

November 2022

Multilateral Magnitsky Sanctions at Five Years

A report on the use of global targeted human rights and corruption sanctions programs in the United States, Canada, the United Kingdom, and the European Union since 2017





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Introduction

It has been five years since the first Magnitsky-style sanctions programs were created to target human rights abusers and corrupt actors anywhere in the world. Named after Sergei Magnitsky – a Ukrainian-born lawyer who uncovered a vast corruption scheme in Russia that led to his own imprisonment, torture, and death in 2009 – these novel sanctions programs have targeted more than 760 murderous and torturous heads of state, oligarchs, war lords, vast corruption networks, violent military and security forces, and more.

Magnitsky-style sanctions are defined by a few key features. They apply to human rights abuses and corruption. They are targeted, meaning they are imposed on individuals and entities, rather than entire states or economic sectors. They can be applied to anyone, and are not limited to state actors. Finally, they can be used to respond to abuses anywhere in the world.

The consequences of these sanctions are also similar across jurisdictions. Sanctioned persons are unable to obtain visas to enter the sanctioning jurisdiction. Assets they own in the jurisdiction are frozen. They cannot transact with any people, banks, and entities in the jurisdiction. All of the sanctions are public, which names and shames the perpetrators.

As powerful as it can be for one jurisdiction to impose Magnitsky sanctions against a human rights abuser or corrupt actor, the impact and legitimacy of those sanctions are multiplied as more jurisdictions join together to sanction the same persons. These **multilateral sanctions** refer to cases where two or more jurisdictions have imposed targeted sanctions against the same individual or entity. Jurisdictions may jointly announce such sanctions, or they may sanction the same persons at different times; both are considered multilateral sanctions.

At least 12 jurisdictions¹ currently have some form of Magnitsky sanctions, the first four of which are the focus of this report²:

1		United States	7		Estonia
2		Canada	8		Latvia
3		United Kingdom	9		Lithuania
4		European Union	10		Kosovo
5		Australia	11		Gibraltar
6		Norway	12		Jersey

¹ Several EU Member States – Estonia, Latvia, and Lithuania – have adopted their own sanctions programs, which are different from the EU's Magnitsky-style sanctions. The EU's regulation is the most powerful, as it carries the political and economic weight of all 27 EU Member States. Sanctions adopted by an individual Member State only apply within the jurisdiction of that state. At the time of the release of this report, the Czech Republic had nearly adopted its own Magnitsky sanctions law, and the President of the European Commission had announced plans to introduce a corruption sanctions regime to the EU.

² See *Methodology* for further information.

The first of its kind, this report provides an in-depth, comparative analysis of how the U.S., Canada, UK, and EU use their Magnitsky-style sanctions programs. It identifies key trends and omissions among the different programs, drawing on a monthslong analysis of these jurisdictions' public statements announcing each use of their Magnitsky-style authorities.³

Among the starkest findings:

- The jurisdictions are missing significant opportunities to ensure greater impact by multilateralizing Magnitsky sanctions targets.
- These four jurisdictions – and all those with Magnitsky sanctions – can do more to engage with civil society and to reflect their recommendations in sanctions decisions.
- The jurisdictions have focused disproportionately little attention on certain regions of the world, in particular South and Central Asia, despite a few impactful examples of sanctions in the region.
- The jurisdictions have shown little willingness to sanction perpetrators of corruption or human rights abuses in allied countries.
- The jurisdictions have overlooked certain types of human rights abuses that cause grave injury and harm, such as human trafficking.
- Similarly, the jurisdictions rarely if ever explicitly recognized certain marginalized and vulnerable victim groups through these sanctions, which undermines their access to accountability.

The authors of this report welcome greater engagement with the jurisdictions. We coordinate a global coalition of more than 330 NGOs that advocate for the effective use of Magnitsky-style sanctions. We partner with NGOs to prepare well-documented recommendation files that identify specific human rights abuses and corrupt acts, as well as the perpetrators who are eligible for sanctions. These files are submitted to the U.S., Canada, UK, and EU to review for possible sanctions action.

The targeted sanctions programs covered in this report include:



United States: The Global Magnitsky sanctions program, established by Executive Order 13818 in December 2017



Canada: Justice for Victims of Corrupt Foreign Officials Act (Sergei Magnitsky Law) (JVCFOA), established in 2017, and the Special Economic Measures Act (SEMA), established in 1992



United Kingdom: The Global Human Rights Sanctions Regulations, established in July 2020, and the Global Anti-Corruption Sanctions Regulations, established in April 2021



European Union: Council Regulation (EU) 2020/1998 of 7 December 2020 concerning restrictive measures against serious human rights violations and abuses (EU Global Human Rights Sanctions Regime – EUGHRSR)

³ See *Methodology* for further information.

This work done by our partners is not without risk. Currently, Vladimir Kara-Murza, a Russian activist, opposition leader, and one of the most dedicated champions for Magnitsky sanctions, has been arbitrarily detained in Russia for more than seven months on multiple fabricated charges, including for giving a speech⁴ in the United States in which he advocated for the imposition of Magnitsky sanctions on repressive and corrupt Russian officials. Around the world, other advocates, victims, and their families have faced threats, harassment, and reprisals from repressive governments, even for mere suspicions that they supported efforts to sanction corrupt and abusive actors.

To those in civil society who face the greatest risks in documenting abuses, shining a spotlight on corruption, and taking action to demand accountability, we dedicate this report.

4 <https://www.mccaininstitute.org/resources/in-the-news/statement-on-vladimir-kara-murza/>



Recommendations

Based on this report's findings, we offer recommendations to the U.S., Canada, UK, and EU on improving the use of their respective Magnitsky-style sanctions programs:

► **Improve multilateralization of Magnitsky-style sanctions:**

To date, only 11% of Magnitsky sanctions have been multilateralized by two or more jurisdictions. While much of this has occurred within the past two years with the introduction of the UK's and EU's Magnitsky-style programs, jurisdictions should work to better align their human rights and anti-corruption sanctions to ensure the greatest impact on perpetrators. Jurisdictions should encourage others to adopt sanctions they have imposed unilaterally, so consensus-building does not slow progress.

► **Build on positive engagement with civil society:**

About one-third of U.S. Magnitsky-style sanctions have a basis in civil society recommendations, while the other jurisdictions appear less responsive to such recommendations, with the EU at 13% and UK at a minimum of just 4%.⁵ All jurisdictions can receive recommendations from civil society. They should strengthen their relationships with civil society, engage with groups that make sanctions recommendations, and use those recommendations as bases for sanctions.

► **Focus on underrepresented regions:**

Jurisdictions should strive to use their sanctions tools equitably in different geographic regions, focusing on a broad range of sanctionable acts in a variety of countries. Jurisdictions should pay particular attention to abuses and corruption in South and Central Asia, which has mostly been overlooked to date, despite a few examples of impactful sanctions in those regions, like the 2021 U.S. sanctions on a Bangladesh security force.

► **Hold allies accountable:**

Half of the jurisdictions have not sanctioned abuses in allied countries, while the U.S. has only done so in five percent of cases and the UK in only two percent. Jurisdictions should

sanction perpetrators of corruption or human rights abuses among their allies, without fear or favor. In these cases, sanctions could complement other foreign policy efforts to address such abuses and show that human rights abusers and corrupt actors cannot escape accountability – no matter where they are or with whom they are allied.

► **Recognize a wider range of human rights abuses:**

Jurisdictions have largely overlooked certain types of human rights abuses that cause serious injury and harm. For example, no jurisdiction has imposed Magnitsky sanctions for human trafficking. Jurisdictions should impose sanctions for a broader array of abuses to recognize the gravity of harm they cause and deter those involved in such abuses.

► **Provide accountability for marginalized victims:**

Sanctioning jurisdictions rarely explicitly recognize certain marginalized and vulnerable victim groups – such as women, children, LGBTIQ+ persons, Indigenous persons, and persons with disabilities – sending a message about how seriously the jurisdictions take abuses that they suffer. Sanctions should explicitly focus on the harms suffered by such groups to provide a measure of accountability and recognition that they are often denied.

► **Strengthen corruption sanctions efforts:**

Among the four jurisdictions, the U.S. accounts for 84% of all the Magnitsky-style sanctions for corruption. Canada, the UK, and EU should all be more proactive in using sanctions to address corruption. Together, all four jurisdictions should target corrupt actors and networks involved in undermining democracy and the enjoyment of human rights. To do this, the EU in particular should adopt a global anti-corruption sanctions program to complement its global human rights sanctions program.

⁵ These figures are based on the authors' knowledge regarding recommendations that they or their partners have been involved in submitting to the respective jurisdictions.



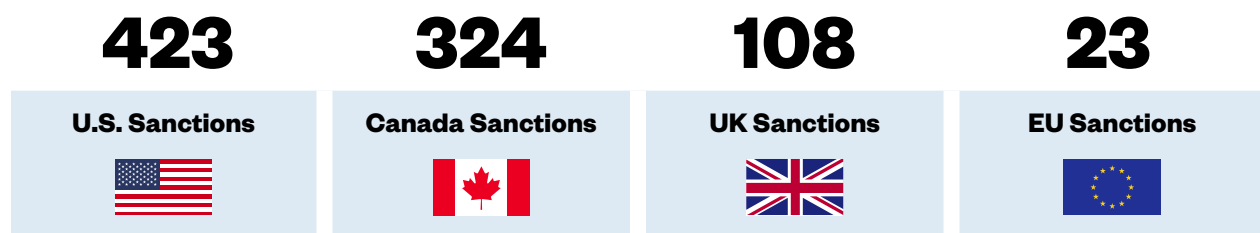
The U.S., Canada, UK, and EU have used their respective Magnitsky-style sanctions tools a combined total of 878 times over the past five years. Partial overlap in the targets being sanctioned means the four jurisdictions have taken action against 761 unique individuals and entities.

Country-specific sanctions programs:

This report only covers the use of Magnitsky-style sanctions programs that are global in scope. It does not include country-specific sanctions programs that are also used to sanction perpetrators of human rights abuses and corruption in specified countries. Some jurisdictions like the UK and U.S. use both country-specific programs and Magnitsky-style programs to address similar sets of abuses, such as the genocide against the Rohingya in Myanmar. Sometimes, country-specific programs are used exclusively or predominantly; for example, the U.S. and EU mostly use country-specific programs for abuses in Belarus, Venezuela, and Nicaragua, while Canada has used its global programs when targeting abuses in those countries. When jurisdictions have country programs that could apply, they often default to those programs instead of Magnitsky-style sanctions. As such, the data presented does not capture all the work jurisdictions are doing to respond to human rights abuses and corruption through sanctions, but rather how these global programs can complement or fill gaps in places where no country-specific program exists.

Total Number of Sanctions

The U.S. and Canada have the oldest Magnitsky-style sanctions programs, dating to 2017,⁶ and the UK and EU have been comparatively slower in the issuance of sanctions since their human rights programs were introduced in 2020 and the UK's corruption program in 2021.



Sanctions Targets from Civil Society

Civil society often plays a significant role in identifying situations of sanctionable abuses and recommending potential sanctions targets to jurisdictions. Each jurisdiction has established pathways for receiving and considering such recommendations from civil society. The four organizations authoring this report co-chair a coalition of more than 330 NGOs that make recommendations to each jurisdiction on possible targets.

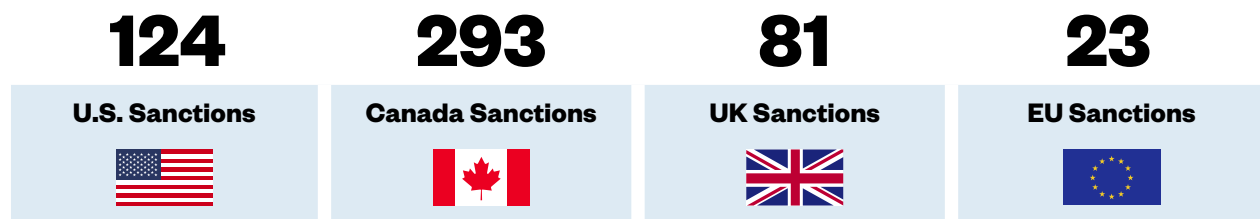
⁶ See *Methodology* for further information.

Based on this work, the authors estimate that at least **34%** of U.S. sanctions actions, **four percent** of UK sanctions actions, and **13%** of EU sanctions actions under their Magnitsky-style programs had a basis in civil society recommendations. These numbers are a minimum, as civil society groups may provide information to the jurisdictions independent from the coalition. They also do not reflect civil society recommendations that were a basis for sanctions under country-specific programs.

The authors were not able to estimate the percentage of Canada's Magnitsky-style sanctions that had a basis in civil society recommendations. This is due in part to the limited number of known sanctions recommendations that have been made by civil society to Canada directly to date and the newer efforts by the authors to track this information more comprehensively.

Balance Between Human Rights and Corruption Sanctions

Total Human Rights Sanctions



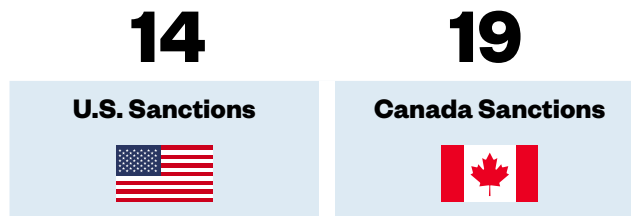
With the exception of the U.S., every jurisdiction has sanctioned significantly more often for human rights abuses than corruption under their Magnitsky programs. Canada has used its Magnitsky-style sanctions programs to impose sanctions on far more human rights abusers than other jurisdictions. However, many of its large sanction actions in Belarus, Russia, Venezuela, and Nicaragua align with similar robust sanctions imposed by the U.S., UK, and EU under other, country-specific sanctions programs.

Total Corruption Sanctions



The U.S. has focused most of its Magnitsky sanctions on targeting large corrupt networks of individuals and businesses. Canada and the UK have comparatively imposed very few sanctions for corruption. As of publication, the EU does not yet have a global corruption sanctions program.

Total Sanctions for Both Human Rights and Corruption



In the U.S., 14 people were sanctioned for both human rights and corruption abuses. In Canada, an announcement of sanctions against 19 Venezuelans in 2017 did not make clear which individuals were sanctioned for which type of abuse, so they are counted as both. Neither the UK nor EU sanctioned persons for both human rights abuses and corruption under their Magnitsky-style programs.

A black and white photograph of a person wearing a white protective suit and a helmet, standing with their back to the camera. They are holding a large white sheet that features a large, faint European Union star. In the background, the European Commission building is visible, with its name and logo clearly displayed. The scene is set in an urban environment with other buildings and flags in the distance.

European
Commission

Multilateralizing Magnitsky Sanctions

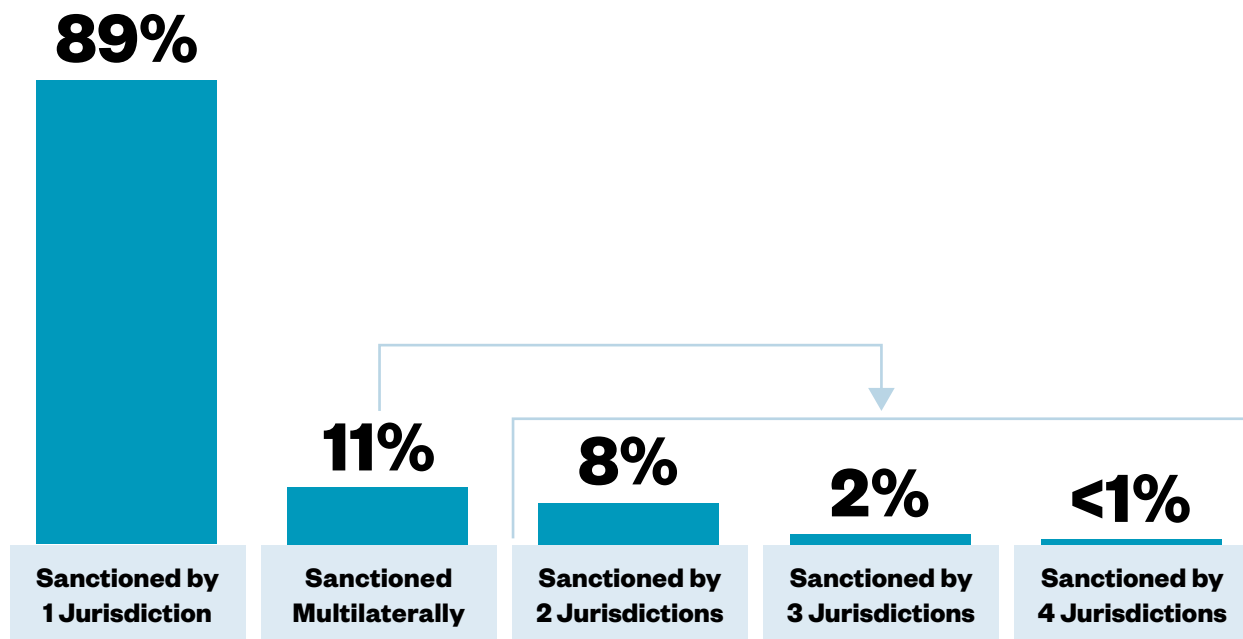
Sanctions are multilateralized when more than one jurisdiction applies sanctions against the same person or entity. Multilateralizing sanctions is important for several reasons, including:

- It increases the impact on the targeted person, potentially freezing more of their assets, further restricting their ability to travel, and blocking their ability to engage in transactions in other jurisdictions.
- It gives a united condemnation of the abusive conduct leading to sanctions.
- It can build pressure for other forms of action, such as domestic accountability.

