EXPLANATORY MEMORANDUM TO

THE GLOBAL HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW SANCTIONS REGULATIONS 2026

2026 No. 1071

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Foreign, Commonwealth and Development Office (FCDO) and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Declaration

2.1 Stephen Doughty MP, Minister of State for the Middle East and North Africa, Afghanistan and Pakistan at the FCDO, confirms that this Explanatory Memorandum meets the required standard.

2.2 Sam Selvadurai, Deputy Director for Sanctions at the FCDO, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 The Sanctions Directorate at the FCDO can be contacted by email at the following address with any queries regarding the instrument: fcdo.correspondence@fcdo.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument revokes and re-enacts, with expanded purposes and designation criteria, the Global Human Rights Sanctions Regulations 2020 ("the 2020 Regulations"). It consolidates amendments previously made to the 2020 Regulations and provides the Government with new designation powers.

4.2 The range of activities in respect of which a person may be designated is expanded, most significantly to include serious violations of international humanitarian law ("IHL"). A new power to designate by description is also introduced. The instrument provides for designations made and licences issued under the 2020 Regulations to continue in force.

Where does the legislation extend to, and apply?

4.3 The territorial extent of this instrument is the whole of the United Kingdom ("UK").

4.4 The territorial application of this instrument is the same as its extent. That is, it applies to the whole of the UK.

4.5 This instrument also applies to the conduct by UK persons where that conduct is wholly or partly outside the UK, and to conduct undertaken by any person in the

territorial sea adjacent to the UK. "UK person" is defined in section 21(2) of the Sanctions and Anti-Money Laundering Act 2018 ("Sanctions Act").

5. Policy Context

What is being done and why?

5.1 Championing human rights is a fundamental part of UK foreign policy. The UK encourages all states to uphold their international human rights law ("IHRL") and IHL obligations and hold to account those who violate or abuse them. Upholding international law is not only a reflection of UK values but also UK interests. Promoting IHRL, IHL, and the rule of law is critical to the UK's priorities of ensuring economic growth, sustainable development, and security.

5.2 The 2020 Regulations, which came into force on 6 July 2020, created important powers to support this policy. They enabled His Majesty's Government to designate persons who were involved in certain activities which, had they been 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 certain human rights. As of August 2026, over 180 individuals or entities have been sanctioned under the 2020 Regulations.

5.3 This instrument expands the powers available to the Government to enable it to use sanctions to respond to a wider range of serious abuses and violations of IHRL, including the right to liberty and security of person. It will also enable the Government to respond to serious violations of IHL and the obstruction of humanitarian assistance. Although several existing geographic sanctions regimes – including Sudan, Syria, Myanmar and Democratic Republic of Congo already contain IHL designation criteria, the addition of these criteria to those that were available under the 2020 Regulations will permit the Government to address serious violations of IHL across the globe.

5.4 Part 2 of this instrument contains the criteria for involvement pursuant to which a Minister may decide to designate a person ("designated person") as being subject to a travel ban, director disqualification and/or financial sanctions.

5.5 Part 3 of this instrument sets out the financial sanctions measures that can be imposed on designated persons, and the offences potentially committed if the measures are not adhered to. The financial sanctions that can be imposed under this instrument consist of an asset-freeze, ensuring a designated person's funds and economic resources (non-financial assets and benefits, such as property or vehicles) are not dealt with, and ensuring that funds and economic resources are not made available to or for the benefit of a designated person, either directly or indirectly.

5.6 Part 4 of this instrument outlines the effect of director disqualification sanctions made under this instrument. Such a designation means the designated person is banned from: a) being a director of a UK company; b) being a director of a foreign company that has sufficient connection to the UK, even if it is not registered here, for example, if it carries out business or has assets here; and c) directly or indirectly taking part in or being concerned in the promotion, formation or management of a company.

5.7 Part 5 of this instrument outlines the effect of the immigration measures made under this instrument. Designation under regulation 5 of the instrument for the purpose of an immigration measure means that section 8B of the Immigration Act 1971 then applies to the designated person: such a person is subsequently banned from travelling to or via the UK and any permission to stay in the UK that they may have is cancelled. In

certain circumstances the Secretary of State may direct that the travel ban does not apply.

5.8 Part 6 of this instrument makes provision in respect of exceptions and licences that may apply or be available, as the case may be, in respect of prohibitions and requirements implemented under this instrument. It states that HM Treasury may issue specific licences to permit activity prohibited by Part 3 (Finance) where it is appropriate for a purpose set out in Schedule 2 of the instrument. Schedule 2 outlines the circumstances in which a person can apply for a licence, for example allowing funds to be released in order to pay for basic needs, such as food.

5.9 Part 9 of this instrument revokes the 2020 Regulations and makes transitional provision in relation to designations made and licences issued under those regulations. Where such designations and licences were in place immediately prior to entry into force of this instrument, they will continue to have effect under the new regulations, in reliance on the specific power in Section 54(2)(b) of the Sanctions Act.

What was the previous policy, how is this different?

5.10 As above, the 2020 Regulations enabled the Government to designate persons who were involved in certain activities which, which had they been 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 certain human rights – including in relation to the right to life; the right to not be subject to cruel, inhumane or degrading treatment; and, the right to be free from slavery, servitude, or forced/compulsory labour.

5.11 The range of activities covered by the regime is being expanded to include new criteria. The list of human rights covered now includes the right to liberty and security of person. In addition, the Government will be able to designate persons suspected of involvement in serious violations of international humanitarian law or in obstructing the delivery or distribution of, or access to, humanitarian assistance. The designation of such persons is intended to deter, and provide accountability for, such activities. As in the 2020 Regulations, persons can be designated so as to apply a travel ban, an asset freeze and, where applicable, a director disqualification.

