



# Compliance Communiqué

## Guidance for the Provision of Humanitarian-Related Assistance and Critical Commodities to the Yemeni People

FEBRUARY 16, 2024

The U.S. Department of the Treasury remains committed to ensuring that humanitarian-related assistance and commercial imports of critical commodities continue to flow to the Yemeni people. On January 17, 2024, the U.S. Department of State [announced](#) the designation of Ansarallah, commonly known as the Houthis, as a Specially Designated Global Terrorist (SDGT) pursuant to Executive Order 13224, as amended, which targets terrorists, terrorist organizations, leaders of terrorist groups, and those providing support to terrorists or acts of terrorism. The designation is effective February 16, 2024, and follows Ansarallah's continued attacks against international maritime vessels in the Red Sea and the Gulf of Aden as well as military forces operating in the area to defend the safety and security of commercial shipping.

The Office of Foreign Assets Control (OFAC) is issuing this guidance to highlight that U.S. sanctions are not intended to stand in the way of legitimate assistance to, and trade with, the Yemeni people and that shipping and delivery of critical supplies to the Yemeni people can continue, in compliance with U.S. sanctions. In particular, the shipping of commercial goods into ports and airports in Houthi-controlled areas, including transactions normally incident to such shipments (e.g., port fees), is not prohibited. Commercial shipments that were not prohibited prior to the designation of Ansarallah, such as shipments of food and other commodities to the Yemeni people, are not covered by these new sanctions. This relief is available for private sector shippers as well as nongovernmental and humanitarian actors. Shippers should be aware that nothing in the general licenses described below authorizes or carves out shipments that are otherwise prohibited under other existing sanctions programs (such as our Iran sanctions program) or U.S. export controls.

OFAC has issued six general licenses related to the designation of Ansarallah, in addition to already-existing general licenses described in the next section. These six additional general licenses are specific to the flow of humanitarian assistance and critical commodities to Yemen.

- [General License 22](#) authorizes transactions involving Ansarallah that are ordinarily incident and necessary to the provision (including sale) of **food** and certain other **agricultural commodities, medicine, medical devices**, replacement parts and components for medical devices, and software updates for medical devices;
- [General License 23](#) authorizes transactions involving Ansarallah related to **telecommunications**, mail, and certain internet-based communications;
- [General License 24](#) authorizes transactions involving Ansarallah ordinarily incident and necessary to non-commercial, **personal remittances** to or from a non-blocked individual in Yemen;
- [General License 25](#) authorizes transactions involving Ansarallah related to the provision (including sale) of **refined petroleum products** into Yemen;
- [General License 26](#) authorizes certain transactions involving Ansarallah ordinarily incident and necessary to operations, import/export of goods, or transit of passengers through, **ports and airports** in Yemen; and
- [General License 28](#) authorizes transactions involving Ansarallah for the official business of third-country **diplomatic or consular missions** to Yemen.

These six general licenses do not authorize financial transfers to any blocked person, other than for the purpose of effecting the payment of taxes, fees, or import duties, or the purchase or receipt of permits, licenses, or public utility services, unless separately authorized. The general licenses may be subject to certain other conditions noted within the general licenses themselves.

## Key Prohibitions and Pre-Existing Authorizations

Unless exempt or authorized, U.S. persons are generally prohibited from engaging in transactions with persons (individuals or entities) that are blocked pursuant to the Global Terrorism Sanctions Regulations, [31 CFR part 594](#) (GTSR), which includes Ansarallah as of February 16, 2024. Moreover, all property and interests in property of Ansarallah that are in the United States or in the possession or control of U.S. persons as of February 16, 2024 are blocked and must be reported to OFAC. The country of Yemen is not sanctioned as a result of the designation of Ansarallah, nor are specific geographic regions within Yemen.

