

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2021 Nr. 111

A. TITEL

*Handvest van de Verenigde Naties;
San Francisco, 26 juni 1945*

Voor een overzicht van de verdragsgegevens, zie verdragsnummer 006585 in de Verdragenbank.

B. TEKST

Op 29 juli 2021 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 8828^e zitting Resolutie 2588 (2021) inzake de Centraal-Afrikaanse Republiek aangenomen. De Engelse tekst van de resolutie luidt:

Resolution 2588 (2021)

Adopted by the Security Council at its 8828th meeting, on 29 July 2021

The Security Council,

Recalling all of its previous resolutions, statements of its President, and press statements on the situation in the Central African Republic (CAR),

Welcoming the efforts made by the CAR authorities, in coordination with their regional and international partners, to advance the reform of the security sector (SSR), including the ongoing deployment of CAR defence and security forces, *encouraging* them to implement their National Defence Plan, Force Employment Concept, and National Security Policy, and *acknowledging* the urgent need for the CAR authorities to train and equip their defence and security forces to be able to respond proportionately to threats to the security of all citizens in the CAR and to protect and promote human rights and prevent violations and abuses,

Expressing concern that some signatories to the Peace Agreement continue to disregard their commitments, *urging* all signatories to implement the Peace Agreement in good faith and without delay, *also urging* all stakeholders in the CAR to engage in dialogue to make further progress toward peace, security, justice, reconciliation, inclusivity and development, and *underscoring* the need for international partners to support the implementation of the Peace Agreement and continue coordinating their actions with the CAR Government to bring lasting peace and stability to the CAR,

Taking note of the request of the CAR authorities to lift the arms embargo expressed in their letters of 5 January 2021 and 12 January 2021, *also taking note of* the support for this request expressed by the heads of state of Angola and Congo on behalf of the International Conference on the Great Lake Region (ICGLR) and the Economic Community of Central African States (ECCAS) during its public meeting of 23 June 2021,

Recalling that the Security Council Committee established pursuant to resolution 2127 (2013) concerning the CAR ("the Committee") has approved all exemption requests submitted by the CAR authorities under the framework of the arms embargo,

Reiterating its readiness to review the arms embargo measures, through inter alia suspension or progressive lifting of these measures, in the light of progress achieved on the key benchmarks for the review of the arms embargo measures, established in the statement of its President of 9 April 2019 (S/PRST/2019/3) ("the key benchmarks"), and *stressing* the need for the CAR authorities to ensure physical protection, control, management, traceability, and accountability of weapons, ammunition and military equipment transferred to their control,

Welcoming the commitment demonstrated and the progress made by the CAR authorities, along with their regional and international partners, to achieve some of the key benchmarks, *noting* in particular progress in the operationalization of the Commission nationale de lutte contre la prolifération des armes légères et de petit calibre, *welcoming* the adoption of the Law on the General Regime for Conventional Weapons and Their Component Parts and Ammunition in the Central African Republic and the establishment by the President of the Republic of a Committee for the Coordination of Mechanisms for the Control and Management of arms and ammunition in the Central African Republic,

Encouraging the CAR authorities to continue with their efforts aimed at reforming their security forces, implementing the Disarmament, Demobilisation, Reintegration and Repatriation (DDRR) programme in line with the Peace Agreement and operating an effective weapons and ammunition management system, *calling on* the CAR authorities and MINUSCA to effectively coordinate and *also calling on* the CAR authorities to take all appropriate measures to enhance the safety and security of United Nations personnel and equipment,

Stressing the importance of the CAR authorities achieving the key benchmarks in order to contribute to the advancement of the SSR process, the DDRR process and necessary weapons and ammunition management reforms, *encouraging* the CAR authorities to continue their progress in this regard, *calling on* regional and international partners to provide coordinated support to the CAR authorities in these efforts, *noting* in that regard the roles of MINUSCA in line with its mandate, the European Union Training Mission in the CAR (EUTM) and the African Union Observer Mission in the CAR (MOUACA), as well as joint bilateral commissions, and *calling attention* to the need for the CAR authorities to facilitate access by the Panel of Experts and MINUSCA to the arms and related material exported to CAR in compliance with the arms embargo, to develop an arms registration and management protocol, and to launch the process for marking and tracing weapons,