The analysis in this section offers a limited comparison of when the U.S., Canada, UK, and EU have used their Magnitsky-style sanctions programs in coordination. It does not account for the use of country-specific sanctions programs, although jurisdictions sometimes differ in whether they use a Magnitsky or a country-specific program to sanction the same person.⁷ However, each jurisdiction can and should be doing more to multilateralize sanctions imposed by others.

Multilateralization at a Global Level

Out of the 761 total unique perpetrators sanctioned by the U.S., Canada, UK, and/or EU under their Magnitsky-style programs, only 11% have been sanctioned by at least one other jurisdiction under comparable mechanisms. Most multilateral sanctions only involve two jurisdictions.

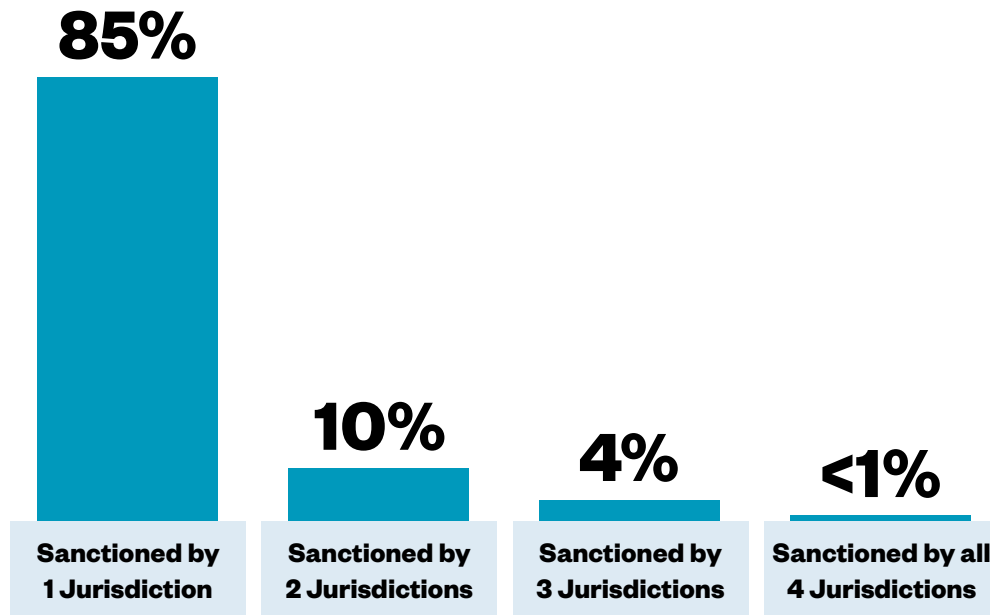


Much of the efforts to multilateralize Magnitsky-style sanctions has only occurred within the past two years, as the UK and EU introduced their Magnitsky-style programs.

⁷ This approach inevitably leads to an undercounting of the true extent of the overlap in sanctions between jurisdictions. However, sanctions under country-specific regimes may be imposed for reasons other than human rights abuses or corruption; for example, many U.S. country-specific programs allow for a person to be sanctioned solely for being a member of that country's government. Thus, even a fuller accounting that included country-specific programs would be unlikely to offer a perfect comparison.

Multilateral Human Rights Sanctions

Out of 455 unique perpetrators of human rights abuses⁸ sanctioned by the four jurisdictions under their Magnitsky-style programs, 15% have been sanctioned by more than one jurisdiction. The only individuals sanctioned by all four jurisdictions under their Magnitsky programs were Mingshan Wang, Hailun Zhu, Mingguo Chen, and Junzheng Wang, in response to Chinese government abuses against the Uyghurs in Xinjiang.

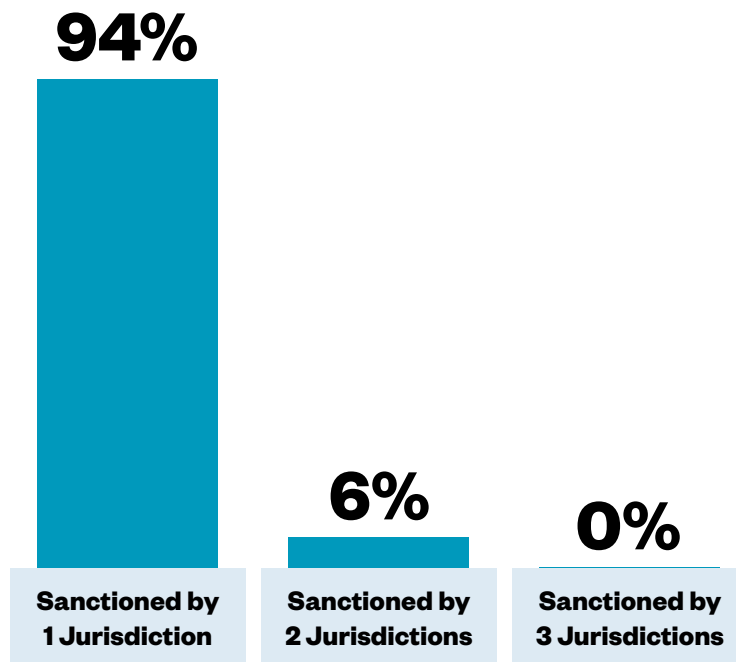


The U.S., UK, and Canada had significant overlaps in the persons sanctioned for the killing of Jamal Khashoggi, making up the majority of sanctions imposed by three jurisdictions.

Multilateral Corruption Sanctions

Only 6% of corruption cases were sanctioned multilaterally. No corruption case was covered by all three Magnitsky-style sanctions programs in the UK, U.S., and Canada. Corruption cases involving sanctions by two jurisdictions include the U.S. and UK actions against: the Gupta family and their associate in South Africa, Nawfal Hammadi Al-Sultan of Iraq, Ashraf Said Ahmed Al-Cardinal in South Sudan, Jose Francisco Lopez Centeno in Nicaragua, and Felipe Alejos Lorenzana in Guatemala. Additionally, Canada and the UK aligned on several corruption sanctions related to the Russian fraud scheme uncovered by Sergei Magnitsky. While the U.S. has generally led on corruption sanctions, it has not replicated some of its partners' Magnitsky-style corruption sanctions, such as the UK sanctions against Teodoro Nguema Obiang Mangue of Equatorial Guinea.

⁸ This also includes sanctions imposed for both human rights and corruption.



Multilateralization By Jurisdiction

The data in this sub-section only sets out the number of sanctions listed under a given jurisdiction's Magnitsky programs that have also been replicated in the Magnitsky program of one or more other jurisdictions (i.e., where jurisdictions are clearly in coordination as regards their Magnitsky sanctions targets).

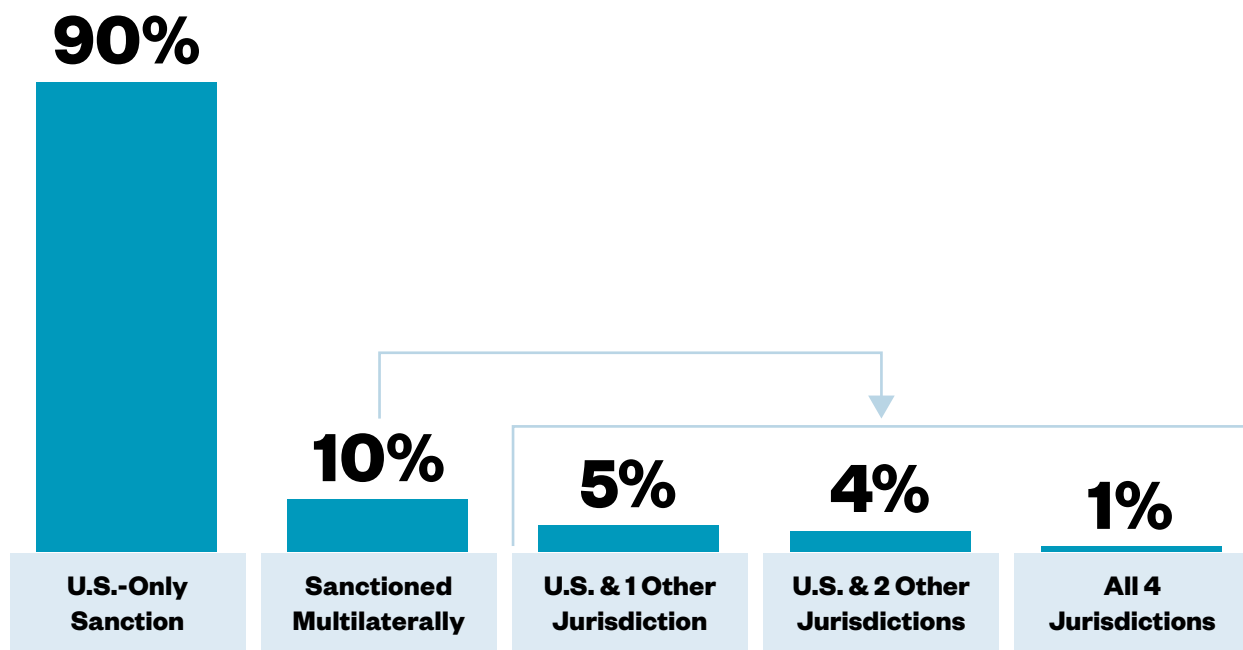
It is beyond the scope of the current report to fully consider the converse, that is, the number of Magnitsky sanctions listed globally that a given jurisdiction is yet to also list under its own Magnitsky programs. Doing this analysis, without also including jurisdictions' country-specific sanctions data, would result in undercounting the cases where one jurisdiction has imposed sanctions against a person using a country-specific sanctions program and another has sanctioned the same person listed under a Magnitsky sanctions regime. Accordingly, this additional analysis has not been included at this time.

Therefore, the authors note that the data presented does not fully capture where jurisdictions are under-performing in also imposing sanctions against persons already listed under other states' Magnitsky lists. Where possible, the authors have tried to highlight this issue (for example, in respect of the UK data).



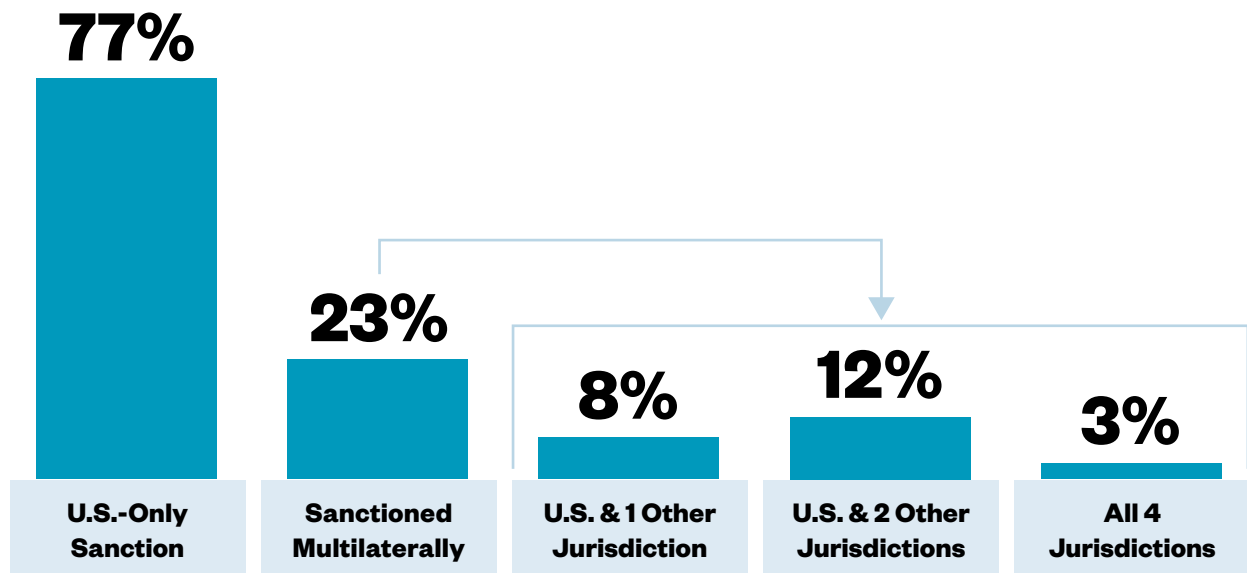
United States

Of the four jurisdictions, the U.S. had the lowest rate of multilateral Magnitsky sanctions. Some of this is due to the significantly greater number of sanctions imposed by the U.S., which suggests it has played a leading role among its peers, though perhaps it could do more to help build consensus and encourage similar actions by others. This data also does not reflect the use of U.S. country-specific programs to target individuals sanctioned by Magnitsky programs in other jurisdictions. The U.S. government's more extensive use of corruption sanctions that were not replicated by other jurisdictions is an additional factor.



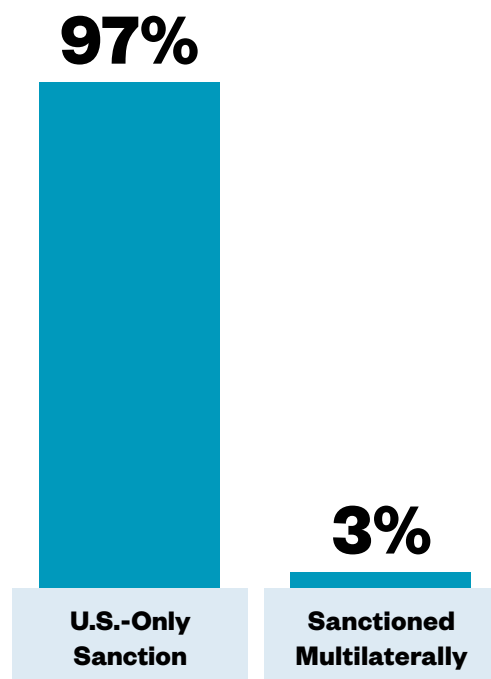
Human Rights

The U.S. was significantly more likely to have multilateral sanctions in human rights cases than corruption ones. The human rights sanctions shared with another jurisdiction include sanctions against Myanmar officials for atrocities against the Rohingya, former President of the Gambia Yahya Jammeh, the Kaniyat militia in Libya, and the head of Nicaragua's national police, among others. All human rights sanctions shared by three jurisdictions were against Saudis involved in the killing of Jamal Khashoggi. All human rights sanctions shared by four jurisdictions were Chinese officials involved in abuses against the Uyghurs.



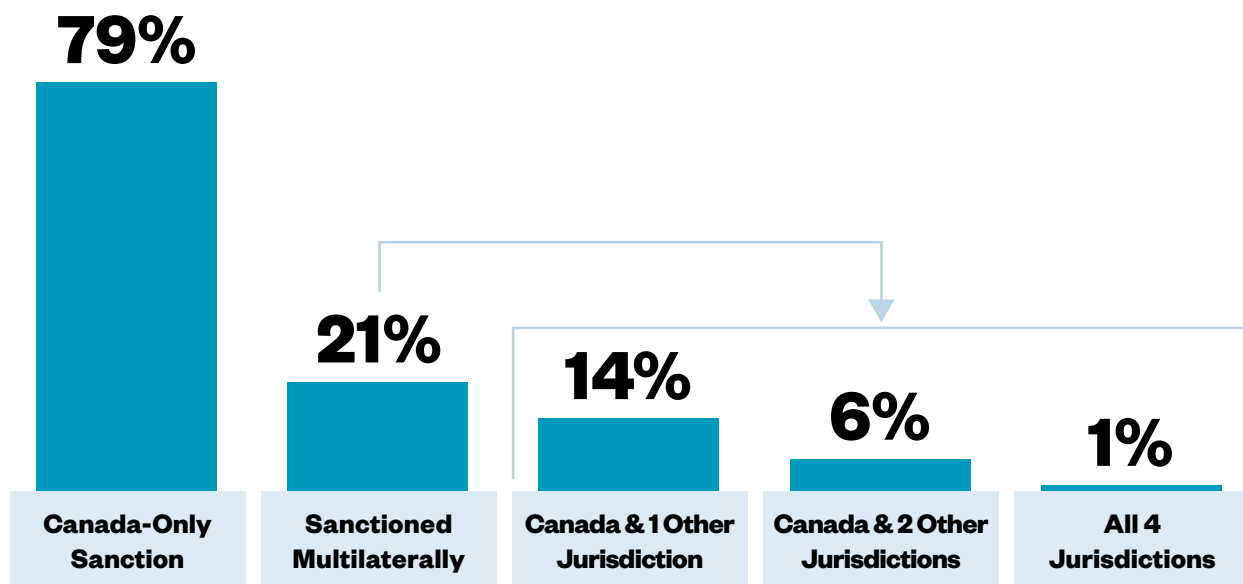
Corruption

The few U.S. corruption sanctions that were multilateral have only been with the UK, as discussed above. Despite the fact that Canada's Magnitsky programs cover corruption, there was no overlap between the corruption sanctions under those programs and the U.S. Magnitsky-style program.



