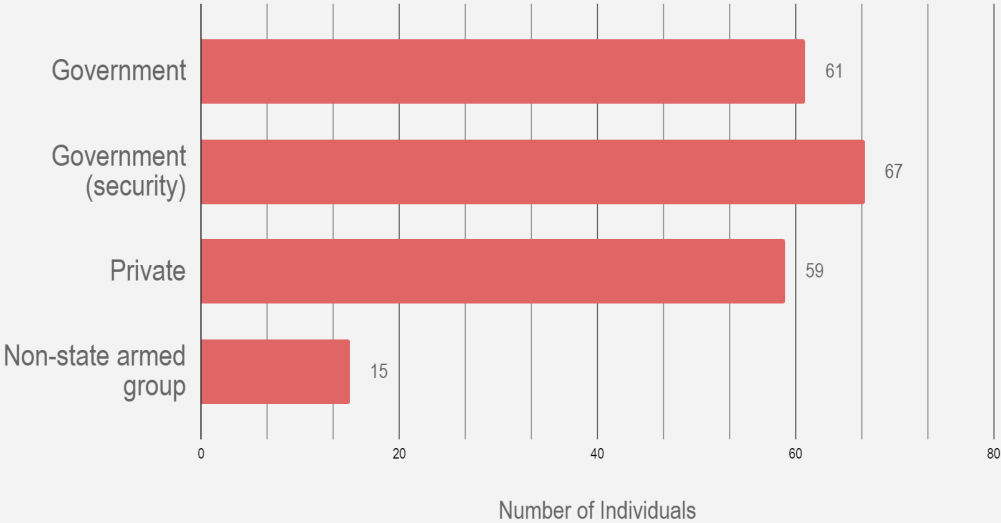
Basis for Sanctions: Individuals



⁶ Sudan is the only state that has GloMag sanctions on an entity, the Sudanese Central Reserve Police, but not any individuals.

Analyzing the data by individual (rather than individual and entity) opens up alternative ways to analyze GloMag sanctions. Economic sanctions have traditionally been justified as a means of coercing states to change their behavior, and GloMag sanctions have mostly targeted government officials who might be pressured to alter their policies. However, about 29% of sanctioned individuals are not government officials. These individuals are coded as 'private' in the dataset and are most often businesspersons sanctioned for corruption.

Position of Sanctioned Individuals



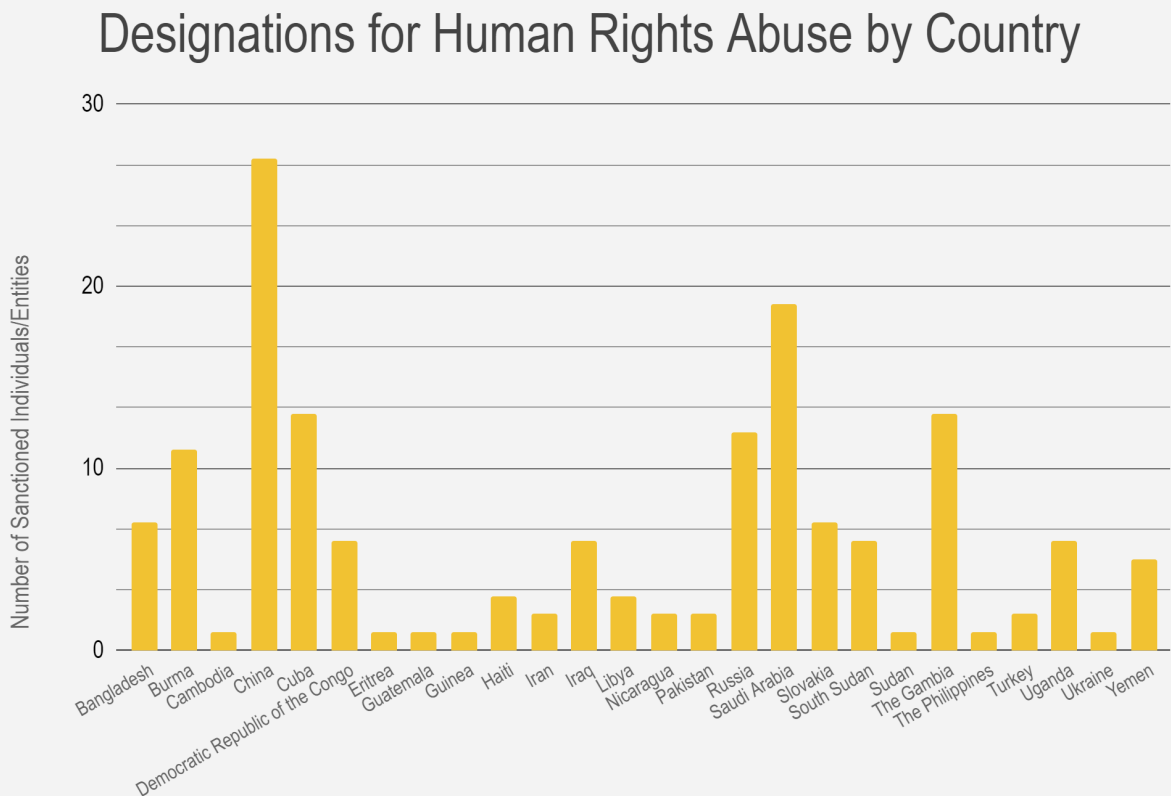
Alternative Sorting: Human Rights Abuses

