

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2022 Nr. 60

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 26 mei 2022 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 9045^e zitting Resolutie 2633 (2022) inzake Zuid-Soedan aangenomen. De Engelse tekst van de resolutie luidt:

Resolution 2633 (2022)

Adopted by the Security Council at its 9045th meeting, on 26 May 2022

The Security Council,

Recalling its previous resolutions, statements of its President, and press statements on the situation in South Sudan,

Affirming its support for the 2018 "Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan" (the Revitalised Agreement), *stressing* that the peace process only remains viable with the full commitment by all parties, and *welcoming* in this regard encouraging developments in implementing the Revitalised Agreement, including reconstituting the Transitional National Legislative Assembly, the Council of States, state parliaments, and the adoption of a national constitution amendment bill, in order to create the conditions necessary to advance the peace process,

Expressing appreciation for the leadership of the Intergovernmental Authority on Development (IGAD) in advancing the peace process in South Sudan, *commending* the ongoing mediation by the Community of Sant'Egidio to foster political dialogue between signatories and non-signatories of the Revitalised Agreement, and *calling* on South Sudanese parties to demonstrate the political will to peacefully resolve the outstanding differences that are driving continued violence,

Recognizing that the permanent ceasefire was upheld in most parts of the country between the parties to the Revitalised Agreement, *welcoming* the 3 April 2022 agreement by those parties to a unified command structure for the Necessary Unified Forces and the first round of appointments of positions within the command structure, *underscoring* the need for the parties to avoid a relapse into widespread conflict, respect the agreed command structure arrangement, and observe fully their obligations under the 3 April 2022 agreement, and *stressing* the need to expeditiously finalize the security arrangements set out in Chapter II of the Revitalised Agreement,

Reiterating its alarm and deep concern regarding the political, security, economic, and humanitarian crisis in South Sudan, and *emphasizing* there can be no military solution to the situation in South Sudan,

Expressing deep concern at continued fighting in South Sudan, *condemning* repeated violations of the Revitalised Agreement and the Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access (ACOH), *strongly condemning* all fighting, including violence and casualties from recent defections in

Leer county, and *demanding* that parties that violate the ACOH are held accountable in accordance with their obligations under the ACOH and Revitalised Agreement,

Expressing its alarm and deep concern over continued armed violence against humanitarian workers and facilities, including the killing of at least four humanitarian workers so far this year and the looting and destruction of life-saving assistance, *strongly condemning* all instances of violence against humanitarians, *stressing* the detrimental impact of continued insecurity on humanitarian operations across the country, and *calling* on the Revitalised Transitional Government of National Unity (RTGNU) to protect humanitarian personnel and create a safe and enabling environment for humanitarian assistance, consistent with international humanitarian law and its obligations under the Revitalised Agreement,

Expressing grave concern regarding increased violence between armed groups in some parts of South Sudan, which has killed and displaced thousands, and *condemning* the mobilization of such groups by parties to the conflict,

Expressing concern regarding the delays in implementing the Revitalised Agreement, *calling* on the parties to implement fully the Revitalised Agreement, including by allocating the necessary financial resources, establishing transitional institutions without delay, and ensuring full, equal, and meaningful participation of women, and inclusion of youth, faith groups, and civil society in all conflict resolution and peacebuilding efforts, and to make progress on transitional reforms, including establishing free and open civic space, an inclusive constitutional drafting process, and economic transparency and public financial management reform,

Appreciating that Member States continue to express clear intent to provide technical assistance and capacity building to relevant authorities in South Sudan, complying with the provisions of resolution 2428 (2018), in support of the implementation of the Revitalised Agreement, and *encouraging* Member States to provide support to the RTGNU on ammunition storage and armory control, with the view to build South Sudan's capacity in light of the benchmarks set out in paragraph 2 of resolution 2577 (2021)

Strongly condemning past and ongoing human rights violations and abuses and violations of international humanitarian law, including the alarming surge in conflict-related sexual violence which is a basis for designation, as described in paragraph 15 (e) of resolution 2521 (2020), *further condemning* harassment and targeting of civil society, humanitarian personnel and journalists, and *emphasizing* that those responsible for violations of international humanitarian law and violations and abuses of human rights must be held accountable, and that the RTGNU bears the primary responsibility to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity,

Recalling the need for Member 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,

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

Expressing deep concern at reports of misappropriation of funds that undermine the stability and security of South Sudan, and *stressing* that these activities can have a devastating impact on society and individuals, weaken democratic institutions, undermine the rule of law, perpetuate violent conflicts, facilitate illegal activities, divert humanitarian assistance or complicate its delivery, and undermine economic markets,