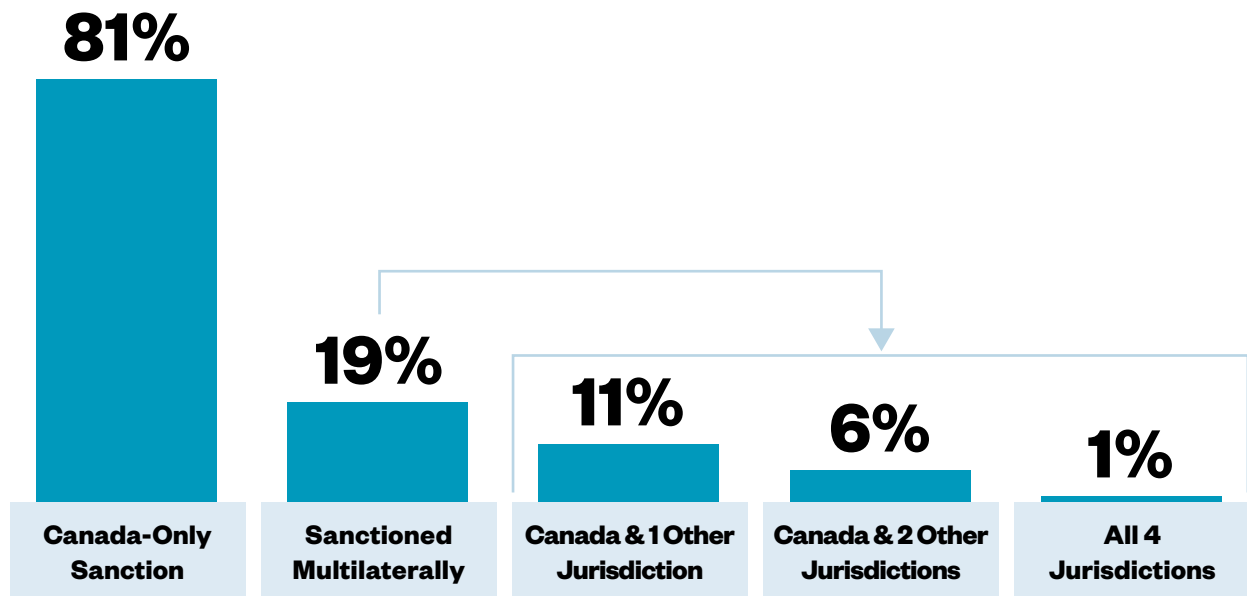


Of the four jurisdictions, Canada had the second lowest rate of multilateral sanctions. As with the U.S., some of this is due to the significantly greater number of sanctions imposed by Canada compared with the UK and EU, including Canada's use of Magnitsky sanctions to address situations like Venezuela, Belarus, Russia, and Nicaragua that were a focus of country-specific sanctions in other jurisdictions. The few corruption sanctions were more likely to be multilateral than the human rights sanctions.



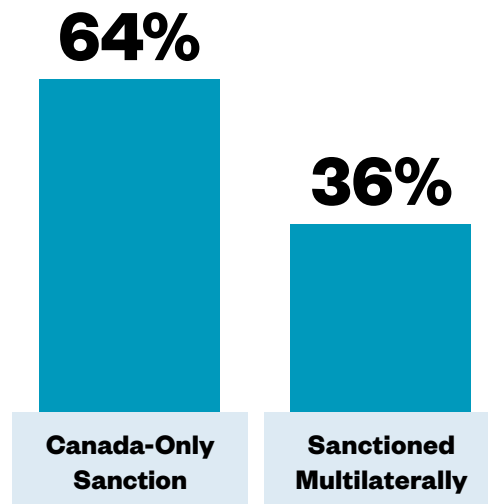
Human Rights

Canada's human rights sanctions shared with one other jurisdiction include: Russians involved in the death of Sergei Magnitsky and the attempted killing of Alexei Navalny, Alexander Lukashenko and Belarusian officials for crackdowns on protesters, Myanmar officials for atrocities against the Rohingya, and leaders of police forces in Venezuela and Nicaragua, among others. The human rights sanctions shared by three jurisdictions include: the Saudis involved in the killing of Khashoggi, a Russian investigator involved in Magnitsky's killing, and an entity within the Xinjiang Production and Construction Corps.



Corruption

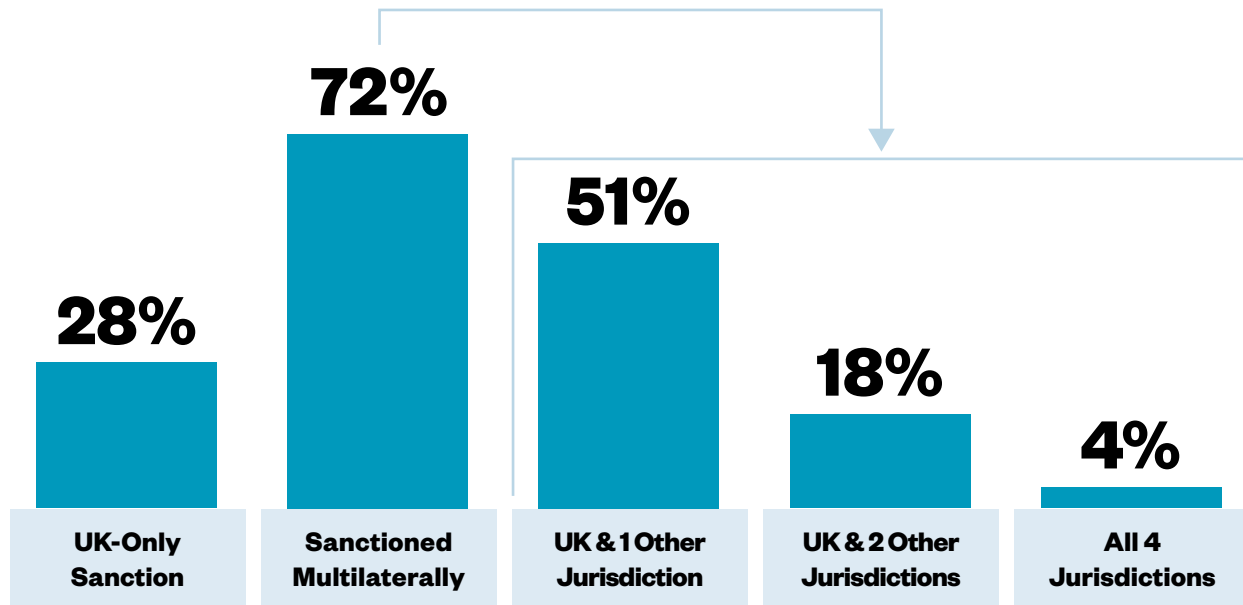
All of Canada's corruption sanctions that were multilateral were done together with the UK in response to the Russian tax fraud scheme uncovered by Sergei Magnitsky.





United Kingdom

Seventy-two percent of the UK's current list of Magnitsky sanctions also appear on other jurisdictions' lists. In particular the UK's sanctions overlapped with Canada's more often than any other country and at nearly twice the rate of overlap with the U.S.



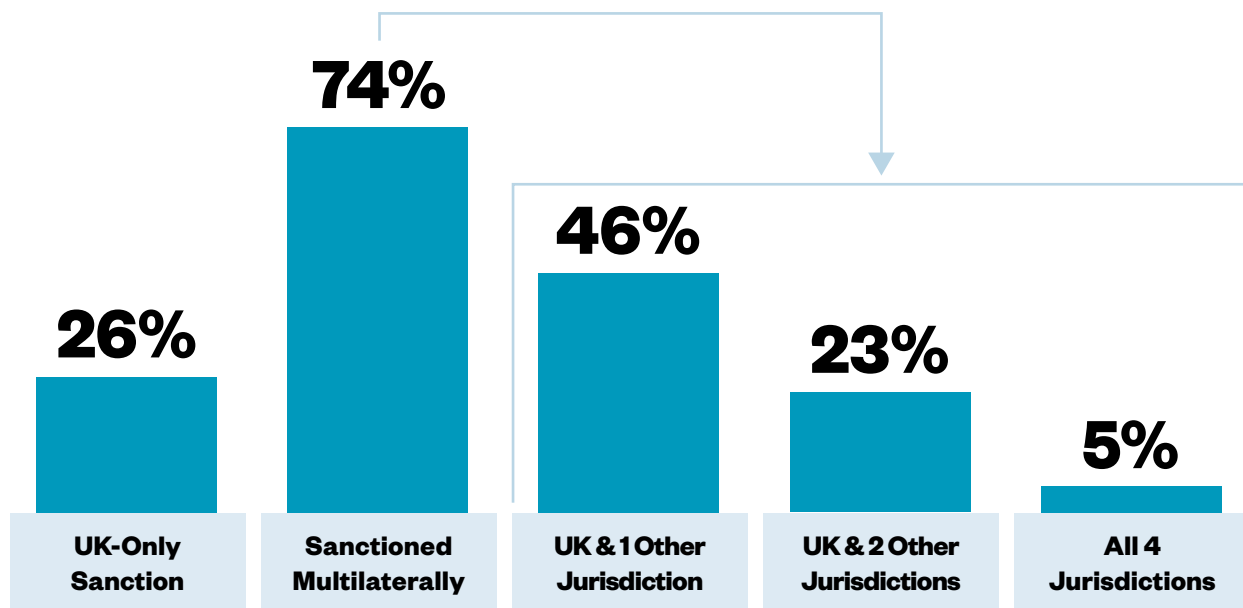
While a high share of the UK's 108 Magnitsky sanctions are replicated under other jurisdictions' Magnitsky regimes (72%), the reverse is not true – that is, **most of the Magnitsky sanctions enacted to date globally (86%) do not yet appear on the UK's own Magnitsky lists.**⁹ This 86% does not take into account cases where the UK has sanctioned under its country-specific programs as that is beyond the scope of this report. Regardless, the UK has a much lower rate of usage of its Magnitsky sanctions regimes compared to the U.S. and Canada. The UK could improve the usage and impact of its Magnitsky sanctions overall by sanctioning more perpetrators who already appear on other jurisdictions' Magnitsky lists but against whom the UK is still yet to take action.

86%
Magnitsky sanctions
imposed globally but
not yet sanctioned
under the UK's
Magnitsky regimes

⁹ As noted elsewhere in this report, this figure does not account for designations that the UK may have replicated under its country-specific regimes.

Human Rights

The UK's human rights sanctions shared with one other jurisdiction include: Russians involved in the death of Magnitsky, Alexander Lukashenko and Belarusian officials for crackdowns on protesters, Myanmar officials for atrocities against the Rohingya, Chechen officials for attacks against LGBTIQ+ persons, former First Lady of The Gambia Zineb Jammeh, and the commander of Venezuela's police special forces, among others. The human rights sanctions shared by three jurisdictions include: the Saudis involved in the killing of Khashoggi, a Russian investigator involved in Magnitsky's killing, and an entity within the Xinjiang Production and Construction Corps.



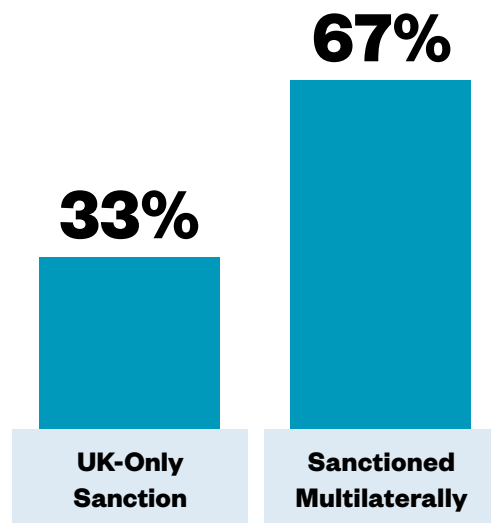
While 74% of the current UK human rights Magnitsky sanctions are replicated under other jurisdictions' Magnitsky regimes, **82% of the Magnitsky sanctions for human rights violations enacted to date globally do not yet appear on the UK's own Magnitsky lists.**¹⁰

82%
Magnitsky human rights
sanctions imposed
globally but not yet
sanctioned under the
UK's Magnitsky regimes

¹⁰ As noted elsewhere in this report, this figure does not account for designations that the UK may have replicated under its country-specific regimes.

Corruption

Sixty-seven percent of the UK's current list of Magnitsky sanctions for corruption also appear on other jurisdictions' lists. Corruption sanctions multilateralized with the U.S. focused on the Gupta family state capture scheme in South Africa, Ali Ashraf Said Ahmed Hussein in South Sudan, Nawfal Hammadi Al-Sultan in Iraq, Jose Francisco Lopez Centeno in Nicaragua, and Felipe Alejos Lorenzana in Guatemala. Corruption sanctions multilateralized with Canada focused on Russian officials involved in the tax fraud scheme uncovered by Magnitsky.



While 67% of the current UK human rights Magnitsky sanctions are replicated under other jurisdictions' Magnitsky regimes, **92% of the Magnitsky sanctions for corruption enacted to date globally do not yet appear on the UK's own Magnitsky lists.**¹¹

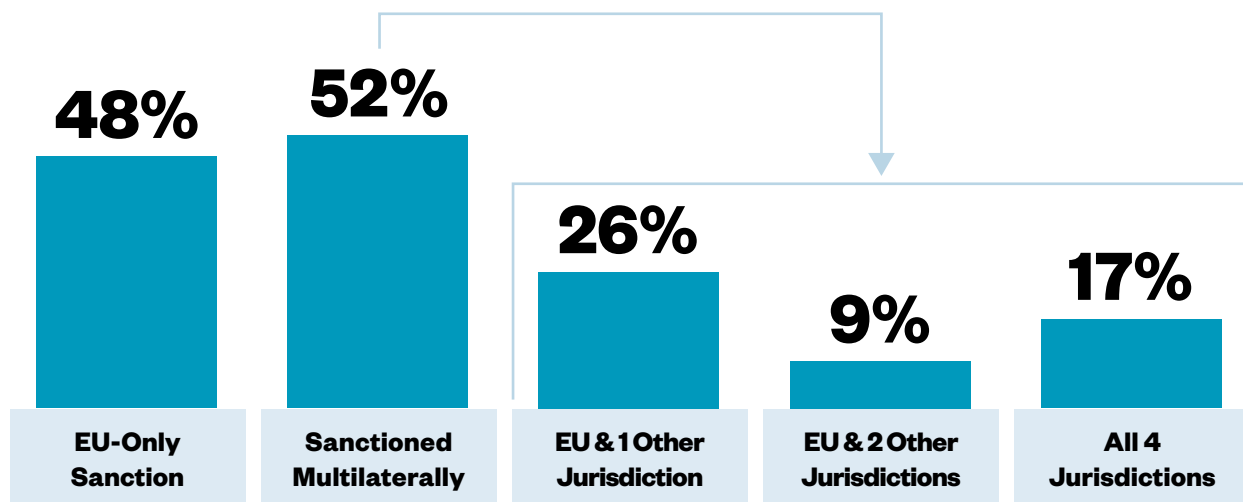
92%
Magnitsky corruption
sanctions imposed
globally but not yet
sanctioned under the
UK's Magnitsky regimes

¹¹ As noted elsewhere in this report, this figure does not account for designations that the UK may have replicated under its country-specific regimes.