CHRHS has focused its research on the human rights pillar of GloMag to better understand the consequences and effectiveness of sanctions. To do this, the GSD can be further sorted to focus only on sanctions designations based on human rights abuses. This sorting provides insights on how the sanctions tool has been used to protect human rights abroad, even as it does not reveal many obvious trends.

Focusing on the data for human rights abuses shows:

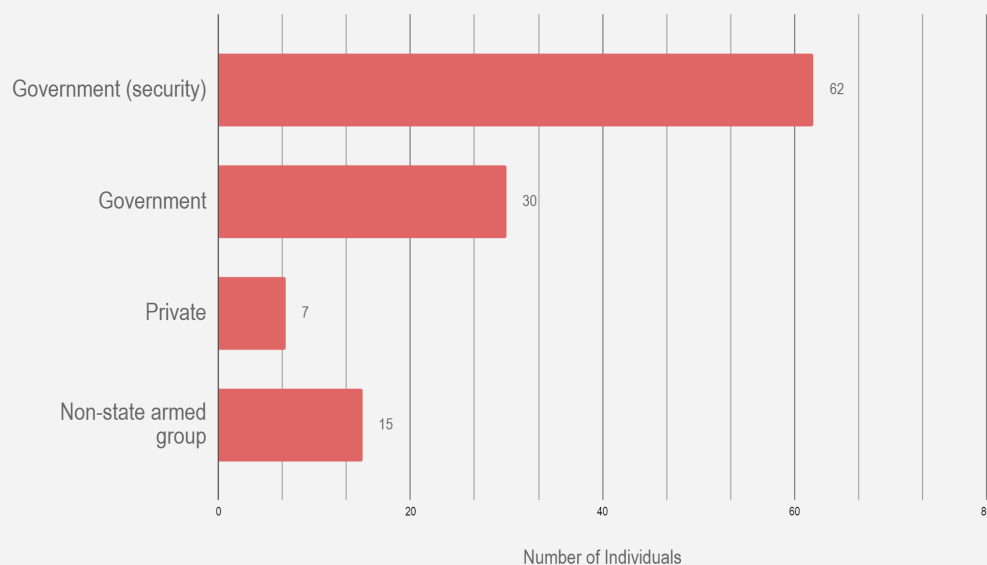
- 159 designations for human rights abuses, including 114 individuals
- Sanctions target individuals or entities in 26 countries

- The sanctions include two former West African presidents (Alpha Conde of Guinea and Yayha Jammeh of The Gambia), one current head of government (Ramzan Kadyrov of Chechnya republic of Russia) and five government ministers



While GloMag has been used extensively to address human rights abuses, more research is needed to understand if and how the sanctions change behavior and provide accountability. Disaggregating the data based on the justification for the sanctions provides some insights. For instance, while the position for nearly 60 percent of individuals sanctioned for corruption is coded as private, the overwhelming majority of human rights sanctions target government officials. Of these officials, 87 percent were sanctioned while in a position of power, suggesting policymakers continue to view GloMag as a behavior change tool.

