

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2023 Nr. 76

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 30 mei 2023 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 9332^e zitting Resolutie 2683 (2023) inzake Zuid-Soedan aangenomen. De Engelse tekst van de resolutie luidt:

Resolution 2683 (2023)

Adopted by the Security Council at its 9332nd meeting, on 30 May 2023

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, *urging* the full implementation without delay of the Revitalised Agreement and of the Agreement on the Roadmap to a Peaceful and Democratic end to the Transitional Period of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan, and *noting with concern* the delayed implementation of the Revitalised Agreement, which necessitated a further two-year extension of the transitional political arrangements,

Welcoming encouraging developments in the implementation of elements of the Revitalised Agreement, including the completion of the first phase of the training and graduation of the Necessary Unified Forces, the drafting of documents required in stage 1 of the Strategic Defence and Security Review, and on training, awareness-raising, and sensitization for the implementation of the Joint Action Plan for the Armed Forces on addressing conflict-related sexual violence,

Expressing appreciation for the leadership of the Intergovernmental Authority on Development (IGAD) in advancing the peace process in South Sudan, *welcoming* the resumption of 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,

Expressing concern over the continued intensification of violence prolonging the political, security, economic, and humanitarian crisis in most parts of the country, *condemning* the mobilization of armed groups and encouragement of defections, including by members of the government forces and armed opposition groups, and *further recognizing* that intercommunal violence in South Sudan is politically and economically linked to national-level violence and corruption,

Underscoring the need for the parties to avoid a relapse into widespread conflict and respect the agreed command structure arrangement, and *stressing* the need to expeditiously finalize the security arrangements set out in Chapter II of the Revitalised Agreement, including by ensuring regular and adequate payment of sala-

ries to the Necessary Unified Forces, consistent with the budgetary outlays to the National Security Service and of the South Sudan Presidential Guard Unit, and by assigning clear missions to these forces in keeping with the Strategic Defense and Security Review (SDSR) process contained in the Revitalised Agreement,

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 in Upper Nile, Jonglei, and Central Equatoria states, and *demanding* that parties that violate the ACOH be held accountable in accordance with their obligations under the ACOH and Revitalised Agreement,

Strongly condemning past and ongoing human rights violations and abuses and violations of international humanitarian law by all parties, including by armed groups and national security forces, as well as the incitement to commit such abuses and violations, and 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, targeting, and censorship of civil society, including journalists, human rights defenders, humanitarian personnel, and media correspondents, *emphasizing* that those responsible for violations of international humanitarian law and violations and abuses of human rights must be held accountable, and that the Revitalised Transitional Government of National Unity (RTGNU) bears the primary responsibility to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity, and *expressing concern* that, despite the signing of the Revitalised Agreement, violations and abuses including those involving gender-based violence continue to occur, which may amount to international crimes, including war crimes and crimes against humanity,

Expressing its alarm and deep concern over continued armed violence against humanitarian workers and facilities, and food convoys that resulted in the deaths of at least 20 humanitarian workers and volunteers and nearly 50 security incidents since January 2023, and the looting and destruction of life-saving assistance, *strongly condemning* all instances of violence against humanitarians, *expressing* grave concern at the imposition of taxes and illegal fees which hamper the delivery of humanitarian assistance across the country, *stressing* the detrimental impact of continued insecurity on humanitarian operations across the country, *encouraging* all parties to allow and facilitate safe, rapid and unhindered humanitarian access to people in need, and *calling* on 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 deep concern regarding the delays in implementing the Revitalised Agreement, in particular *calling* for the use of a single Treasury account and the required audits, reviews and additional tools for an oil marketing system that is open, transparent, and competitive, as specified in Chapter 4 of 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, *expressing* deep concern about the detrimental effect of corruption and misuse of public funds on the RTGNU's ability to provide services to its population, and *further stressing* the need to enhance good economic governance to ensure effective national revenue collection and anti-corruption structures in order to finance implementation of regulatory framework essential for a political transition, and the humanitarian needs of the population,

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),

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, and *recalling* paragraph 1 of resolution 2664 (2022), which states that the provision, processing or payment of funds, other financial assets, or economic resources, or the provision of goods and services, by certain entities or organizations, necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs, are permitted and are not a violation of the asset freeze,

Expressing deep concern at the findings and conclusions shared through the Final 2023 report (S/2023/294) of the United Nations Panel of Experts, and *stressing* that armed violence, impunity and misallocation of revenues 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, and *further expressing concern* that illicit trafficking and diversion of arms and related materiel of all types undermine the rule of law and have the potential to undermine respect for international humanitarian law, can impede the provision of humanitarian assistance and have wide-ranging negative humanitarian and socioeconomic consequences,

Acknowledging the cooperation by the South Sudanese authorities with the Panel of Experts, and strongly *encouraging* the South Sudanese authorities to continue their engagement with the Panel of Experts and prevent any obstruction to the implementation of its mandate,

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 28 April 2023 (S/2023/300), as requested in paragraph 5 of its resolution 2633 (2022), 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 2024 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 notification requirements set out in paragraph 2 of resolution 2633 (2022) shall no longer 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, and related technical assistance or training on non-lethal military equipment;
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 2024, 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 2024, 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 4;
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. *Reiterates its call 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 9 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 2024 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 12 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 12, 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 designated 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 16;
16. *Reaffirms* that such actions or policies as described in paragraph 15 above may include, but are not limited to, the criteria described in paragraph 15 of resolution 2521 (2020), and *underscores* that actions or policies that have the purpose of impeding the conduct or legitimacy of free and fair elections in South Sudan, including by impeding or distorting pre-election preparatory activities, are also a basis for designation;
17. *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

18. *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;
19. *Decides* to extend until 1 July 2024 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 2023, a final report by 1 May 2024, and, except in months when these reports are due, updates each month, and *recalls* paragraph 6 of resolution 2664 (2022), which directs the Committee, assisted by the Panel of Experts, to monitor the implementation of paragraph 1 of resolution 2664 (2022), including any risk of diversion;
20. *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;
21. *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;
22. *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;

23. *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;
24. *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;
25. *Decides* to remain seized of the matter.

Op 2 juni 2023 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 9335^e zitting Resolutie 2684 (2023) inzake Libië aangenomen. De Engelse tekst van de resolutie luidt:

Resolution 2684 (2023)

Adopted by the Security Council at its 9335th meeting, on 2 June 2023

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), 2578 (2021) and 2635 (2022) concerning the strict implementation of the arms embargo on the high seas off the coast of Libya,

Reaffirming its resolution 2656 (2022),

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 2635 (2022) for a further 12 months from the date of this resolution;
2. *Requests* the Secretary-General to report to the Security Council within six months and eleven months of 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 *dertigste* juni 2023.

De Minister van Buitenlandse Zaken,

W.B. HOEKSTRA