European Union

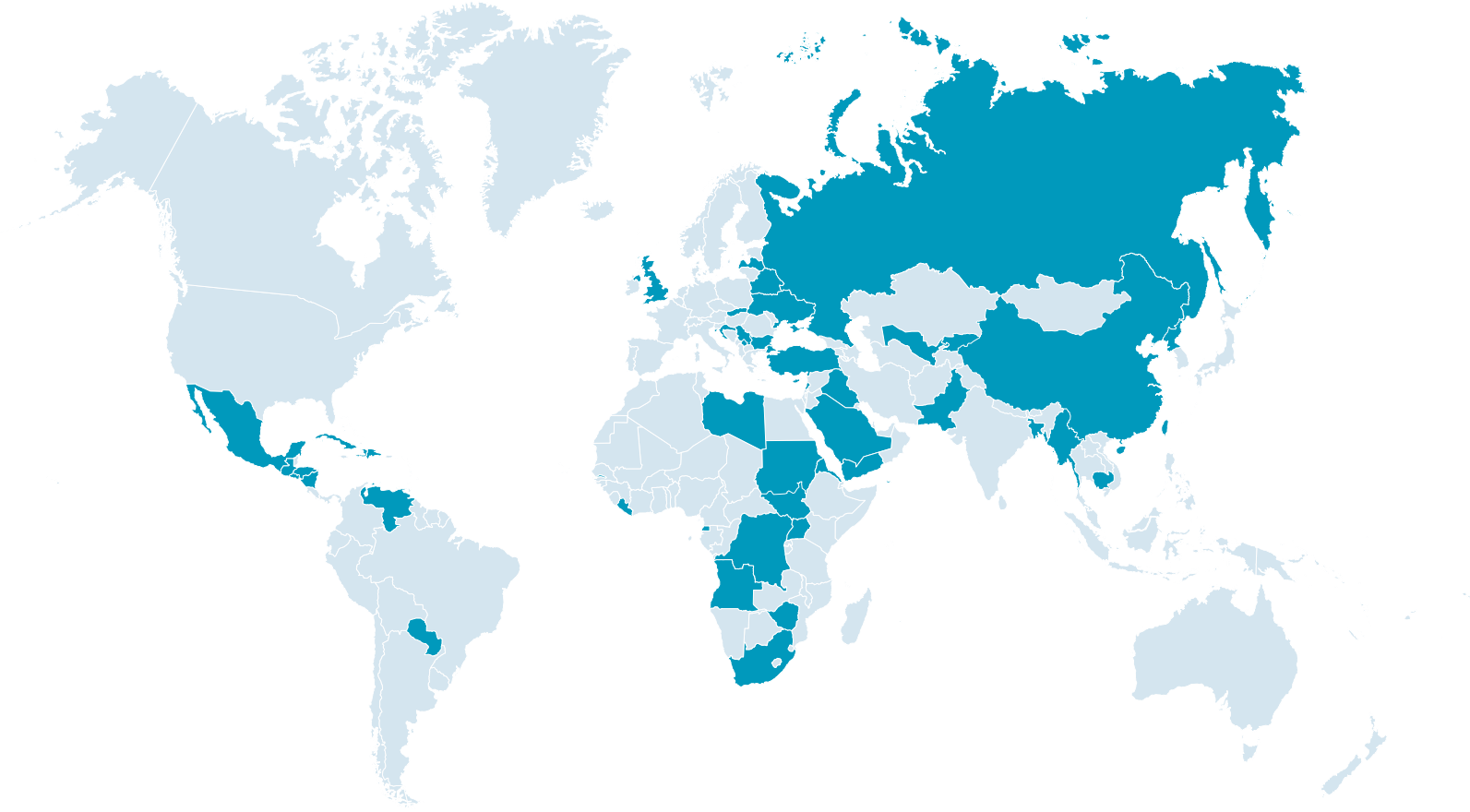
Unlike the other jurisdictions, the EU had a nearly equal number of sanctions that were multilateral among other Magnitsky programs and those that were not. The cases that were multilateralized include Russian officials involved in abuses against Alexei Navalny and his supporters, Chinese officials and the Xinjiang Production and Construction Corps Public Security Bureau responsible for abuses against Uyghurs, the Kaniyat Militia and Mohamed Al-Kani in Libya. As mentioned above, the data presented here does not capture EU sanctions under country-specific regimes with human rights as a main theme (e.g., Belarus, Myanmar, Iran, Nicaragua, Syria, Zimbabwe etc., sanctions regimes). While the EU has used country-specific regimes in certain countries for human rights abuses, it has underused its Magnitsky-style program in cases where a more flexible and quick response is needed.





Sanctions with a Global Reach

To date, the four major jurisdictions with Magnitsky-style sanctions have used them against perpetrators of human rights abuses and corruption in 46 countries across five continents. The U.S. program has focused on situations in 40 countries, the UK on 18, the Canadian on eight, and the EU on six.



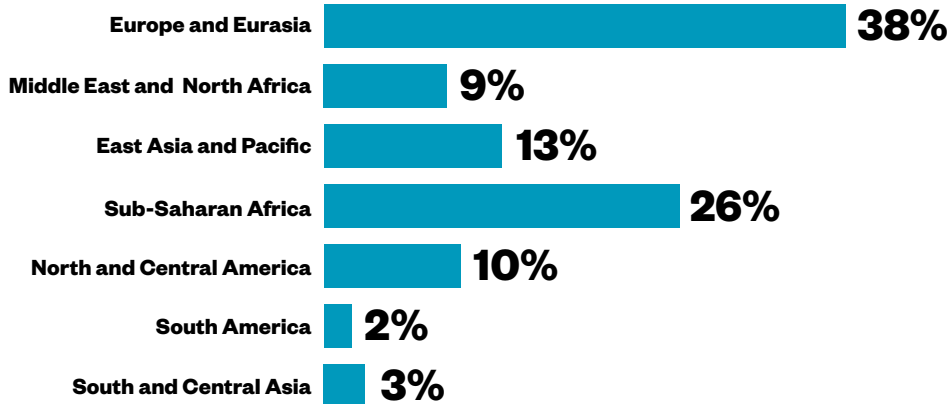
Regional Spread of Sanctions

The four jurisdictions have focused most of their Magnitsky-style sanctions in Europe and Eurasia, with large numbers of sanctions targeting Russia, Belarus, and several Balkan states. Examples include sanctions for the mistreatment and killing of Sergei Magnitsky and detention of Alexei Navalny in Russia, Belarusian President Alexander Lukashenko and government officials for human rights abuses, and corrupt networks in Bulgaria. Likewise, a significant number of sanctions targeting the Middle East and North Africa stemmed from the Saudi government's killing of Jamal Khashoggi.

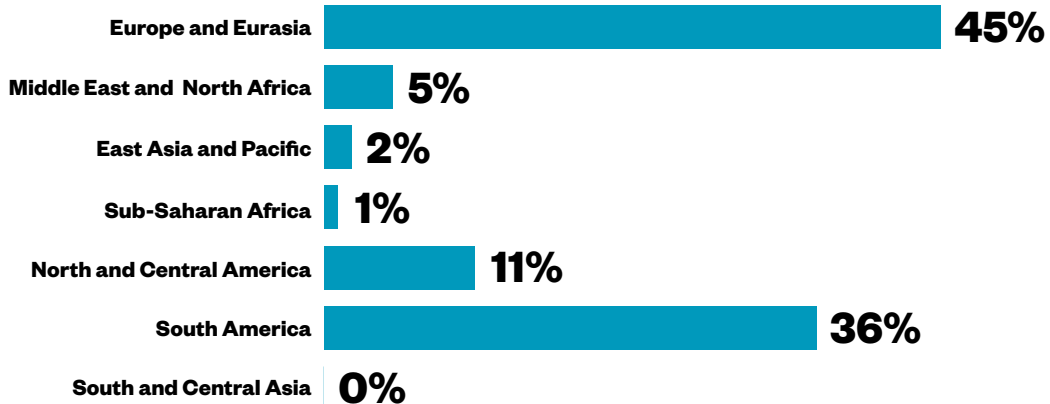
Among the outliers, Canada has focused extensively on South America with sanctions against Venezuelan President Nicolas Maduro and his regime. The U.S. focus on sub-Saharan Africa included a large corruption network in the Democratic Republic of the Congo related to Dan Gertler.

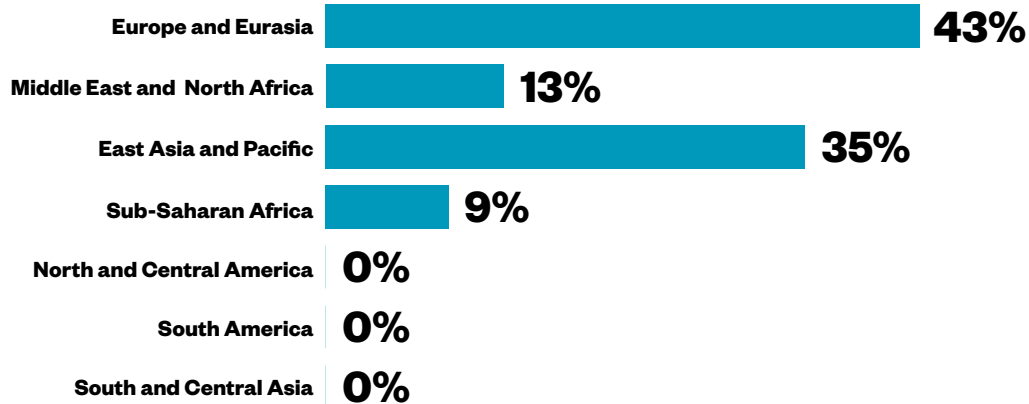
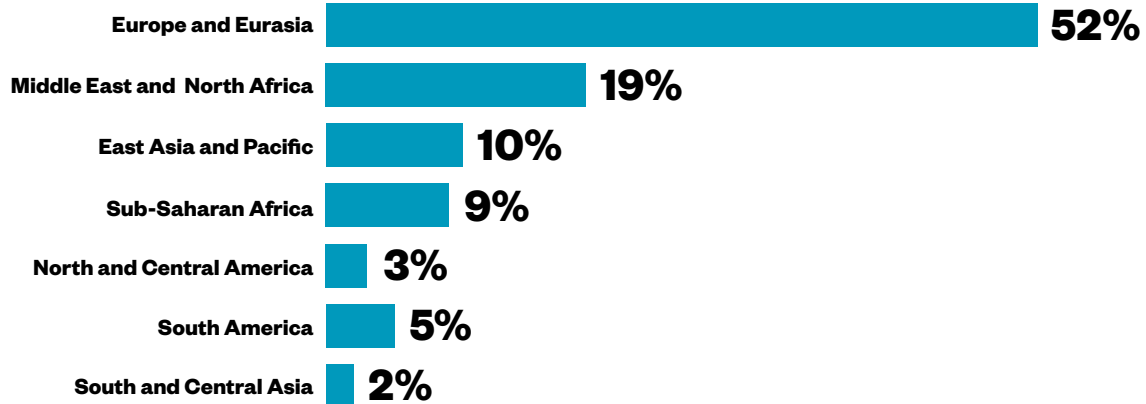


United States



Canada





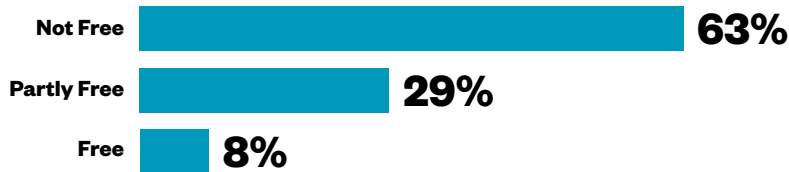
The South and Central Asia region has received the least attention from the four jurisdictions, and no country-specific sanctions programs account for this gap. However, one of the more impactful sanctions to date – the U.S. sanctions against Bangladesh’s Rapid Action Battalion and leadership – was from this region.

Sanctions Targeting Repressive and Corrupt Countries¹²

Magnitsky-style sanctions have most often been imposed in countries that fail to respect political rights and civil liberties and that are considered “Not Free” by Freedom House’s annual *Freedom in the World* report. Among the four jurisdictions, the U.S. stands out for also imposing significant sanctions in countries considered “Partly Free” and “Free”.



United States



Canada



UK



EU



¹² U.S. data for this section is limited to primary sanctions, and does not include derivative sanctions of persons controlled or owned by a primary sanctions target. See *Methodology* for more information about this distinction.

Several reasons may explain the apparent difference in emphasis. The U.S. often uses country-specific sanctions programs to address more repressive governments. It also has a stated interest in using sanctions where they could impact the abusive conduct, and such behavior change may be seen as more likely in countries that are not already deeply repressive.

On average, the sanctions targets among the four jurisdictions were disproportionately in countries that also earned especially poor grades in Transparency International's *Corruption Perceptions Index*, which reflects perceived levels of public sector corruption on a scale of zero to 100. The countries where the UK imposed sanctions had the highest average corruption perception score of 35, and the EU had the lowest score of 28.

Sanctioning Without Fear or Favor¹³

The four jurisdictions rarely imposed sanctions in countries that are considered allies.¹⁴ Canada and the EU have never imposed sanctions in countries considered allies. The U.S. has only done so in **five percent** of cases, such as Slovak Marian Kocner who was charged in the killing of journalist Jan Kuciak and Latvian Aivars Lembergs for corruption. The UK has only done so in **two percent** of cases, all in Pakistan. Many reasons may explain this, including political opposition to challenging close partners and the potential availability of other avenues of accountability. However, in cases of serious corruption and/or human rights abuses among allies, sanctions can still play a useful role and send a message that human rights abusers and corrupt actors cannot escape accountability – no matter where they are.

¹³ U.S. data for this section is limited to primary sanctions, and does not include derivative sanctions. See *Methodology* for more.

¹⁴ This includes NATO and countries that the U.S. has listed as "major non-NATO allies." See *Methodology* for more.



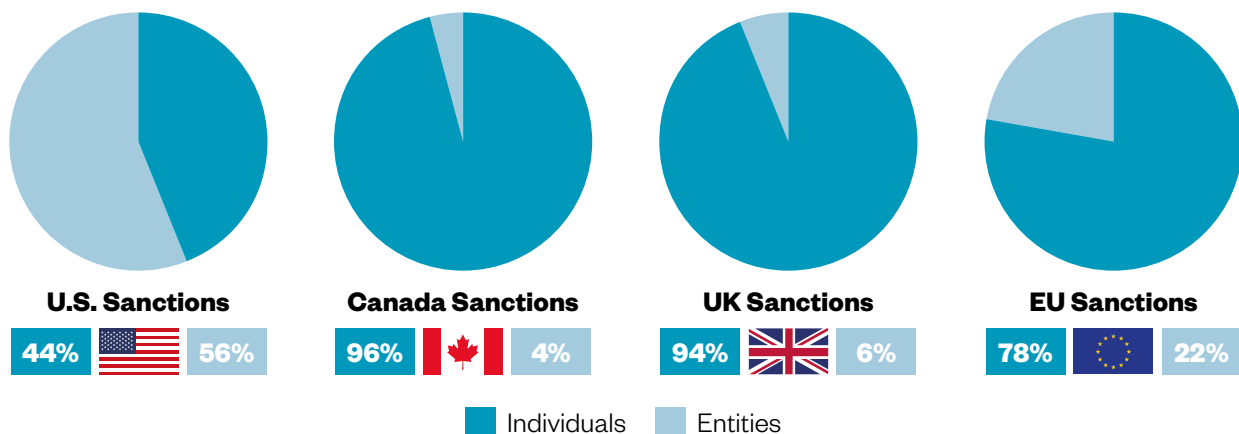
Human Rights Abusers and Corrupt Actors Facing Sanctions

The following section provides information on the types of perpetrators that are targeted for sanctions across all four jurisdictions. These sanctions can be applied to individuals and entities, which include companies, government ministries, law enforcement and military units, and militias, among others. Sanctions have also targeted perpetrators in diverse roles and holding varying levels of seniority, from current and former heads of state to lower-level prosecutors, doctors, and prison officials. Together, these demonstrate the flexibility of these tools, which can be used against nearly anyone involved in sanctionable abuses.

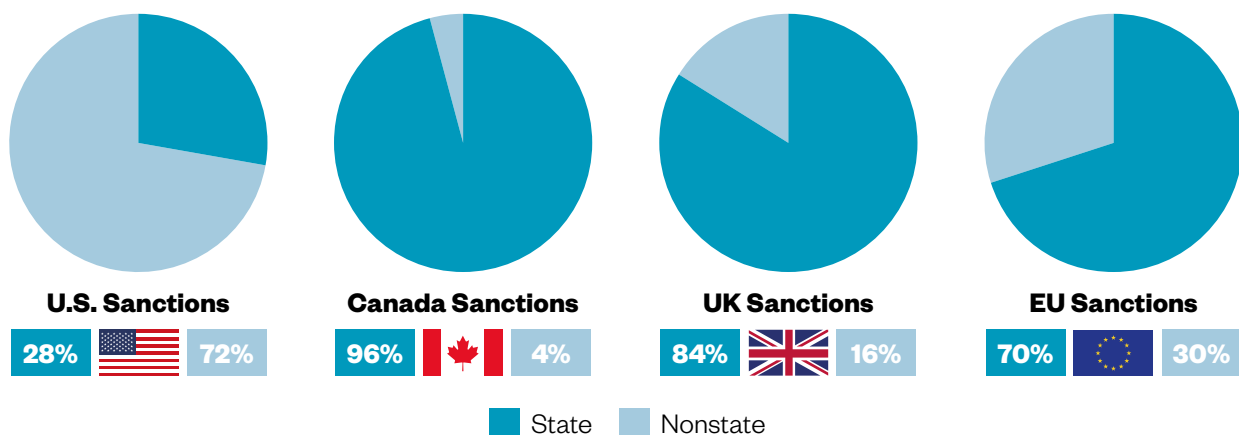
Types of Persons Sanctioned

Canada, the UK, and EU were much more likely to target individuals and state actors through sanctions, compared with entities and nonstate actors. The opposite was true of the U.S., which has imposed nearly three times more sanctions on nonstate actors. Most of this difference is driven by the U.S. government's more aggressive practice of including networks of companies owned or controlled by corrupt actors.