Position of Individuals Sanctioned for Human Rights Abuses



Alternative Sorting: The Sanctions Case Approach

To identify trends in sanctions against human rights abusers, the CHRHS further organized the GSD data into what might be called a "Sanctions Case." In the sanctions policy making process, multiple designations may be enacted in response to essentially the same offense, which can make the analysis of data organized by country or the reason for sanctions less valuable. A Sanctions Case approach, on the other hand, aggregates sanction designations in response to a specific human rights abuse, incident, or target.

For example, when the United States imposed sanctions on the killers of Jamal Khashoggi, it designated a total of 18 individuals and 1 entity over two years. Rather than treating this as 19 sanction designations in Saudi Arabia, the Sanctions Case approach groups the 18 individuals and one entity as one Sanctions Case because the rationale for each designation is the same: accountability for the journalist's murder.

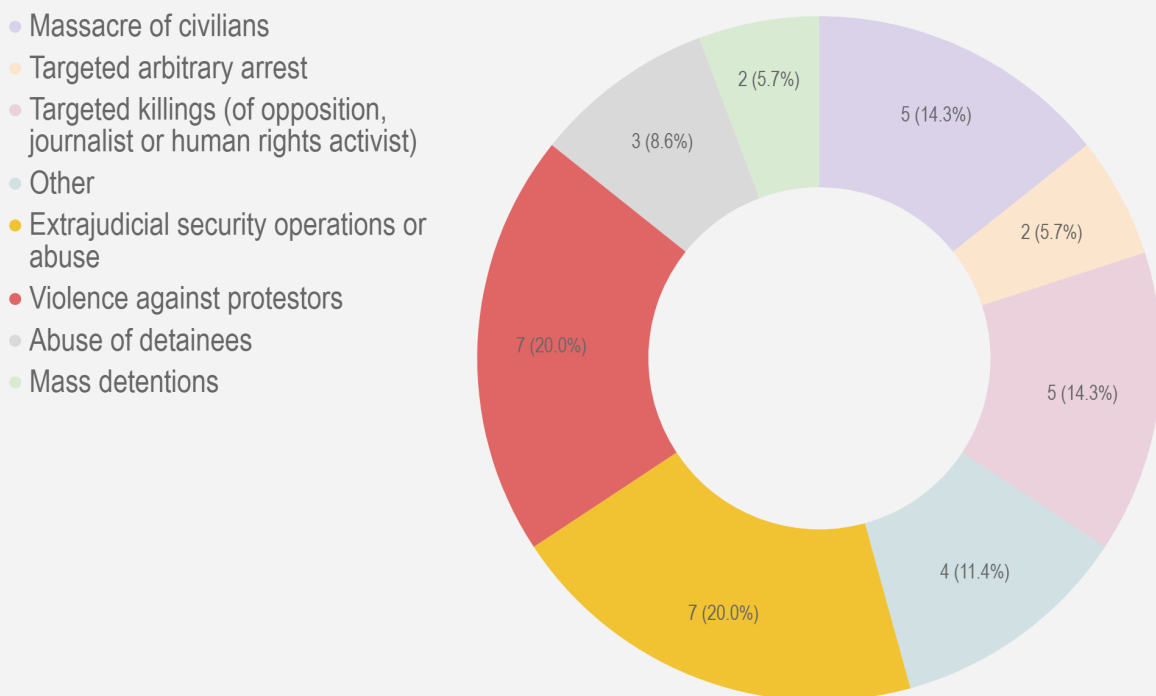
Similarly, the United States has repeatedly sanctioned Chinese officials for human rights abuses in Xinjiang, China. The Treasury Department has imposed sanctions on 10 individuals and two entities on four separate occasions. However, because the sanctions target the same general offense, the designations are coded as one Sanctions Case in this analytical approach.

As part of the GSD coding process, data on the rationale for the sanctions was collected from Department of the Treasury press releases that typically accompany sanctions designation announcements. The CHRHS determined that there have been 35 Sanctions Cases based on human rights abuses in the period between 2017-2022.