Welcoming efforts by the Panel of Experts to investigate violations of the arms embargo, and *noting* its intention to hold those who violate the arms embargo accountable,

Recalling that deliveries of weapons, ammunition and military equipment and the provision of technical assistance or training, to the CAR security forces and intended solely for support of or use in the CAR process of SSR, by Member States or international, regional and subregional organisations should only be used for the purposes specified in the relevant notifications and exemption requests and underlining their contribution to the development of CAR security sector institutions, to the response to the specific needs of the CAR defence and security forces, and to the support to the progressive extension of State authority,

Stressing that the measures imposed by this resolution are not intended to have adverse humanitarian consequences for the civilian population of the CAR,

Recalling the need for States to ensure that all measures taken by them to implement this resolution comply with their obligations under international law, including international humanitarian law, international human rights law and international refugee law, as applicable,

Welcoming the report of the Secretary-General of 16 June 2021 (S/2021/571) submitted pursuant to resolution 2552 (2020),

Taking note of the Secretary-General's letter dated 15 June 2021 addressed to the President of the Security Council (S/2021/573) consistent with paragraph 13 of resolution 2536 (2020) and of the CAR authorities' reports addressed on 11 January 2021 and 16 July 2021 to the Committee consistent with paragraph 12 of resolution 2536 (2020),

Further taking note of the final report (S/2021/569) of the Panel of Experts on the CAR established pursuant to resolution 2127 (2013), expanded by resolution 2134 (2014) and extended pursuant to resolution 2536 (2020) ("the Panel of Experts"), and *taking note also of* the Panel of Experts' recommendations,

Determining that the situation in the CAR continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that, until 31 July 2022, all Member States shall continue to take the necessary measures to prevent the direct or indirect supply, sale or transfer to the CAR, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories, and *further decides* that these measures shall not apply to:
 - a) Supplies intended solely for the support of or use by MINUSCA and the European Union training missions deployed in the CAR, French forces under the conditions provided by paragraph 52 of resolution 2552 (2020), and other Member States' forces providing training and assistance as notified in advance in accordance with paragraph 1 (b) below;