Individuals and Entities Sanctioned



State and Nonstate Actors Sanctioned

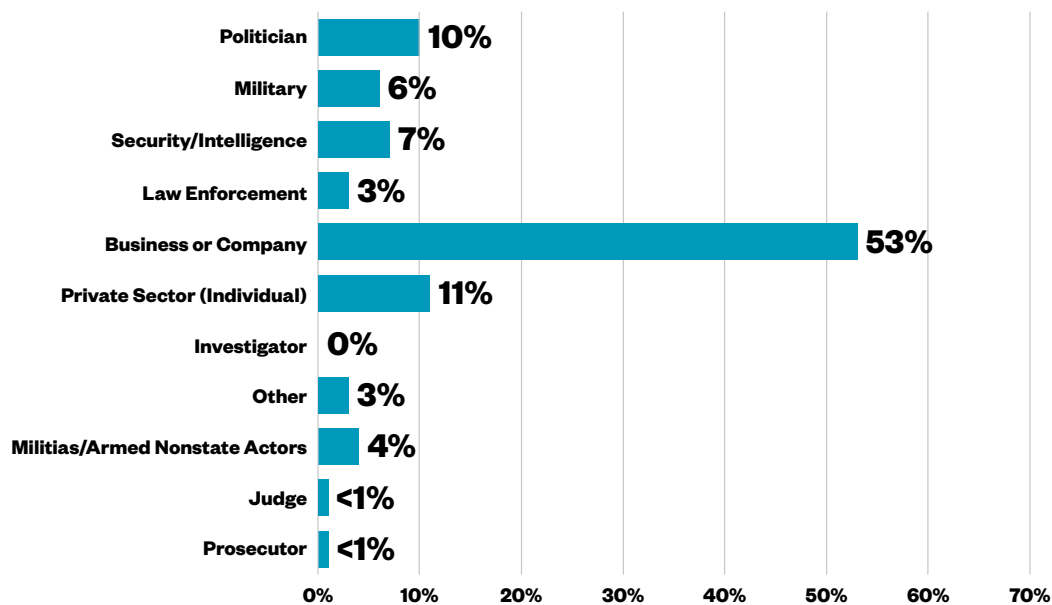


Roles of Perpetrators

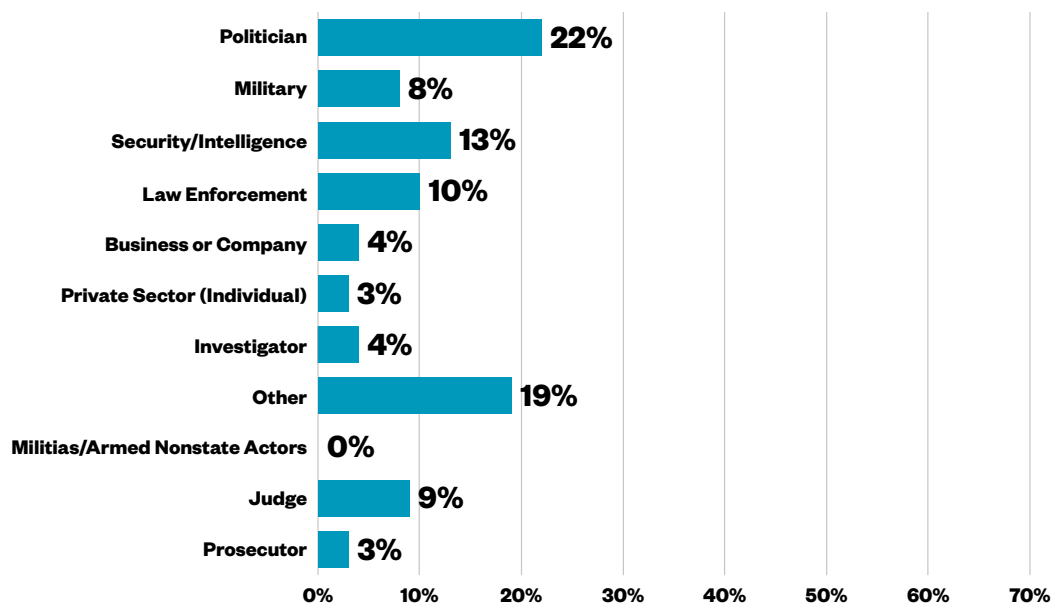
The following are the most frequently cited roles held by perpetrators across all four jurisdictions. Politicians, military, security /intelligence, and law enforcement were the most common targets among all four jurisdictions. Family members, doctors, prison officials, and diplomats each made up less than 5% of sanctions in each jurisdiction.

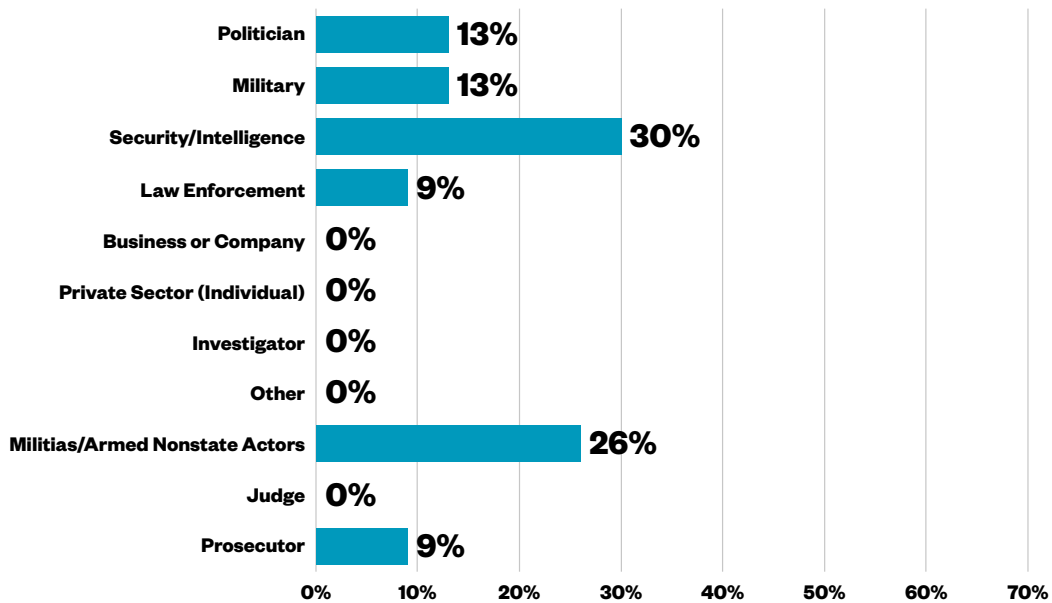
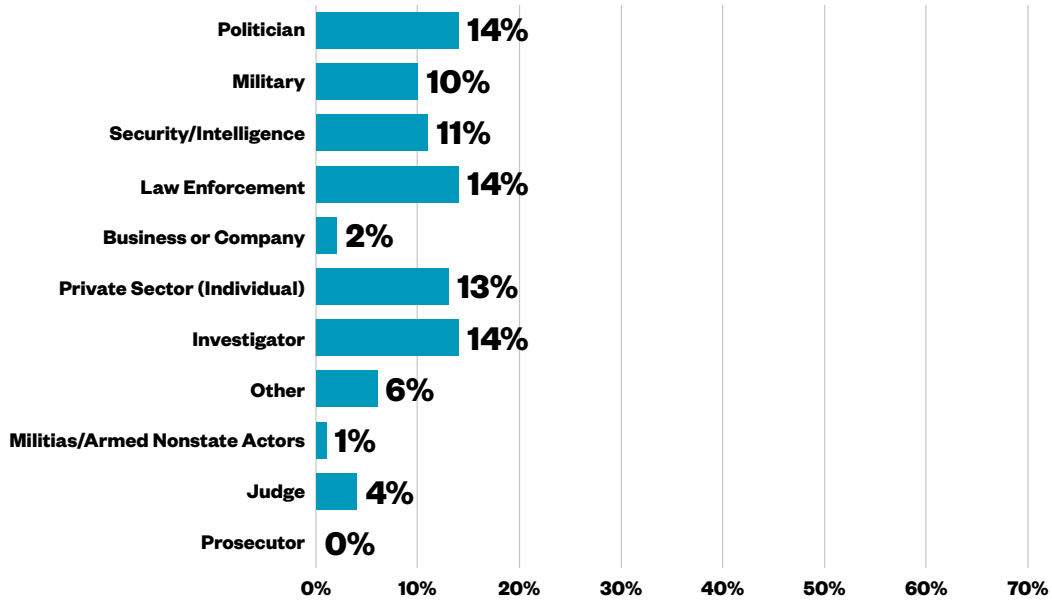


United States



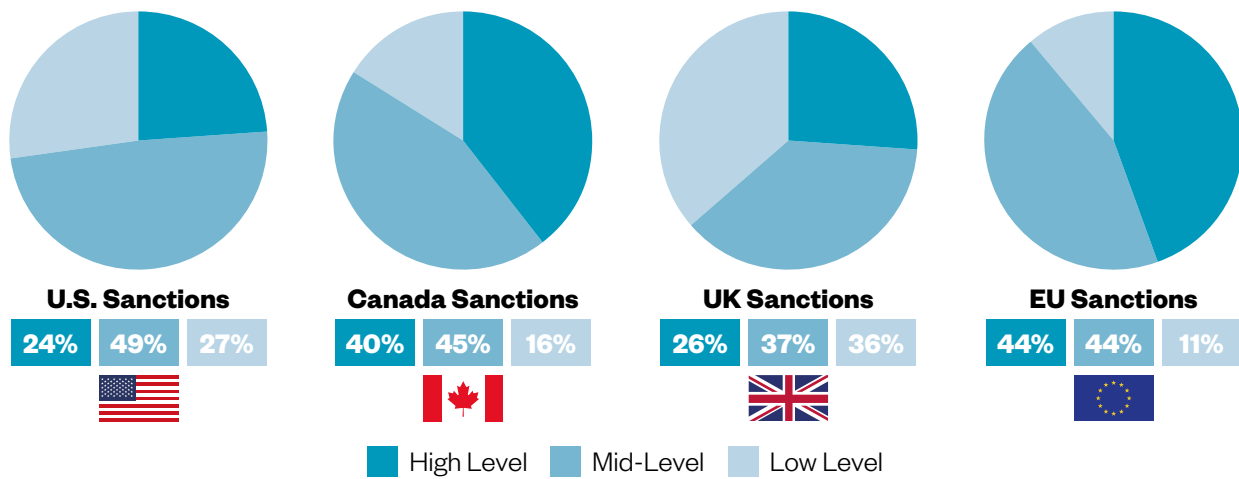
Canada





Among individuals sanctioned, Canada and the EU were more likely to target more senior level individuals, while the U.S. and UK targeted individuals across a greater range of seniority. Most jurisdictions sanction mid-level individuals more often than high- or low-level individuals.

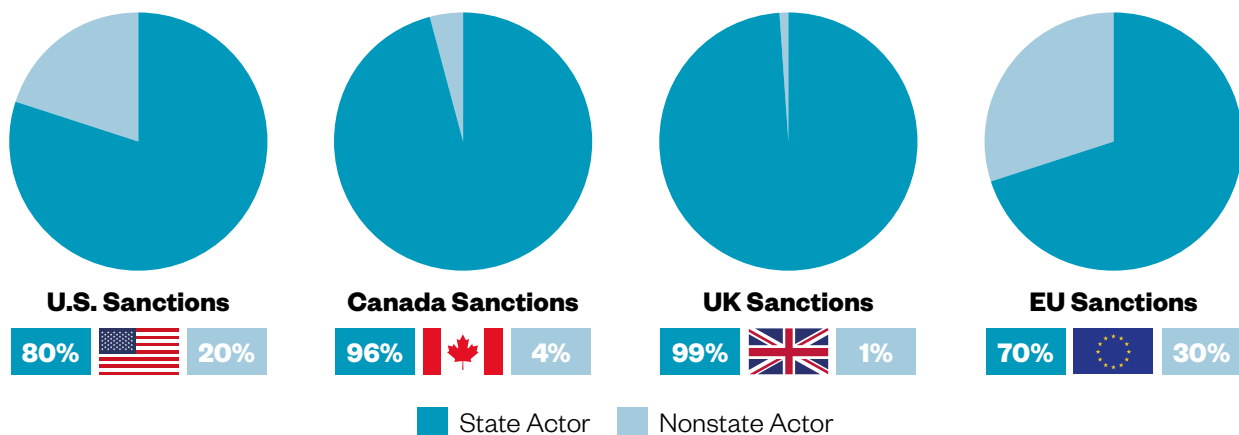
Seniority of Perpetrators¹⁵



Who Gets Sanctioned for What Types of Abuse¹⁶

Looking more closely at the data, the four jurisdictions have shown they are significantly more likely to sanction state actors for human rights abuses compared to nonstate actors. For corruption cases, both the U.S. and the UK were more likely to sanction nonstate actors, while Canada nearly exclusively sanctioned state actors.

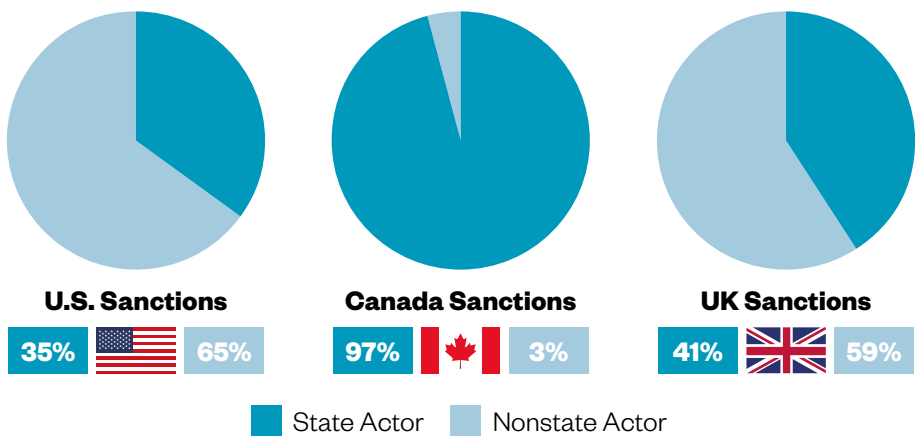
Human Rights Sanctions Cases



¹⁵ U.S. data for this section is limited to primary sanctions, and does not include derivative sanctions of persons controlled or owned by a primary sanctions target. See *Methodology* for more information about this distinction. Due to rounding, percentages for each jurisdiction do not always equal 100.

¹⁶ U.S. data for this section is limited to primary sanctions, and does not include derivative sanctions of persons controlled or owned by a primary sanctions target. See *Methodology* for more information about this distinction.

Corruption Sanctions Cases



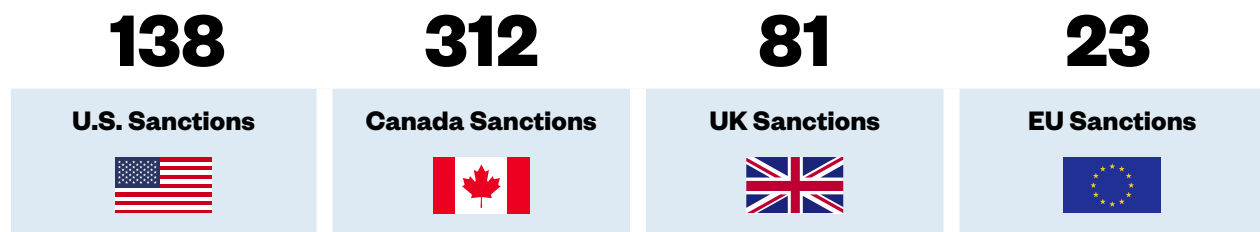


Magnitsky Sanctions for Human Rights Abuses

All four jurisdictions have imposed sanctions against human rights abusers, with the U.S. and Canada's targeted human rights sanctions programs dating back to 2017, and the UK and EU introducing theirs in 2020. Each jurisdiction's sanctions programs define which human rights abuses are covered slightly differently, which can account for some of the distinctions in the data. While these sanctions programs have been used to address a wide array of abuses, jurisdictions have consistently overlooked marginalized victim groups and abuses endured by them.

The analysis for this section relied solely on the public statements made by the sanctioning jurisdiction announcing the basis for its decision to impose sanctions in each human rights case.¹⁷

Total Number of Human Rights Designations by Jurisdiction¹⁸

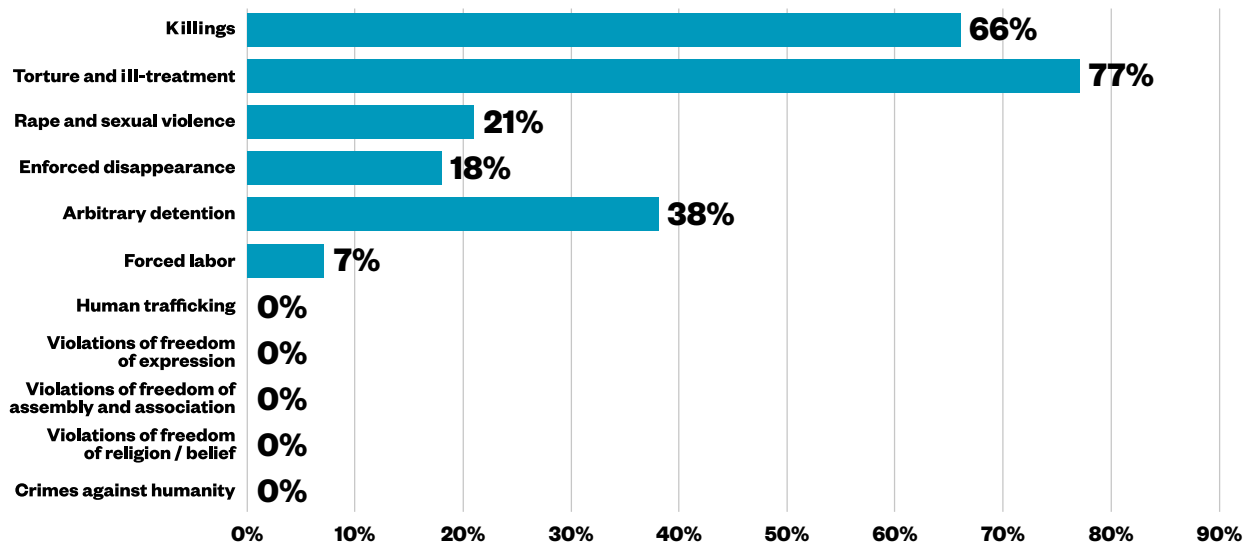


What Types of Human Rights Abuses Are Sanctioned?¹⁹

In human rights cases, killing, arbitrary detention, and torture and ill-treatment are the most often cited abuses among the four jurisdictions. Certain abuses were rarely or never cited, such as human trafficking, sex trafficking, forced labor, slavery, and crimes against humanity. Many cases cited multiple abuses.