Consistent with [longstanding policy](#) and Treasury's work to limit the unintended impact of sanctions by providing greater consistency and clarity across U.S. sanctions programs to help legitimate humanitarian assistance and related trade reach at-risk populations through transparent financial channels, OFAC authorizes limited transactions involving blocked persons to the extent such dealings are either related or ordinarily incident and necessary to certain humanitarian-related activity. Foreign persons do not risk exposure to U.S. sanctions for engaging in activity for which a U.S. person would not need a specific license issued pursuant to the GTSR.<sup>1</sup> In addition to the additional general licenses described above, the GTSR contains several existing general licenses which may be relevant for Yemen:

**Nongovernmental Organization (NGO) Activities:** GTSR section [594.520](#) authorizes all transactions that may otherwise be prohibited in support of specified NGO non-commercial, humanitarian-related activities, subject to certain conditions. This general license does not authorize funds transfers initiated or processed with knowledge or reason to know that the intended beneficiary of such transfers is a person whose property and interests in property are blocked pursuant to the GTSR, other than for the purpose of effecting the payment of taxes, fees, or import duties, or the purchase or receipt of permits, licenses, or public utility services. U.S. financial institutions can process such transactions and may rely on the statements of their customers that such transactions are authorized unless they know or have reason to know a transaction is not authorized.

**Agricultural Commodities, Medicine, and Medical Devices:** The United States does not maintain broad, jurisdiction-based sanctions or an embargo against Yemen. As such, the provision of food, other agricultural commodities, medicine, and medical devices to Yemen is generally not prohibited under U.S. sanctions. Please refer to [General License 22](#), as described above, which provides further authorizations for certain transactions involving Ansarallah related to the provision (including sale) of agricultural commodities, medicine, and medical devices.<sup>2</sup> In addition, GTSR section [594.521](#) authorizes all transactions related to the provision, directly or indirectly, of agricultural commodities, medicine, medical devices, replacement parts and components for medical devices, or software updates for medical devices to an individual whose property and interest in property are blocked, provided the items are in quantities consistent with personal, non-commercial use.

**U.S. Government Official Business:** GTSR section [594.518](#) authorizes all transactions that are for the conduct of the official business of the United States government by employees, grantees, or contractors thereof, including the United States Department of State and the United States Agency for International Development (USAID).

### International Organizations:

GTSR section [594.519](#) authorizes all transactions that are for the conduct of the official business of certain international organizations and for such conduct by employees, contractors, or grantees thereof. This general license does not authorize funds transfers initiated or processed with knowledge or reason to know that the intended beneficiary of such transfers is a person whose property and interests in property are blocked pursuant to the GTSR, other than for the purpose of effecting the payment of taxes, fees, or import duties, or the purchase or receipt of permits, licenses, or public utility services.

#### The entities authorized by GTSR section 594.519 are:

- The United Nations, including its Programmes, Funds, and Other Entities and Bodies, as well as its Specialized Agencies and Related Organizations (see Frequently Asked Question [1107](#));
- The International Centre for Settlement of Investment Disputes (ICSID) and the Multilateral Investment Guarantee Agency (MIGA);
- The African Development Bank Group, the Asian Development Bank, the European Bank for Reconstruction and Development, and the Inter-American Development Bank Group (IDB Group), including any fund entity administered or established by any of the foregoing;
- The International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies; and
- The Global Fund to Fight AIDS, Tuberculosis, and Malaria, and Gavi, the Vaccine Alliance.

<sup>1</sup> None of these authorizations relieve any person from compliance with any other laws or requirements of other federal agencies or international organizations, such as UN Security Council-based restrictions on the direct or indirect supply, sale, or transfer to or for the benefit of Ansarallah of arms and related materiel. These authorizations also do not relieve any person from compliance with separate OFAC regulations (e.g., the Iranian Transactions and Sanctions Regulations, [31 CFR part 560](#)).

<sup>2</sup> All questions regarding exporting U.S.-origin goods should be directed to the Department of Commerce, Bureau of Industry and Security (BIS): [Foreign.Policy@bis.doc.gov](mailto:Foreign.Policy@bis.doc.gov) or 202-482-4252. Note that most food and medicine do not require a BIS license for export.