- b) Supplies of non-lethal equipment and provision of assistance, including operational and non-operational training to the CAR security forces, including state civilian law enforcement institutions, intended solely for support of or use in the CAR process of security sector reform (SSR), in coordination with MINUSCA, and as notified in advance to the Committee, and *requests* that MINUSCA report on the contribution to SSR of this exemption, as part of its regular reports to the Council;
 - c) Supplies brought into the CAR by Chadian or Sudanese forces solely for their use in international patrols of the tripartite force established on 23 May 2011 in Khartoum by the CAR, Chad and Sudan, to enhance security in the common border areas, in cooperation with MINUSCA, as approved in advance by the Committee;
 - d) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as notified in advance to the Committee;
 - e) Protective clothing, including flak jackets and military helmets, temporarily exported to the CAR by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;
 - f) Supplies of small arms and other related equipment intended solely for use in international-led patrols providing security in the Sangha River Tri-national Protected Area and by armed wildlife rangers of the Chinko Project and the Bamingui-Bangoran National Park to defend against poaching, smuggling of ivory and arms, and other activities contrary to the national laws of the CAR or the CAR's international legal obligations, as notified in advance to the Committee;
 - g) Supplies of weapons with a calibre of 14.5 mm or less, and ammunition and components specially designed for such weapons, and of unarmed ground military vehicles and ground military vehicles mounted with weapons with a calibre of 14.5 mm or less and their spare parts, and of RPG and ammunition specially designed for such weapons, and of mortars with a calibre of 60 mm and 82 mm ammunition specially designed for such weapons, and provision of related assistance, to the CAR security forces, including state civilian law enforcement institutions, and intended solely for support of or use in the CAR process of SSR, as notified in advance to the Committee;
 - h) Supplies of arms and other related lethal equipment that are not listed in paragraph 1 (g) of this resolution, and provision of related assistance, to the CAR security forces, including state civilian law enforcement institutions, and intended solely for support of or use in the CAR process of SSR, as approved in advance by the Committee; or
 - i) Other sales or supply of arms and other related materiel, or provision of assistance or personnel, as approved in advance by the Committee;
2. *Decides* that the supplying Member State is primarily responsible for notifying the Committee and that such notification must be at least 20 days in advance of the delivery of any supplies as permitted in paragraph 1 (d), paragraph 1 (f) and paragraph 1 (g) of this resolution and *affirms* that the supplying international, regional or subregional organisation is primarily responsible for notifying the Committee and that such notification must be at least 20 days in advance of the delivery of any supplies as permitted in paragraph 1 (d), paragraph 1 (f) and paragraph 1 (g) of this resolution;
 3. *Decides* to renew until 31 July 2022 the measures and provisions as set out in paragraphs 4 and 5 of resolution 2488 (2019) and in paragraph 2 of resolution 2399 (2018) and *recalls* paragraphs 8 and 9 of resolution 2488 (2019);
 4. *Decides* to renew until 31 July 2022 the measures and provisions as set out in paragraphs 9, 14, and 16 to 19 of resolution 2399 (2018) and extended by paragraph 4 of resolution 2536 (2020) and *recalls* paragraphs 10 to 13 and 15 of resolution 2399 (2018);
 5. *Reaffirms* that the measures described in paragraphs 9 and 16 of resolution 2399 (2018) shall apply to individuals and entities as designated by the Committee, as set forth in paragraphs 20 to 22 of resolution 2399 (2018) and extended by paragraph 5 of resolution 2536 (2020), including for involvement in planning, directing, sponsoring or committing acts in the CAR that violate international humanitarian law, which include attacks against medical personnel or humanitarian personnel;
 6. *Decides* to extend until 31 August 2022 the mandate of the Panel of Experts, as set out in paragraphs 30 to 39 of resolution 2399 (2018) and extended by paragraph 6 of resolution 2536 (2020), *expresses* its intention to review the mandate and take appropriate action regarding its further extension no later than 31 July 2022, and *requests* the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Panel of Experts, in consultation with the Committee, drawing, as appropriate, on the expertise of the current members of the Panel of Experts;
 7. *Requests* the Panel of Experts to provide to the Council, after discussion with the Committee, a midterm report no later than 31 January 2022, a final report no later than 30 June 2022, and progress updates, as appropriate;
 8. *Expresses particular concern* about reports of illicit transnational trafficking networks which continue to fund and supply armed groups in the CAR, and *requests* the Panel, in the course of carrying out its mandate, to devote special attention to the analysis of such networks, in cooperation with other Panels or Groups of Experts established by the Security Council as appropriate;
 9. *Urges* all parties, and all Member States, as well as international, regional and subregional organisations to ensure cooperation with the Panel of Experts and the safety of its members;
 10. *Further urges* all Member States and all relevant United Nations bodies to ensure unhindered access, in particular to persons, documents and sites in order for the Panel of Experts to execute its mandate and *recalls* the value of information-sharing between MINUSCA and the Panel of Experts;

11. *Reaffirms* the Committee provisions and the reporting and review provisions as set out in resolution 2399 (2018) and extended by resolution 2536 (2020);
12. *Requests* the CAR authorities to report, by 15 June 2022, to the Committee on the progress achieved regarding the SSR, the disarmament, demobilisation, reintegration and repatriation (DDRR) process and the management of weapons and ammunition;
13. *Requests* the Secretary-General, in close consultation with MINUSCA, including UNMAS, and the Panel of Experts, to conduct, no later than 15 June 2022, an assessment on the progress achieved by the CAR authorities on the key benchmarks;
14. *Affirms* that it shall keep the situation in the CAR under continuous review and be prepared to review the appropriateness of the measures contained in this resolution, at any time as may be necessary, in light of the evolution of the security situation in the country, of the progress achieved in relation to the SSR process, the DDRR process and the management of weapons and ammunition, in particular the management and tracking of notified and exempted arms and other related equipment, including in relation to the report and assessment requested in paragraphs 12 and 13 of this resolution, and of compliance with this resolution;
15. *Decides* to remain actively seized of the matter.

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat de resolutie zal zijn bekendgemaakt in het gehele Koninkrijk op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *vierentwintigste* augustus 2021.

De Minister van Buitenlandse Zaken,

S.A.M. KAAG