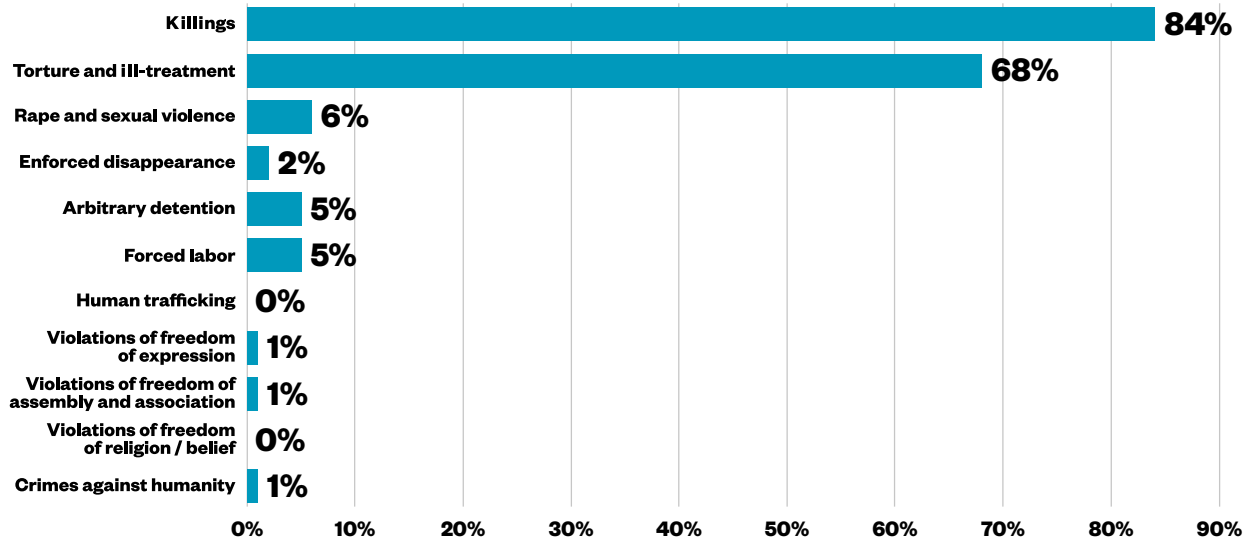
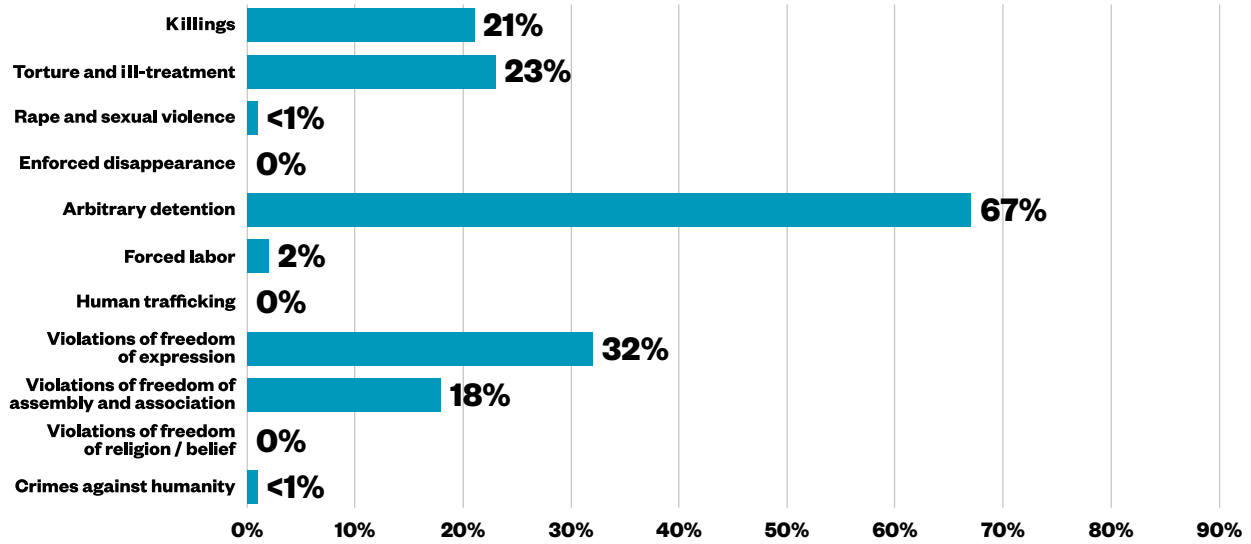
United States



¹⁷ For more information, see the *Methodology* section.

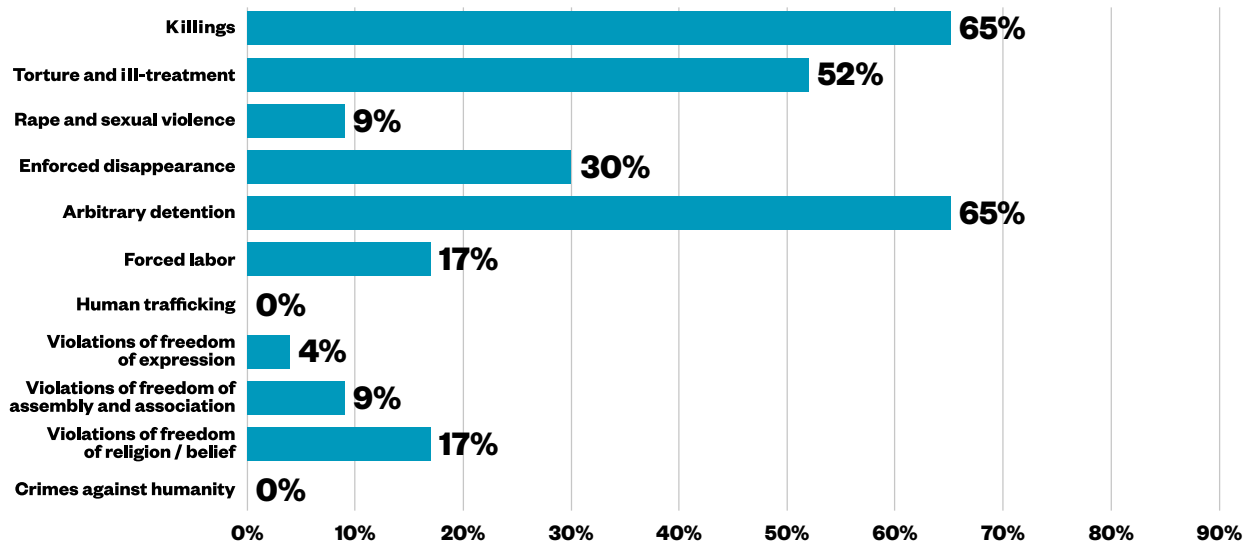
¹⁸ The total human rights sanctions by the U.S. include 14 persons sanctioned for both human rights abuse and corruption. The total for Canada includes 19 Venezuelans sanctioned in 2017 under the JVCFOA; the Canadian government did not make clear which of these persons were sanctioned for human rights abuse and which for corruption.

¹⁹ U.S. data for this section is limited to primary sanctions, and does not include derivative sanctions of persons controlled or owned by a primary sanctions target. See *Methodology* for more information about this distinction.





EU



Note: Violations of freedom of expression, of assembly and association, and of religion/belief are quite common among the situations that result in Magnitsky-style sanctions, such as attacks on protesters or on religious minorities. However, they were only included in this analysis when the sanctioning jurisdiction specifically used these terms and recognized the pattern of abuse as a violation of those rights. For example, in Canada, cases of gross violations of human rights such as the arbitrary arrest and detention of journalist Roman Protasevich and his partner Sofia Sapega and the killing of Jamal Khashoggi were also cited as violations of the right to freedom of expression. In certain jurisdictions like the EU, widespread and systematic violations of these rights are identified as grounds for sanctions. For more on how the jurisdictions define sanctionable conduct, see *Methodology*.

Gravity of Abuse²⁰

Jurisdictions often indicate the gravity of the abuses that prompt sanctions, both in terms of the length of time the abuses occurred and the scale of incidents.

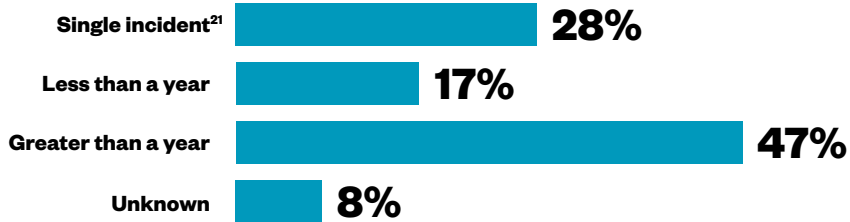
²⁰ U.S. data for this section is limited to primary sanctions, and does not include derivative sanctions of persons controlled or owned by a primary sanctions target. See *Methodology* for more information about this distinction.

Length of Time

At the time sanctions were announced, governments indicated how long the abusive conduct had continued and generally showed a greater willingness to sanction for abuses that had continued longer than a year.



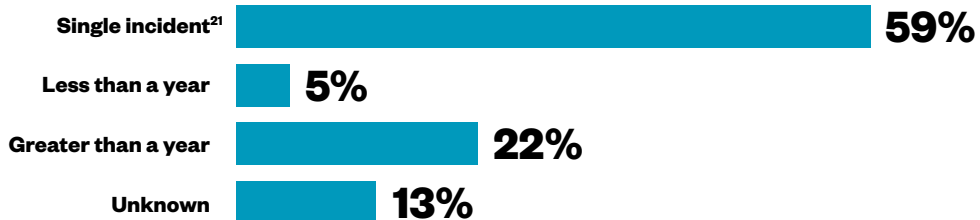
United States



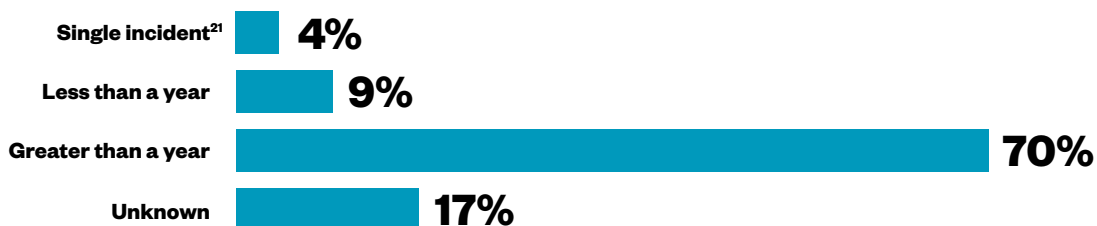
Canada



UK



EU



²¹ Abuses were categorized as "single incident" when the sanctions relied upon abuses committed against one person.

Scale of Incidents

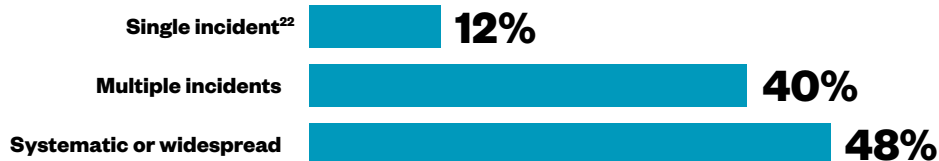
The scale of human rights abuses committed varied greatly between countries. While the U.S. gave comparable attention to single incidents, multiple incidents, and systematic or widespread abuses, Canada and the EU were least likely to impose sanctions in single incident cases, and the UK was most likely to impose sanctions for multiple incident cases.



United States



Canada



UK



EU



²² Abuses were categorized as "single incident" when the sanctions relied upon abuses committed against one person.

Overlooking Marginalized and Vulnerable Victims²³

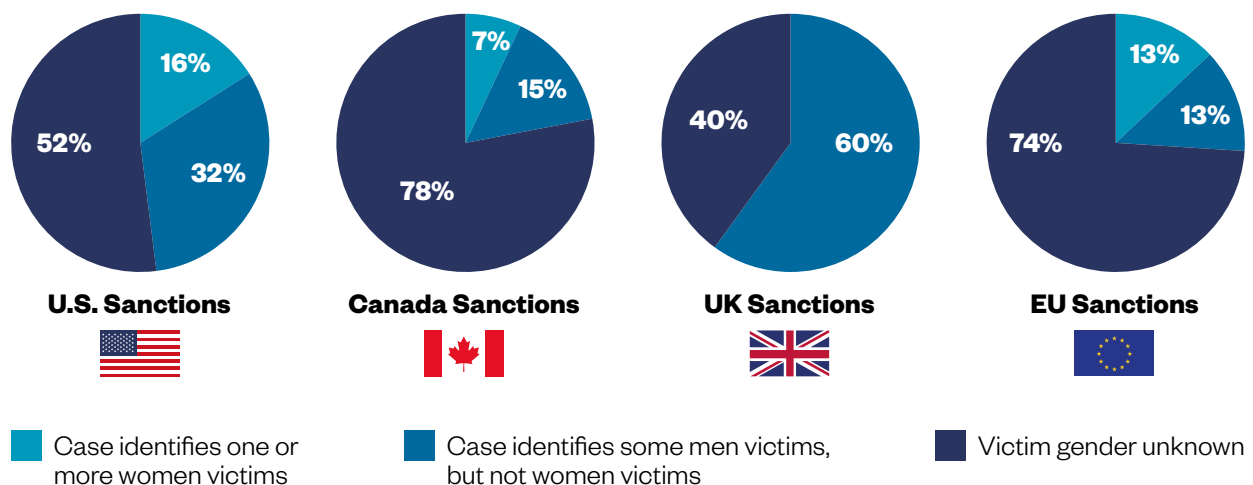
One of the most striking findings of the report is the nearly complete lack of attention jurisdictions paid to certain marginalized and vulnerable victim groups – women, children, LGBTIQ+ persons, Indigenous persons, and persons with disabilities. Across all jurisdictions, victims from these marginalized populations were rarely – if ever – identified as being targets of the sanctioned abuses.

This oversight happens in several ways. All jurisdictions have shown a lack of focus on Magnitsky-style sanctions to specifically address abuses suffered by marginalized victim groups. Even when marginalized victims were likely impacted by sanctioned abuses, they were less likely to be publicly recognized by the sanctioning jurisdiction. Moreover, all jurisdictions were more likely to respond with extensive Magnitsky-style sanctions for abuses involving a single male victim – e.g., Jamal Khashoggi, Alexey Navalny, and Sergei Magnitsky – while only one sanction has ever been imposed for abuses against a single female – human rights activist Cao Shunli.

As targeted sanctions may be the only form of accountability available to victims, jurisdictions should ensure that marginalized victims and the abuses they endured are recognized and not erased. And as a way to deter future abuses, jurisdictions should impose sanctions equitably, putting perpetrators on notice that their crimes will be dealt with seriously, no matter whom they target.

Gender of the Victims

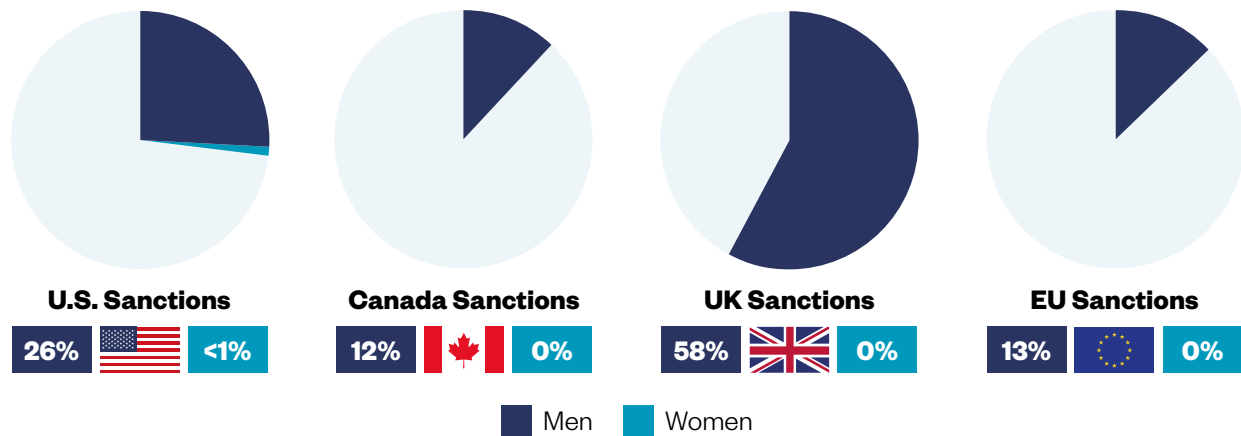
The four jurisdictions often did not recognize whether victims of a sanctionable abuse included women and men, but when they did, they were far more likely to identify men as victims than women. There was also a very clear preference for cases where all the victims were known and identified as men, compared with cases where all the victims were known and identified as women.