Also expressing grave concern at the threat to peace and security in South Sudan arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons,

Strongly encouraging the South Sudan authorities to continue their engagement with the Panel of Experts and prevent any obstruction to the implementation of its mandate,

Taking note of the Final 2022 report (S/2022/359) of the United Nations Panel of Experts,

Taking note of the report of the Secretary-General on South Sudan arms embargo benchmarks (S/2021/321),

Taking note of the Secretary-General's report of 3 May 2022 (S/2022/370), as requested in paragraph 4 of its resolution 2577 (2021), providing an assessment of the progress achieved on the key benchmarks,

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

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

Arms Embargo and Inspections

1. *Decides* to renew until 31 May 2023 the measures on arms imposed by paragraph 4 of resolution 2428 (2018), and reaffirms the provisions of paragraph 5 of resolution 2428 (2018);
2. *Decides* that the measures renewed in paragraph 1 shall not apply to the supply, sale or transfer of non-lethal military equipment, solely in support of the implementation of the terms of the peace agreement, as notified in advance to the Committee;
3. *Reiterates* its readiness to review arms embargo measures, through *inter alia* modification, suspension, or progressive lifting of these measures, in the light of progress achieved on the key benchmarks as set out in paragraph 2 of resolution 2577 (2021), and encourages the South Sudan authorities to achieve further progress in this regard;
4. *Reiterates its call* on the RTGNU to make progress on implementation of public finance management reforms in the Revitalised Agreement, including by making information on all revenues, expenditures, deficits, and debts of the RTGNU accessible to the public; and *further reiterates its call* on the RTGNU to establish the Hybrid Court for South Sudan, and set up the Commission for Truth, Reconciliation, and Healing and the Compensation and Reparation Authority;
5. *Requests* in this regard the Secretary-General, in close consultation with the United Nations Mission in South Sudan (UNMISS) and the Panel of Experts, to conduct, no later than 15 April 2023, an assessment of progress achieved on the key benchmarks established in paragraph 2 of resolution 2577 (2021);
6. *Requests* the South Sudan authorities to report, no later than 15 April 2023, to the Committee established pursuant to resolution 2206 (2015) concerning South Sudan ("the Committee") on the progress achieved on the key benchmarks in paragraph 2 of resolution 2577 (2021), and *invites* the South Sudan authorities to report on progress achieved on implementation of reforms in paragraph 3;
7. *Stresses* the importance that notifications or requests for exemptions pursuant to paragraph 5 of resolution 2428 (2018) should contain all relevant information, including the purpose of the use, the end user, the technical specifications and quantity of the equipment to be shipped and, when applicable, the supplier, the proposed date of delivery, mode of transportation and itinerary of shipments;
8. *Underscores* that arms shipments in violation of this resolution risk fueling conflict and contributing to further instability, and strongly urges all Member States to take urgent action to identify and prevent such shipments within their territory;
9. *Calls upon* all Member States, in particular States neighboring South Sudan, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to South Sudan, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, or transfer of which is prohibited by paragraph 4 of resolution 2428 (2018) for the purpose of ensuring strict implementation of these provisions;
10. *Decides* to authorize all Member States to, and that all Member States shall, upon discovery of items the supply, sale, or transfer of which is prohibited by paragraph 4 of resolution 2428 (2018), seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) of such items, and decides further that all Member States shall cooperate in such efforts;
11. *Requires* any Member State when it undertakes an inspection pursuant to paragraph 7 of this resolution, to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items for supply, sale, or transfer are found, further requires such Member States to submit to the Committee within 30 days a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report;

Targeted Sanctions

12. *Decides* to renew until 31 May 2023 the travel and financial measures imposed by paragraphs 9 and 12 of resolution 2206 (2015), and reaffirms the provisions of paragraphs 10, 11, 13, 14 and 15 of resolution 2206 (2015), and paragraphs 13, 14, 15 and 16 of resolution 2428 (2018);
13. *Decides* to keep the measures renewed in paragraph 11 under continuous review in light of progress achieved implementing all provisions of the Revitalised Agreement and developments related to human rights violations and abuses, including conflict-related sexual violence, and *expresses* its readiness to consider adjusting measures in paragraph 11, including through modifying, suspending, lifting or strengthening measures to respond to the situation;
14. *Underscores* its willingness to impose targeted sanctions in order to support the search for an inclusive and sustainable peace in South Sudan, and *notes* that the Committee can consider requests for delisting of individuals and entities;
15. *Reaffirms* that the provisions of paragraph 9 of resolution 2206 (2015) apply to individuals, and that the provisions of paragraph 12 of resolution 2206 (2015) apply to individuals and entities, as designated for such measures by the Committee, as responsible for or complicit in, or having engaged in, directly or indirectly, actions or policies that threaten the peace, security or stability of South Sudan, and *further reaffirms* that the provisions of paragraphs 9 and 12 of resolution 2206 (2015) apply to individuals, as desig-