	Date Imposed	Country ▲	Category
1	2021-12-10	Bangladesh	Extrajudicial security operations or abuse
2	2017-12-21	Burma	Massacre of civilians
3	2018-06-12	Cambodia	Violence against protestors
4	2017-12-21	China	Targeted arbitrary arrest
5	2020-07-09	China	Mass detentions
6	2022-12-09	China	Illegal, Unreported and Unregulated Fishing
7	2022-12-09	China	Mass detentions
8	2021-01-15	Cuba	Extrajudicial security operations or abuse
9	2021-07-22	Cuba	Violence against protestors
10	2019-12-10	Democratic Republic of the Congo	Extrajudicial security operations or abuse
11	2021-08-23	Eritrea	Massacre of civilians
12	2017-12-21	Guatemala	Targeted killings (of opposition, journalist or human rights activist)
13	2022-12-09	Guinea	Extrajudicial security operations or abuse
14	2020-12-10	Haiti	Massacre of civilians
15	2022-12-09	Iran	Violence against protestors
16	2019-07-18	Iraq	Extrajudicial security operations or abuse
17	2019-12-06	Iraq	Violence against protestors
18	2019-12-10	Libya	Massacre of civilians
19	2020-11-25	Libya	Massacre of civilians
20	2018-07-05	Nicaragua	Violence against protestors
21	2017-12-21	Pakistan	Trafficking of human organs
22	2019-12-10	Pakistan	Extrajudicial security operations or abuse
23	2020-12-10	Russia	Targeted killings (of opposition, journalist or human rights activist)
24	2018-11-15	Saudi Arabia	Targeted killings (of opposition, journalist or human rights activist)
25	2019-12-09	Slovakia	Targeted killings (of opposition, journalist or human rights activist)
26	2019-12-10	South Sudan	Targeted killings (of opposition, journalist or human rights activist)
27	2022-03-21	Sudan	Violence against protestors
28	2017-12-21	The Gambia	Extrajudicial security operations or abuse
29	2022-12-09	The Philippines	Sexual abuse
30	2018-08-01	Turkey	Targeted arbitrary arrest
31	2019-09-13	Uganda	Abuse of detainees
32	2020-08-17	Uganda	Adoption fraud
33	2021-12-07	Uganda	Abuse of detainees
34	2017-12-21	Ukraine	Violence against protestors
35	2020-12-10	Yemen	Abuse of detainees

As the chart above details, the reasons behind the 35 Sanction Cases vary—from sanctions on Burmese security officials for the massacre of civilians to the sanctions on a fleet of Chinese illicit fishing vessels for abusing workers. In grouping the Sanction Cases, the most common use of human rights sanctions has been (1) violence against protestors and (2) extrajudicial security operations or actions that have abused journalists, political opposition or civilians.

Glomag Sanctions Cases



The breakdown of Sanctions Cases helps to filter how policymakers have used sanctions to target particular countries. In some ways, GloMag has been used in a predictable manner; of the 35 Sanction Cases, 15 of the cases have been in just six countries, four of which the United States has established separate country-specific U.S. sanctions regimes (China, Cuba, Iraq and Libya). In other words, the pattern for these GloMag cases is indistinguishable from other sanction regimes that have not fully concentrated on human rights or corruption.

However, in other Sanction Cases, human rights abusers have been targeted in a less predictable manner. For instance, GloMag has been deployed against targets in allied countries, including The Philippines, Slovakia and Turkey, where two ministers were sanctioned for the arrest of an American pastor.



Conclusion

The far-reaching scope and objectives of GloMag sanctions has hindered research on the impact of sanctions on human rights and corruption. This report and the accompanying data has been crafted to be a starting point to educate researchers and help to uncover trends in the use and effectiveness of GloMag sanctions, in particular those related to human rights abuses. More clarity is needed, for example, on what has led to straightforward cases, like targeted sanctions in response to violent protests as well as some anomalous uses of GloMag, including four cases without comparison in the Case Sanctions framework:

- 2017 sanctioning of a Pakistani surgeon for human organ harvesting and trafficking
- 2020 designations of four Ugandans for running an adoption scam

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- 2022 sanctions on a Chinese fleet of ships responsible for Illicit, Unreported and Unregulated (IUU) fishing
 - 2022 designation of the founder of a church in the Philippines who engaged in systematic rape and sex trafficking

These cases demonstrate the broad and adaptable approach that the United States has used in deploying GloMag sanctions. However, the cases also show how the flexibility of GloMag has come at the expense of clear guidelines for its use.

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