²³ U.S. data for this section is limited to primary sanctions, and does not include derivative sanctions of persons controlled or owned by a primary sanctions target. See *Methodology* for more information about this distinction.

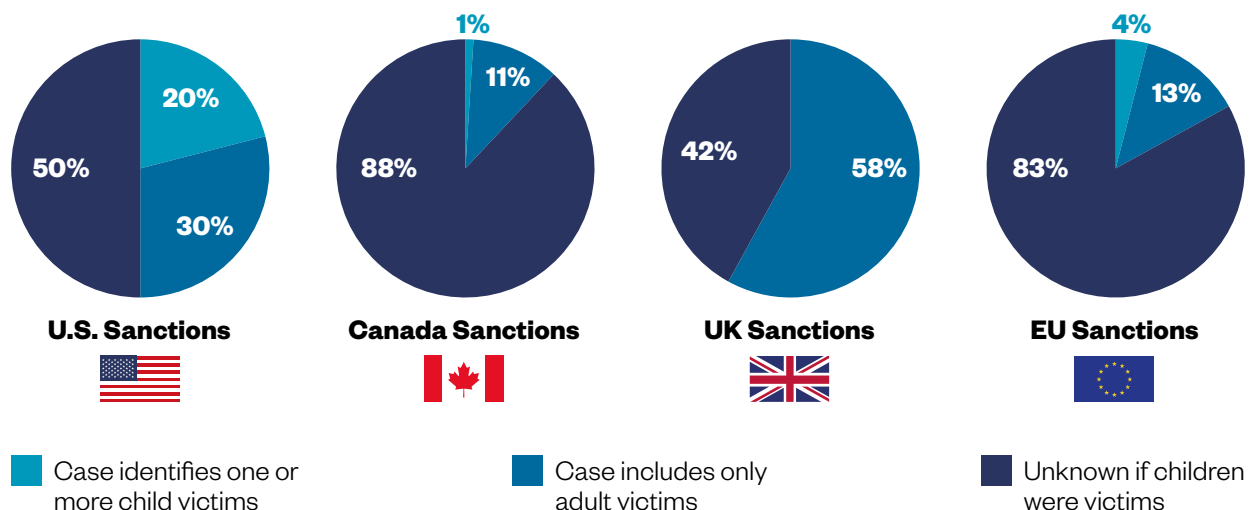
The UK fared the worst, failing to identify a single woman as a victim in any case. The U.S. and Canada identified twice as many cases where some or all the victims were men (with no women victims identified), compared with cases where at least one woman was identified as a victim. While the EU appears to be more equitable in its recognition of men and women victims, as the chart below shows, it has sanctioned several people for abuses against a single man (Alexei Navalny), and not once for abuses against only women.

Sanctions Where All Victims Are:



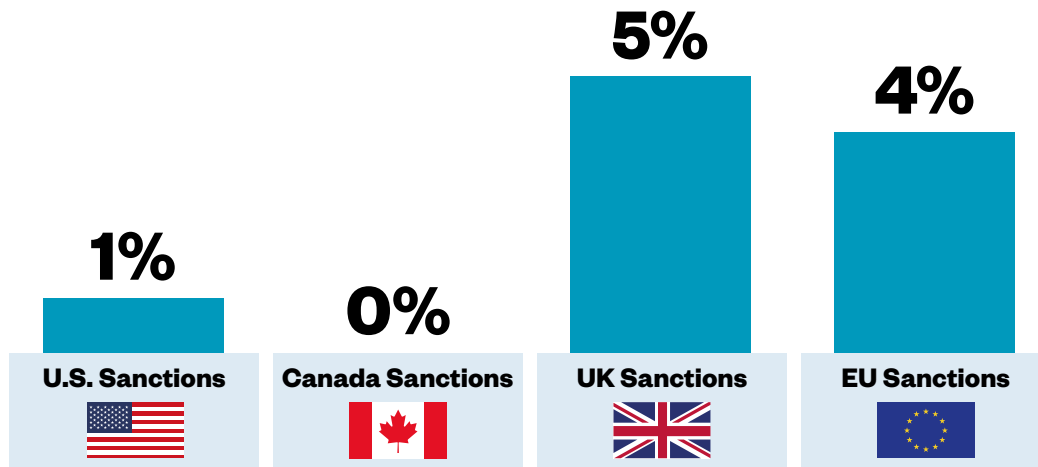
Child Victims

Overall, countries were less likely to identify children as victims when imposing sanctions, compared to how frequently women were identified as victims. The U.S. was the only exception to this. No jurisdiction used sanctions to respond to abuses that targeted children exclusively. Among the many human rights abuses experienced by children, governments are missing opportunities to use sanctions against those engaging in human trafficking of children, carrying out targeted attacks on schools, and using child soldiers and children as human shields in conflict.



LGBTIQ+ Persons

The use of Magnitsky-style sanctions for abuses against LGBTIQ+ persons has been extremely limited. Just three jurisdictions have imposed a small number of sanctions in response to the campaign of violence and repression against LGBTIQ+ persons in Chechnya. No other types of violence by state and nonstate actors or arbitrary detention against persons based on their sexual orientation and/or gender identity have been addressed.



Indigenous Persons

Violence and abuses against Indigenous persons have mostly been ignored by jurisdictions imposing Magnitsky-style sanctions. In several sanctions against Chinese officials that accounted for 9% of U.S. human rights cases, the U.S. recognized the Uyghur people as “indigenous” to the Xinjiang region, which has long been the homeland of the Uyghurs. No other victims were recognized as Indigenous by the U.S. or any other jurisdiction, despite high rates of murders of Indigenous human rights defenders, among other abuses.

Persons with Disabilities

Among the 761 perpetrators sanctioned by all jurisdictions to date, not one person with a disability was recognized as a victim.²⁴ This total lack of attention misses opportunities to highlight unique violence and harms suffered by persons with disabilities such as institutionalization in cruel, inhuman or degrading conditions; to confront entrenched stigmas; and to recognize ways they are often disproportionately impacted by conflict or other abuses such as trafficking.

²⁴ The authors recognize that not all disabilities are visible or disclosed by the persons who have them. This report analyzes when the sanctioning jurisdiction expressly stated that one or more persons with disabilities were among the victims. For more information, see *Methodology*.



Magnitsky Sanctions for Corruption

To date, only the U.S., UK, and Canada have used Magnitsky-style sanctions to respond to corruption.²⁵ Of the three, the U.S. has been the most robust in its use of corruption-related sanctions, outnumbering Canada and the UK nearly ten-fold.

²⁵ As of publication, the EU has indicated it intends to adopt a global targeted sanctions regime for corruption.

As with the previous section, the analysis for this section relied solely on the public statements made by the sanctioning jurisdiction announcing the basis for its decision to impose sanctions in each case.²⁶

Total Number of Corruption Designations by Jurisdiction²⁷



Since 2017, the U.S. has sanctioned 299 persons for corruption, and Canada has sanctioned 31 persons for corruption. Since 2021, the UK has sanctioned 27 persons.

Number of Incidents of Corruption Targeted



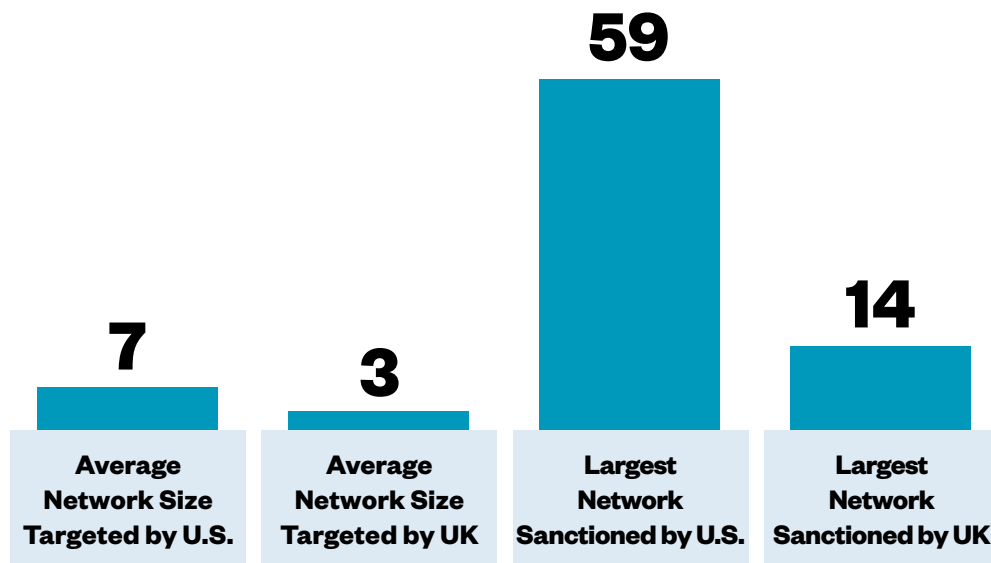
The Impact of Network Sanctions

Part of the reason the number of U.S. corruption sanctions has been so much higher than the UK's and Canada's reflects the U.S. focus on "network sanctions." This approach leads to targeting not just the few individuals directly involved in a corrupt scheme, but also the host of associates, companies and entities owned or controlled by them, and those who provide assistance to the members of the corrupt network. For example, after Israeli businessman Dan Gertler was sanctioned in 2017 for involvement in corrupt mining and oil deals in the Democratic Republic of the Congo, 47 other people and entities were sanctioned for their connections to him.

²⁶ For more information, see the *Methodology* section.

²⁷ The total corruption sanctions by the U.S. include 14 persons sanctioned for both corruption and human rights abuse. The total for Canada includes 19 Venezuelans sanctioned in 2017 under the JVCFOA; the Canadian government did not make clear which persons were sanctioned for human rights abuse and which for corruption.

²⁸ Includes the 2017 sanctions of 10 Russians involved in the tax fraud uncovered by Sergei Magnitsky, the 2017 sanctions of two South Sudanese officials for corruption, and the 2017 sanctions of 19 Venezuelan officials for both corruption and human rights abuses.



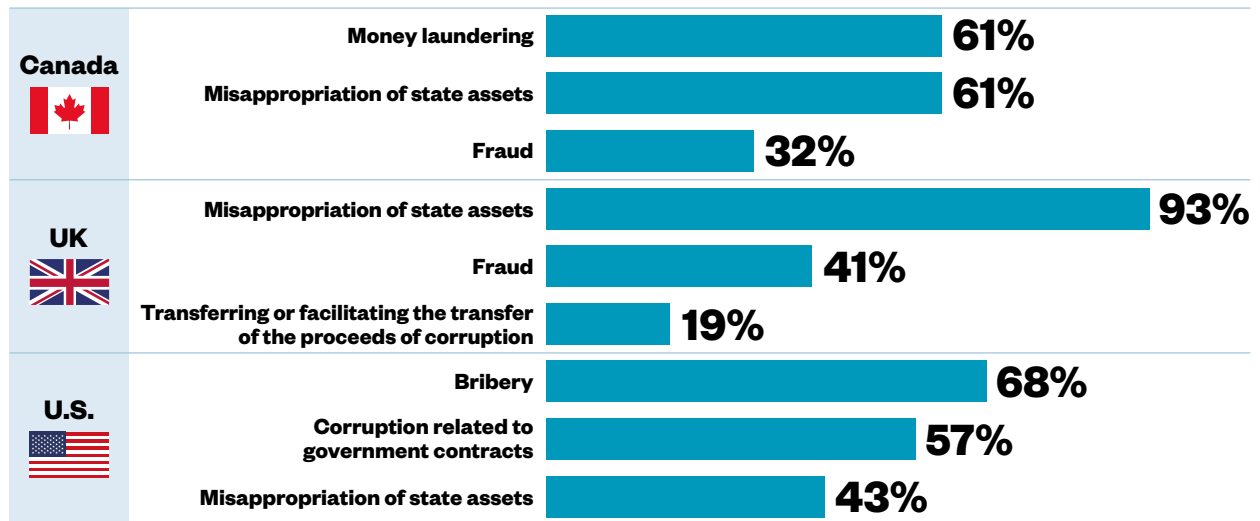
The largest corruption case in the U.S. followed the designation of Bulgarian businessman and oligarch Vassil Bojkov and 58 related persons for bribery. In the UK, the largest corruption case targeted 14 Russians involved in the \$230 million fraud case uncovered by Sergei Magnitsky. There was insufficient information provided by the Canadian government to analyze corruption networks under its programs.

What Corrupt Activities Are Sanctioned?²⁹

The types of corruption covered by these sanctions programs generally require a government nexus and the exchange or inducement of some financial or other tangible benefit. Examples of this kind of corruption include: bribery, money laundering, misappropriation of state assets, corruption related to government contracts or the extraction of natural resources, fraud, and transferring the proceeds of corruption, among others. The following are the three most commonly cited forms of corruption that are sanctioned by the U.S., UK, and Canada, though no patterns were discernible in this data. Jurisdictions should recognize the various forms that corrupt activities can take and consider whether the scope of their anti-corruption sanctions regimes adequately account for this.

²⁹ U.S. data for this section is limited to primary sanctions, and does not include derivative sanctions of persons controlled or owned by a primary sanctions target. See *Methodology* for more information about this distinction.

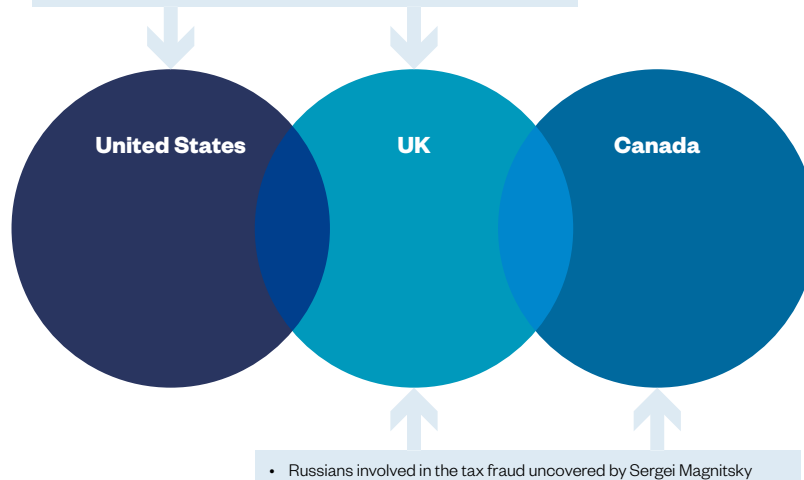
Most Common Types of Corruption Cited



Multilateral Corruption Cases

In a few cases, these jurisdictions have used their Magnitsky-style sanctions to target the same corrupt activity, including:

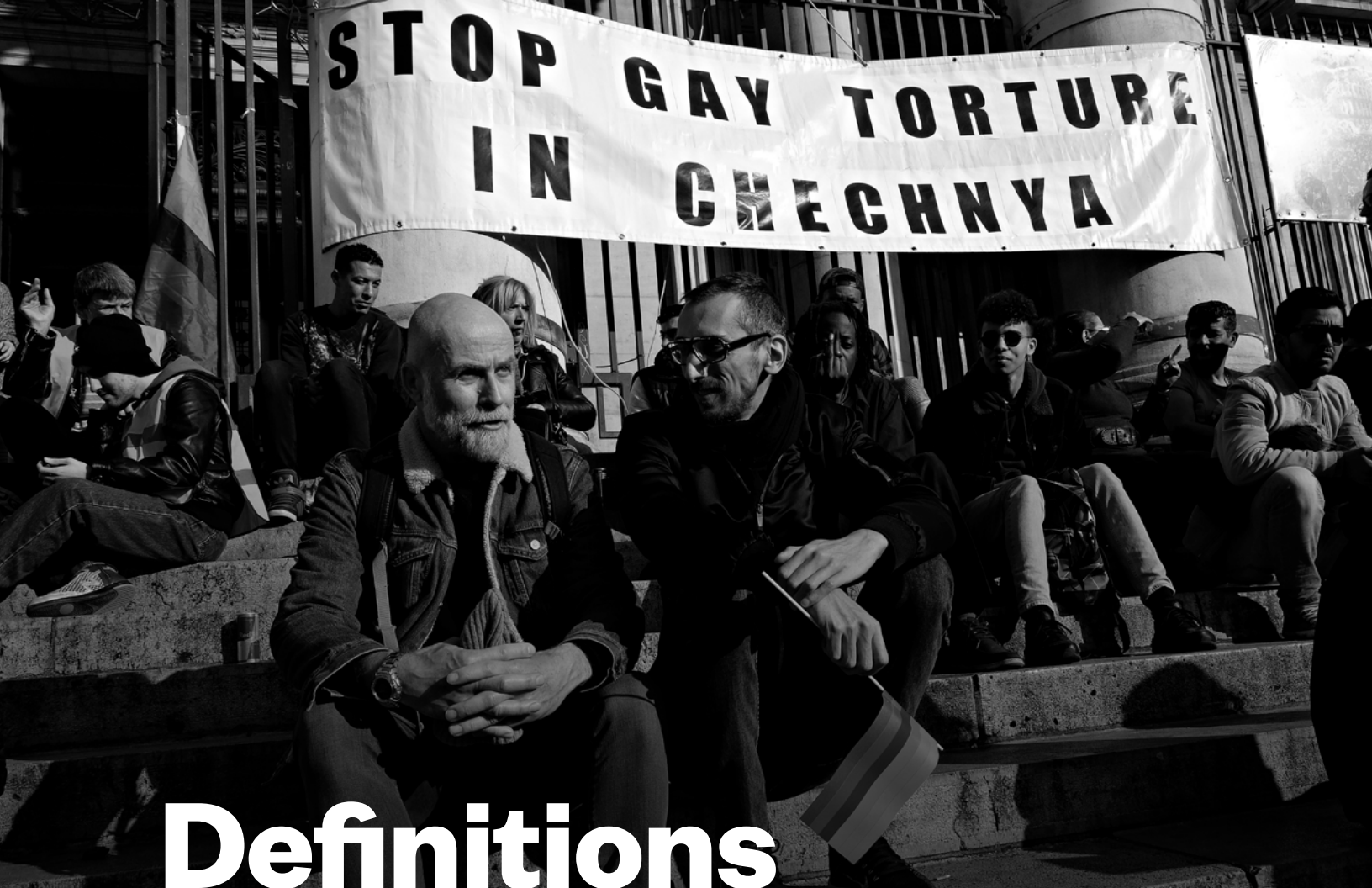
- The Guptas and an associate for state capture in South Africa
- Yahya Jammeh and affiliates for human rights abuse (UK) and for both human rights abuse and corruption (U.S.) in The Gambia
- Jose Francisco Lopez Centeno for embezzling government funds in Nicaragua
- Nawfal Hammadi Al-Sultan for misuse of public funds in Iraq
- Ashraf Said Ahmed Al-Cardinal for misappropriating state assets in South Sudan
- Felipe Alejos Lorenzana for bribery in Guatemala



However, these jurisdictions can and should do more to multilateralize corruption sanctions under these authorities and to more robustly use these tools. For example, Canada and the U.S. could follow the UK in imposing sanctions against Teodoro Nguema Obiang Mangue of Equatorial Guinea.