5.12 The 2020 Regulations enabled the designation of persons by name only. In addition to designation by name, this instrument makes it possible to designate persons by description.

5.13 As with the 2020 Regulations this instrument also makes provision for certain exceptions to the prohibitions and requirements that apply in relation to designated persons. As with other sanctions regulations, the Treasury may issue licences to permit activity otherwise prohibited by financial sanctions measures and the Secretary of State may issue licences to permit activity otherwise prohibited by director disqualification sanctions.

6. Legislative and Legal Context

How has the law changed?

6.1 The Sanctions Act establishes a legal framework which enables His Majesty's Government to introduce new sanctions regimes. These regimes can be made for the purpose of compliance with United Nations obligations and other international obligations, as well as for a number of other purposes, including: promoting compliance with international human rights law and respect for human rights; and

promoting compliance with international humanitarian law. A sanctions regime enables the imposition of sanctions for the purposes stated in the regime.

6.2 As set out above, this instrument revokes and re-enacts, with expanded purposes and designation criteria, the 2020 Regulations to give the Government greater powers to designate those involved in serious violations and abuses of human rights, and new powers to designate those involved in serious violations of international humanitarian law and in the obstruction of humanitarian assistance.

Why was this approach taken to change the law?

6.3 Revoking and replacing the 2020 Regulations under the legal framework provided by the Sanctions Act is considered to be the most effective and appropriate way to change the law. Rather than further amending the existing Regulations, we have introduced a new set of Regulations to allow the significant extension of scope to be reflected appropriately in the title.

6.4 This instrument furthers the Government's policy objectives by giving the flexibility to respond to serious violations of IHL and to obstruction of humanitarian assistance around the world and enhancing our ability to act globally and in response to serious violations of the right to liberty and security.

7. Consultation

Summary of consultation outcome and methodology

7.1 No consultation has been carried out on this instrument. However, public consultation was carried out in relation to the Sanctions Act.

7.2 There is neither a requirement in the Sanctions Act for public consultation on instruments made under the Act, nor is there any other legal obligation to consult in respect of this instrument. His Majesty's Government will continue to engage with stakeholders on the implementation of UK sanctions.

8. Applicable Guidance

8.1 In accordance with section 43 of the Sanctions Act, guidance has been published in relation to the prohibitions and requirements under the 2020 Regulations. This guidance will be updated to reflect the amendments to those Regulations made by this instrument.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because no, or no significant, impact on the private, voluntary or public sector is foreseen. UK businesses must already comply with sanctions against individuals and entities appearing on a regularly updated GOV.UK list. The process for notifying businesses remains unchanged, so we do not expect significant changes to the IT systems or administrative systems.

9.2 The FCDO has undertaken a De Minimis Assessment to estimate costs to UK businesses resulting from this instrument. We have not been able to monetise any impacts because any such costs are expected to be negligible. The Regulations are enabling legislation only, they expand the legal criteria for future designations but do

not themselves designate any persons or entities, impose new obligations on businesses, or change the existing sanctions compliance framework.

9.3 As such where any monetary impacts may exist, we do not expect them to exceed the De Minimis threshold of £10 million per annum. Therefore, a full Regulatory Impact Assessment has not been conducted.

Impact on businesses, charities and voluntary bodies

9.4 There is no significant, impact on businesses, charities or voluntary bodies.

9.5 The legislation does not, or not significantly, impact small or micro businesses.

9.6 There is no, or no significant, impact on the public sector.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 If His Majesty's Government determined that it was no longer appropriate to maintain a sanctions regime or specific sanctions measures, that regime would be removed or amended accordingly. As such, the Minister does not consider that a review clause in this instrument is appropriate.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 The Regulations, which are subject to the affirmative parliamentary procedure, are laid before Parliament on 13 October 2026 under section 55(3) of the Sanctions Act and will come into force on 15 October 2026.

11.2 This instrument repeals and replaces an autonomous sanctions regime which does not contain any 'UN regulations' within the meaning of section 55(7) of the Sanctions Act. Therefore, the instrument attracts the affirmative Parliamentary procedure, as provided for in section 55(3).

Matters of Special Interest for the Joint Committee for Statutory Instruments

11.3 This instrument revokes and replaces S.I. 2020/680 to consolidate amendments previously made to the 2020 Regulations, to provide the Government with new powers (see Policy Context) and have the expansion of powers reflected in the instrument title.

11.4 As above (4.2) designations and licences introduced under the 2020 Regulations and in force immediately prior to entry into force of this instrument will continue to have effect under the new regulations. To avoid ceasing to have effect in the UK this instrument must be approved by both Houses of Parliament within 28 days of being made, in accordance with section 55(3)(b) of the Sanctions Act.

11.5 To avoid designations and licences introduced under the 2020 Regulations ceasing to have effect in the Overseas Territories, this instrument will come into force on the same date as the Global Human Rights and International Humanitarian Law Sanctions (Overseas Territories) Order 2026.

11.6 Pursuant to sections 17 and 23 of the Interpretation Act 1978 (c. 30), any act taken under the 2020 Regulations will have effect as if it were done under this instrument.

12. European Convention on Human Rights

12.1 Stephen Doughty MP has made the following statement regarding Human Rights: "In my view the provisions of the Global Human Rights and International Humanitarian Law Sanctions Regulations 2026 are compatible with the Convention rights."

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").