For additional guidance on complying with these general licenses, see OFAC's [Supplemental Guidance for the Provision of Humanitarian Assistance](#) as well as Frequently Asked Questions (FAQ) [1105](#), [1106](#), and [1108](#). Other humanitarian-related guidance documents are available in the NGO section of the [OFAC Information for Industry Groups](#) webpage.

## Can commercial actors, humanitarian groups, and other organizations continue to import commercial goods, including food and humanitarian supplies, into Yemen?

**Yes.** Yemen is not subject to broad, jurisdiction-based sanctions. As a result, NGOs, international organizations, and commercial businesses are not generally prohibited from importing humanitarian supplies into the country. As described above, the NGO general license at GTSR section [594.520](#) authorizes all transactions that may otherwise be prohibited in support of specified NGO non-commercial, humanitarian-related activities, subject to certain conditions. [General License 26](#) authorizes certain transactions involving Ansarallah ordinarily incident and necessary to operations, import or export of goods, or transit of passengers through, ports and airports in Yemen. Additionally, [General License 22](#) authorizes certain transactions involving Ansarallah that are ordinarily incident and necessary to the provision (including sale) of certain agricultural commodities, medicine, and medical devices to persons in Yemen, or to persons in third countries purchasing specifically for the provision to Yemen.

OFAC recommends that NGOs and other entities undertake due diligence measures to avoid transacting with blocked individuals or entities (unless authorized by the general licenses above) when importing humanitarian supplies into Yemen. The NGO general license does not authorize other funds transfers made with knowledge or reason to know that the intended beneficiary of such transfers is a blocked individual or entity, other than for the purpose of effecting the payment of taxes, fees, or import duties or the purchase or receipt of permits, licenses, or public utility services.

## Can NGOs fund the construction or rehabilitation of health facilities or other

## non-commercial development projects (such as water tanks and solar-powered water pumps) if they could be used by a purported or actual government institution under apparent Ansarallah control?

**Yes.** NGOs operating in Yemen are authorized to engage in activities to support humanitarian projects to meet basic human needs in Yemen, including non-commercial development projects directly benefiting civilians. This includes, but is not limited to, repairing and rebuilding hospitals, health clinics, and infrastructure under Ansarallah control. However, the NGO general license at GTSR section [594.520](#) does not authorize funds transfers to blocked individuals or entities, outside of taxes, fees, or import duties, or the purchase or receipt of permits, licenses, or public utility services.

For other activities not authorized by existing general licenses, NGOs or other entities may apply to OFAC for specific licenses, which are issued on a case-by-case basis. OFAC prioritizes specific license applications and requests for guidance related to humanitarian activity.

## If an Ansarallah member has a leadership role at an administrative agency or governing institution in Yemen, is the purported or actual administrative agency or governing institution that they control considered blocked?

**No.** In general, a purported or actual administrative agency or governing institution is not itself considered blocked solely as a result of an Ansarallah member's leadership role at that entity.

## When operating in Yemen, and for the purpose of U.S. sanctions, how can I tell who is a member of Ansarallah?

A number of members of Ansarallah are individually included on OFAC's List of Specially Designated Nationals and Blocked Persons (SDN List). Persons can use OFAC's [Sanctions List Search Tool](#) to identify such members of Ansarallah individually included on the SDN List, as well as other individuals or entities blocked pursuant to U.S. sanctions.

OFAC encourages persons to use all information at their disposal when assessing their risk for sanctions exposure. Supplementing internal due diligence information with an array of open-source material can be an effective compliance practice to aid in identifying risky counterparties involved in any in-country activity.

## Can organizations engage in transactions with the Central Bank of Yemen in Sana'a or other Yemeni banks that are or may appear to be controlled by Ansarallah?

Transactions ordinarily incident and necessary to authorized activity within the terms of the general licenses described above, such as the processing of funds transfers, are permissible. In addition, Yemen is not subject to broad, jurisdiction-based sanctions. As such, financial transfers to or through Yemeni financial institutions that do not involve Ansarallah or other blocked individuals or entities are not prohibited.