Looking Beyond Magnitsky Authorities

It is important to remember that Magnitsky sanctions only tell part of the story of how jurisdictions use targeted sanctions to respond to corruption. Often, jurisdictions use country-specific sanctions authorities, which were not included in this analysis. For example, while the UK and Canada sanctioned many of the individuals involved in the Russian tax fraud uncovered by Sergei Magnitsky using these authorities, the U.S. used its Russia-specific authorities to sanction many of those same corrupt actors.



Definitions

► **Country-specific sanctions** – A form of targeted sanctions programs that are geographically limited to persons in a particular country or group of countries. Some country-specific sanctions programs address human rights abuses and/or corruption, but many also include other acts that are considered sanctionable. The consequences of such sanctions often include: visa bans, asset freezes, and blocking transactions with persons in the sanctioning jurisdiction.

► **Magnitsky-style sanctions** – A form of targeted sanctions programs that address human rights abuses and/or corruption and that have global application (i.e., they are not geographically limited to a particular country or region). Such sanctions can be applied to anyone, and are not limited to state actors. The consequences of such sanctions are similar across jurisdictions, and include: visa bans, asset freezes, and blocking transactions with persons in the sanctioning jurisdiction.

► **Multilateral sanctions** – For the purposes of this report, multilateral sanctions refer to cases where two or more jurisdictions have imposed targeted sanctions against the same individual or entity.

Jurisdictions may choose to jointly announce such sanctions, as the U.S., Canada, UK, and EU did in March 2021 when they imposed same-day sanctions against Chinese officials involved in abuses against the Uyghurs and ethnic minorities in Xinjiang. However, jurisdictions may choose to sanction the same persons at different times; those cases are still considered multilateral sanctions.

► **Nonstate Actors** – Individual persons or entities that are not affiliated with, funded, or directed by a government. Many nonstate actors have been sanctioned for human rights abuses or corruption, including: militias and armed groups, gang leaders, individuals in the private sector and companies, family members of corrupt or abusive actors, etc.

► **Persons** – Individuals and entities, which have included corporations, militias, military or law enforcement units, and other state or nonstate groups.

► **Targeted sanctions** – Sanctions that impose asset freezes, travel restrictions, and restrictions on financial transactions on specific, identified persons.



Methodology

This report covers the use of Magnitsky-style sanctions by the United States, Canada, United Kingdom, and European Union. Magnitsky-style sanctions are targeted sanctions programs that address human rights abuses and/or corruption and that are not geographically limited in application.

The designations analyzed in this report were made under the following authorities:

- **U.S.:** Global Magnitsky sanctions program, established by Executive Order 13818 in December 2017.
- **Canada:** Justice for Victims of Corrupt Foreign Officials Act (Sergei Magnitsky Law) (JVCFOA) established in 2017 and the Special Economic Measures Act (SEMA) established in 1992.
- **UK:** The Global Human Rights Sanctions Regulations established in July 2020 and the Global Anti-Corruption Sanctions Regulations established in April 2021.
- **EU:** Council Regulation (EU) 2020/1998 of 7 December 2020 concerning restrictive measures against serious human rights violations and abuses (EU Global Human Rights Sanctions Regime – EUGHRSR).

All designations made from the inception of these programs through September 30, 2022 were included, with the exception of Canada's SEMA sanctions; only human rights and corruption sanctions imposed under the SEMA since the JVCFOA was established are included.

This report seeks to capture how the sanctioning jurisdictions describe the use and basis of these sanctions. As such, the analysis for this report relies exclusively on the public statements issued by the respective jurisdictions announcing the imposition of sanctions. No additional sources were consulted, except where necessary to confirm certain invariable information, such as the role of a perpetrator. Because the jurisdictions vary in how much information they share about the reasons they impose sanctions in a given case, the authors do not claim the findings represent a complete explanation of how the jurisdictions use their Magnitsky-style sanctions. Rather, this report attempts to describe what is publicly known about these decisions, using the information provided by the sanctioning jurisdictions.

Most sanctions were imposed on the basis of sanctionable human rights abuses or corruption. However, in the U.S., 14 sanctions were imposed because the sanctioned person was described as being involved in both sanctionable human rights abuses and corruption. In Canada, an announcement of sanctions against 19 Venezuelans in 2017 did not make clear which individuals were sanctioned for which type of abuse. In these two cases, the sanctions were counted as “both” human rights abuse and corruption, and are included in both the human rights abuse and corruption analyses throughout the report.

Finally, sanction cases were coded as either “primary” or “derivative.” A sanctioned person was considered “primary” when the sanctioning jurisdiction stated the person engaged in or supported the sanctionable conduct in some way. A sanctioned person was considered “derivative” when the person was connected to a primary sanctioned actor, but it was not clear if they had engaged in or supported the sanctionable conduct. For example, derivative sanctions include entities owned or controlled by a primary sanctioned actor that were not clearly involved in the sanctioned conduct, as well as individuals acting on behalf of a primary sanctioned actor but in a matter unrelated to the sanctioned conduct. Of the four jurisdictions, only the U.S. had sanctions that were considered “derivative.” For certain indicators, these derivative sanctions were excluded and noted throughout the document and below.

The following provides an overview of the methodology for certain indicators in sections of the report:

Magnitsky Sanctions: At a Glance

For the percent of sanctions that had a basis in civil society recommendations, sanctions were only counted if the authors knew that a civil society organization had made a specific recommendation to the jurisdiction calling for sanctions against the person who was sanctioned and for the reason(s) they were sanctioned. Civil society organizations may submit information to the jurisdictions independently, so this data may not capture the full scope of civil society engagement and the jurisdictions' response.

Multilateralizing Magnitsky Sanctions

For the multilateral comparison of these sanctions programs, the report only considers when jurisdictions used their Magnitsky-style sanctions programs to jointly sanction the same individuals and entities. It does not capture when one jurisdiction sanctions a person under its Magnitsky program, while another jurisdiction uses a country-specific sanctions program to sanction the same person. It also does not identify cases where jurisdictions impose sanctions in response to the same set of abuses but select different persons to sanction. Sanctions were considered "multilateral" as long as they were replicated at any point in time. The analysis does not distinguish between sanctions that were imposed concurrently by two or more jurisdictions, and those that were adopted later in time.

Sanctions with a Global Reach

For the geographic location of each sanctioned person, the analysis applied a primary nexus test and assigned the country that had the closest connection to the sanctioned person and abuse. Strong preference was given to countries where the sanctioned abuses occurred. However, for certain cases, the primary nexus was different from where the abuses occurred. For example, for the EU sanctions against the Wagner Group, the primary nexus is Russia, as it is a Russia-based private military entity that committed sanctionable abuses in many countries.

The report analyzes the relative freedom of countries that were the targets of sanctions using Freedom House's annual *Freedom in the World* reports. Each sanction was scored using the *Freedom in the World* Global Freedom Score (both the numerical total score and status of "Not Free," "Partly Free," and "Free"), from the period in which the sanction was imposed. For example, for sanctions imposed in 2021, scores from the *Freedom in the World Report 2022* were used, as the 2022 report covers the status of countries in 2021. For sanctions imposed in 2022, data from the *Freedom in the World Report 2022* was used.

The report also analyzes the perceptions of corruption in the countries that were targets of sanctions using Transparency International's annual *Corruption Perceptions Index*. Each sanction was scored using the *Corruption Perceptions Index*'s numerical Score (on a scale of zero to 100), from the year in which the sanction was imposed. For example, for sanctions imposed in 2021, scores from the *Corruption Perceptions Index 2021* were used, as the 2021 report covers the status of countries in 2021. For sanctions imposed in 2022, data from the most recent *Corruption Perceptions Index 2021* was used.

Finally, the report analyzes when sanctions were imposed against perpetrators linked to NATO and countries that the U.S. has listed as "major non-NATO allies. The list of major non-NATO ally countries used includes: Afghanistan (prior to September 2022), Argentina, Australia, Bahrain, Brazil, Colombia, Egypt, Israel, Japan, Jordan, Kuwait, Morocco, New Zealand, Pakistan, the Philippines, Qatar, South Korea, Thailand, and Tunisia. Some perpetrators had ties to these countries that were not recognized in the data; for example, sanctions against Israeli businessman Dan Gertler were assigned to the Democratic Republic of the Congo, as that country had the primary nexus for the corrupt activity.

Human Rights Abusers and Corrupt Actors Facing Sanctions

For the seniority of the perpetrators, only primary sanctions were included in the analysis. Perpetrators were ranked as high level, mid-level, or low level based on the following rubric:

- High level – heads of state, minister or agency leads, generals, or nonstate actors who deal directly with individuals at the highest levels of government
- Mid-level – deputy heads of agencies, family members of high-ranking officials, governors, senators, individuals overseeing regional military/security units, or nonstate actors who work directly with individuals who would be considered mid-level
- Low level – police, hitmen, doctors, lawyers, low-level politicians, or nonstate actors who work directly with individuals who would be considered low level

Magnitsky Sanctions for Human Rights Abuses

Aside from the total number of human rights designations by each jurisdiction, only primary sanctions were included in the data for this section where the actor was sanctioned for human rights abuses or "both" human rights abuses and corruption.

Each jurisdiction defines sanctionable human rights abuses differently, though in their application there are significant areas of overlap:

- **U.S.:** “serious human rights abuse”
- **Canada:**
 - JVCFOA: “extrajudicial killings, torture or other gross violations of internationally recognized human rights committed against individuals in any foreign state who seek (i) to expose illegal activity carried out by foreign public officials, or (ii) to obtain, exercise, defend or promote internationally recognized human rights and freedoms, such as freedom of conscience, religion, thought, belief, opinion, expression, peaceful assembly and association, and the right to a fair trial and democratic elections”
 - SEMA: “gross and systematic human rights violations”
- **UK:** “an activity which, if carried out by or on behalf of a State within the territory of that State, would amount to a serious violation by that State of an individual’s— (a) right to life, (b) right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment, or (c) right to be free from slavery, not to be held in servitude or required to perform forced or compulsory labour, whether or not the activity is carried out by or on behalf of a State.”
- **EU:** “serious human rights violations and abuses worldwide. It applies to:
 - a. genocide;
 - b. crimes against humanity;
 - c. the following serious human rights violations or abuses:
 - i. torture and other cruel, inhuman or degrading treatment or punishment,
 - ii. slavery,
 - iii. extrajudicial, summary, or arbitrary executions and killings,
 - iv. enforced disappearance of persons,
 - v. arbitrary arrests or detentions;
 - d. other human rights violations or abuses, including but not limited to the following, in so far as those violations or abuses are widespread, systematic or otherwise of serious concern as regards the objectives of the common foreign and security policy set out in Article 21 TEU:
 - i. trafficking in human beings, as well as abuses of human rights by migrant smugglers as referred to in this Article,
 - ii. sexual and gender-based violence,
 - iii. violations or abuses of freedom of peaceful assembly and of association,
 - iv. violations or abuses of freedom of opinion and expression,
 - v. violations or abuses of freedom of religion or belief.”

For this report, however, the analysis of types of human rights abuses sanctioned focused on the abuses **enumerated** by the sanctioning jurisdiction. This approach gives the clearest indication of why a particular person was sanctioned. In some jurisdictions, enumerated abuses may include those that provide the legal basis for imposing sanctions, as well as those that may be of concern to the sanctioning jurisdiction but that did not (or could not) provide the legal basis for imposing sanctions. However, jurisdictions may not have enumerated all abuses attributed to a sanctioned actor.

For most of the indicators in the human rights analysis, cases were only counted when sanctioning jurisdictions specifically cited the factor being evaluated. For example:

- Cases involving violations of freedom of expression, assembly, association, and religion or belief were only counted as such when the sanctioning jurisdiction specifically used these terms and recognized the pattern of abuse as a violation of those rights.
- Cases involving widespread or systematic abuses were only counted as such when jurisdictions described the abuses as “widespread” or “systematic.”
- Cases involving women, children, LGBTIQ+ persons, Indigenous persons, or persons with disabilities as victims were only counted as such when jurisdictions specifically mentioned victims from these groups.

However, some cases included descriptions of conduct that clearly constituted arbitrary detention or torture and cruel, inhuman or degrading treatment (CIDT) but did not use those precise terms. These cases were included as “arbitrary detention” or “torture and cruel, inhuman or degrading treatment” in the analysis of types of abuses. For example, while U.S. sanctions against Yankuba Badjie did not specifically cite “torture” or CIDT, the U.S. described “physical trauma and other mistreatment” and beating a prisoner almost to death, which would constitute torture or CIDT.³⁰

Magnitsky Sanctions for Corruption

Primary and derivative sanctions where the actor was sanctioned for corruption or “both” human rights abuses and corruption were used to calculate the data in this section, with the exception of the data on the types of corruption cited, which only relied on primary sanctions.

As with the human rights analysis, the data on types of corruption sanctioned focused on the acts enumerated by the sanctioning jurisdiction. In cases where conduct that clearly amounted to certain categories of corruption was not explicitly described as such, they were included in the analysis for that category.

³⁰ <https://home.treasury.gov/news/press-releases/sm0243>

About the coalition

The authors of this report coordinate and work with a coalition of more than 330 civil society organizations around the world that advocates for the use of targeted human rights and anti-corruption sanctions as a tool to promote accountability. The coalition provides training, resources, and assistance to civil society groups to help them prepare well-documented recommendations to the U.S., Canada, UK, and EU identifying perpetrators eligible for human rights and/or corruption sanctions. Since 2017, the coalition has provided more than 150 sanctions recommendations to these jurisdictions, in addition to other forms of engagement and advocacy on sanctions targets.

The coalition co-chairs are: Human Rights First (U.S.), Open Society Foundations (EU), Raoul Wallenberg Centre for Human Rights (Canada), and REDRESS (UK). The coalition's regional sub-chair for Latin America is the Pan American Development Foundation.

About Human Rights First

Human Rights First is an independent advocacy and action organization that challenges America to live up to its ideals. For 40 years the organization has worked to press the U.S. government and private companies to respect human rights and the rule of law. When they fail, Human Rights First steps in to demand reform, accountability, and justice. Human Rights First is based in New York, Washington D.C., and Los Angeles. For more about Human Rights First: www.humanrightsfirst.org

About the Open Society Foundations

The Open Society Foundations, founded by George Soros, are the world's largest private funder of independent groups working for justice, democratic governance, and human rights.

For more about the Open Society Foundations: www.opensocietyfoundations.org

About the Raoul Wallenberg Centre for Human Rights

The Raoul Wallenberg Centre for Human Rights is a unique international consortium of parliamentarians, scholars, jurists, human rights defenders, NGOs, and students united in the pursuit of justice, inspired by and anchored in Raoul Wallenberg's humanitarian legacy. For more about the Centre please visit: www.raoulwallenbergcentre.org

About REDRESS

REDRESS is an international human rights organisation that delivers justice and reparation for survivors of torture, challenges impunity for perpetrators, and advocates for legal and policy reforms to combat torture. As part of this work, REDRESS uses sanctions to prevent human rights abuses and corruption, through imposing a financial cost on the perpetrators. It does this by investigating abuses and submitting evidence to sanctions authorities; by using data-driven analysis to shape public policy; and by supporting NGOs across the world on using sanctions. For more about REDRESS: www.redress.org

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