nated for such measures by the Committee, who are leaders or members of any entity, including any South Sudanese government, opposition, militia, or other group, that has, or whose members have, engaged in any of the activities described in this paragraph and paragraph 14;

16. *Expresses* concern at reports of misappropriation and diversion of public resources which pose a risk to the peace, security, and stability of South Sudan, expresses serious concern at reports of financial impropriety, lack of transparency, oversight and financial governance, which pose a risk to the peace, stability, and security of South Sudan, and are out of compliance with Chapter IV of the Revitalised Agreement, and in this context, *underscores* that individuals engaged in actions or policies that have the purpose or effect of expanding or extending the conflict in South Sudan may be listed for travel and financial measures;

Sanctions Committee and Panel of Experts

17. *Emphasizes* the importance of holding regular consultations with concerned Member States, international and regional and subregional organizations, as well as UNMISS, as may be necessary, in particular neighboring and regional States, in order to ensure the full implementation of the measures in this resolution, and in that regard encourages the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members;
18. *Decides* to extend until 1 July 2023 the mandate of the Panel of Experts as set out in paragraph 19 of resolution 2428 (2018), and decides that the Panel of Experts should provide to the Council, after discussion with the Committee, an interim report by 1 December 2022, a final report by 1 May 2023, and except in months when these reports are due, updates each month;
19. *Requests* the Secretariat to include the necessary gender expertise on the Panel of Experts, in line with paragraph 6 of resolution 2242 (2015), and encourages the Panel to integrate gender as a cross-cutting issue across its investigations and reporting;
20. *Calls upon* all parties and all Member States, as well as international, regional and subregional organizations to ensure cooperation with the Panel of Experts, including by providing any information on illicit transfers of wealth from South Sudan into financial, property and business networks and *further urges* all Member States involved to ensure the safety of the members of the Panel of Experts and unhindered access, in particular to persons, documents and sites in order for the Panel of Experts to execute its mandate;
21. *Requests* the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative for Sexual Violence in Conflict to share relevant information with the Committee in accordance with paragraph 7 of resolution 1960 (2010) and paragraph 9 of resolution 1998 (2011), and invites the High Commissioner for Human Rights to share relevant information with the Committee, as appropriate;
22. *Encourages* timely information exchange between UNMISS and the Panel of Experts, and requests UNMISS to assist the Committee and the Panel of Experts, within its mandate and capabilities;
23. *Invites* the Revitalised Joint Monitoring and Evaluation Commission (RJMEC) to share relevant information with the Council, as appropriate, on its assessment of the parties' implementation of the Revitalised Agreement, adherence to the ACOH, and the facilitation of unhindered and secure humanitarian access;
24. *Decides* to remain seized of the matter.

Op 3 juni 2022 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 9053^e zitting Resolutie 2635 (2022) inzake Libië aangenomen. De Engelse tekst van de resolutie luidt:

Resolution 2635 (2022)

Adopted by the Security Council at its 9053rd meeting, on 3 June 2022

The Security Council,

Recalling its resolution 1970 (2011) imposing the arms embargo on Libya and all its subsequent relevant resolutions,

Recalling its resolutions 2292 (2016), 2357 (2017), 2420 (2018), 2473 (2019), 2526 (2020) and 2578 (2021) concerning the strict implementation of the arms embargo on the high seas off the coast of Libya,

Reaffirming its resolution 2570 (2021),

Recognizing the important role of neighbouring countries and regional organizations,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Reaffirming its determination that terrorism, in all forms and manifestations, constitutes one of the most serious threats to peace and security,

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

1. *Decides* to extend the authorizations as set out in resolution 2578 (2021) for a further 12 months from the date of this resolution;
2. *Requests* the Secretary-General to report to the Security Council six months and eleven months after the adoption of this resolution on its implementation;
3. *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 resoluties zullen zijn bekendgemaakt in het gehele Koninkrijk op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *achtste* juli 2022.

De Minister van Buitenlandse Zaken,

W.B. HOEKSTRA