## What can I do if a financial institution is reluctant to process a transfer authorized by OFAC regulations?

When initiating a transfer that may be of heightened concern to a financial institution, OFAC recommends providing the financial institution with thorough information about the beneficiary as well as information about any applicable exemptions or general or specific licenses issued by OFAC, prior to initiating the transaction.

Persons encountering difficulty can also encourage the financial institution to contact the OFAC Hotline directly for clarifying guidance.

## Now that Ansarallah is designated, are all transactions and activities in Ansarallah-controlled areas of Yemen prohibited?

**No.** Yemen is not subject to broad, jurisdiction-based sanctions. In other words, the U.S. government has not imposed sanctions on the country of Yemen or on specific territories inside Yemen.

## Can organizations purchase fuel for personal, commercial, or humanitarian use?

**Yes.** Yemen is not subject to broad, jurisdiction-based sanctions. To the extent that imports of fuel into Yemen or other fuel purchases involve effecting the payment of taxes, fees, or import duties, or the purchase or receipt of permits, licenses, or public utility services to a transaction involving Ansarallah or any entity in which Ansarallah owns, directly or indirectly, a 50 percent or greater interest, [General License 25](#) authorizes the payment of such items ordinarily incident and necessary to the fuel purchases.

## Are NGOs authorized to coordinate with Ansarallah regarding the transfer or distribution of humanitarian goods?

**Yes.** To the extent such transfers are non-commercial, designed to directly benefit the civilian population, and fall into one of the categories of humanitarian projects authorized by the general license at GTSR section [594.520](#), NGOs are authorized to deal with Ansarallah to provide humanitarian goods to respond to basic human needs in Yemen. OFAC has also issued [General License 26](#) authorizing certain transactions involving Ansarallah ordinarily incident and necessary to operations, import/export of goods, or transit of passengers through, ports and airports in Yemen.

## Are organizations barred from making payments (e.g., cash incentives, per diems, and expenses) directly to healthcare workers, teachers, and other staff who may be associated with or formally employed by purported or actual administrative agencies or governing institutions controlled by Ansarallah?

**No.** As described above, a member of Ansarallah having a leadership role in an organization or entity does not mean, by itself, that the organization or entity itself is blocked. Organizations can make salary support or stipend payments directly to healthcare workers (e.g., doctors at public hospitals or healthcare workers at community clinics), teachers at public and private schools, and other staff who may be associated with or formally employed by purported or actual administrative agencies or governing institutions controlled by Ansarallah so long as the recipient themselves is not a blocked person. In addition, the NGO general license at GTSR section [594.520](#) authorizes NGOs to engage in non-commercial activities designed to benefit the civilian population, including salary support to public sector employees such as healthcare workers or teachers, provided they are not blocked persons and subject to certain other conditions.

## Are payments for telecommunications services, utilities, and payment of taxes to local authorities by NGOs considered ordinarily incident and necessary to activities authorized under the NGO general license at GTSR section 594.520?

**Yes.** To the extent such payments qualify as taxes, fees, or import duties, or the purchase or receipt of permits, licenses, or public utility services and are ordinarily incident and necessary to effectuate one of the authorized activities, they are authorized. As with all OFAC general licenses, the NGO general license at GTSR section [594.520](#) is self-executing, meaning that persons who determine that such activities are ordinarily incident and necessary to their authorized activity within the scope of the authorization may proceed without further assurance from OFAC.

### Additional Information

OFAC prioritizes specific license applications and requests for guidance related to humanitarian activity. For transactions that are neither exempt nor generally authorized by OFAC, please see OFAC's [License Application Page](#) for information about the specific licensing process.

For more information regarding compliance with OFAC regulations by NGO and not-for-profit entities, we encourage you to review OFAC [guidance on this topic](#).

If you have information about activities that do not comply with OFAC sanctions, please contact the OFAC Compliance Hotline.



### OFAC Compliance Hotline

1-202-622-2490

1-800-540-6322

[OFAC\\_Feedback@treasury.gov](mailto:OFAC_Feedback@treasury.gov)

