

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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**JAARGANG 2012 Nr. 200**

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A. TITEL

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

B. TEKST

De Engelse tekst van het Handvest is bij Koninklijk Besluit van 21 december 1945 bekendgemaakt in *Stb.* F 321.

De Engelse en de Franse tekst, zoals gewijzigd, zijn geplaatst in *Trb.* 1979, 37.

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Op 16 september 2011 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 6620<sup>e</sup> zitting aangenomen Resolutie 2009 (2011). De Engelse tekst van de resolutie luidt:

**Resolution 2009 (2011)**

**Adopted by the Security Council at its 6620th meeting, on  
16 September 2011**

The Security Council,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Reaffirming its previous resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflict, 1612 (2006), 1882 (2009), 1998 (2011) on children in armed conflict, and 1325 (2000), 1820 (2008), 1888 (2009) 1889 (2009), and 1960 (2010) on women, peace and security,

Recalling its decision to refer the situation in Libya to the Prosecutor of the International Criminal Court, and the importance of cooperation for ensuring that those responsible for violations of human rights and international humanitarian law or complicit in attacks targeting the civilian population are held accountable,

Strongly condemning all violations of applicable human rights and international humanitarian law, including violations that involve unlawful killings, other uses of violence against civilians, or arbitrary arrests and detentions, in particular of African migrants and members of minority communities,

Also strongly condemning sexual violence, particularly against women and girls, and the recruitment and use of children in situations of armed conflict in contravention of applicable international law,

Considering that the voluntary and sustainable return of refugees and internally displaced persons will be a critical factor for the consolidation of peace in Libya,

Stressing that national ownership and national responsibility are key to establishing sustainable peace and the primary responsibility of national authorities in identifying their priorities and strategies for post-conflict peace-building,

Recalling the letter of the Secretary-General of 7 September 2011 (S/2011/542) and welcoming his intention to dispatch, at the request of the Libyan authorities, an initial deployment of personnel, to be led by a Special Representative of the Secretary-General,

Taking note of the letter of 14 September 2011 from Dr. Mahmoud Jibril, Prime Minister of the National Transitional Council of Libya, to the Secretary-General,

Expressing its gratitude to the Secretary-General's Special Envoy to Libya, Mr. Abdel-Elah Mohamed Al-Khatib, for his efforts to find a sustainable and peaceful solution in Libya,

Reaffirming that the United Nations should lead the effort of the international community in supporting the Libyan-led transition and rebuilding process aimed at establishing a democratic, independent and united Libya, welcoming the contributions in this regard of the Secretary-General's 26 August high-level meeting of regional organisations and the 1 September Paris Conference, and welcoming also the efforts of the African Union, Arab League, European Union and the Organization of the Islamic Cooperation,

Expressing concern at the proliferation of arms in Libya and its potential impact on regional peace and security,

Recalling its resolutions 1970 (2011) of 26 February 2011 and 1973 (2011) of 17 March 2011,

Recalling its determination to ensure that assets frozen pursuant to resolutions 1970 (2011) and 1973 (2011) shall as soon as possible be made available to and for the benefit of the people of Libya, welcoming steps taken by the Committee established pursuant to resolution 1970 (2011) and Member States in this regard, and underscoring the importance of making these assets available in a transparent and responsible manner in conformity with the needs and wishes of the Libyan people,

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

Acting under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. Takes note of the developments in Libya, welcomes the improved situation there, and looks forward to stability in Libya;

2. Looks forward to the establishment of an inclusive, representative transitional Government of Libya, and emphasises the need for the transitional period to be underpinned by a commitment to democracy, good governance, rule of law and respect for human rights;

3. Emphasises the importance of promoting the equal and full participation of women and minority communities in the discussions related to the political process in the post-conflict phase;

4. Welcomes the statements of the National Transitional Council appealing for unity, national reconciliation and justice, and its call for Libyans of all beliefs and backgrounds to refrain from reprisals, including arbitrary detentions;

5. Encourages the National Transitional Council to implement its plans to:

a) protect Libya's population, restore government services, and allocate Libya's funds openly and transparently;

b) prevent further abuses and violations of human rights and international humanitarian law and to put an end to impunity;

c) ensure a consultative, inclusive political process with a view to agreement on a constitution and the holding of free and fair elections;

d) ensure the safety of foreign nationals in Libya, particularly those who have been threatened, mistreated and/or detained; and

e) prevent the proliferation of man-portable surface-to-air missiles, small arms and light weapons, and meet Libya's arms control and non-proliferation obligations under international law;

6. Notes the National Transitional Council's calls to avoid acts of reprisals including against migrant workers;

7. Calls upon the Libyan authorities to promote and protect human rights, including those of people belonging to vulnerable groups, to comply with their obligations under international law, including international humanitarian law and human rights law, and calls for those responsible

for violations, including sexual violence, to be held accountable in accordance with international standards;

8. Strongly urges the Libyan authorities to ensure the protection of diplomatic personnel and premises in accordance with Vienna Convention on Diplomatic Relations of 1961;

9. Expresses its resolve to assist the people of Libya to achieve these goals, and urges all Member States to assist the people of Libya as appropriate;

10. Urges all Member States to cooperate closely with the Libyan authorities in their efforts to end impunity, in accordance with Libya's international obligations;

11. Calls upon the Libyan authorities to comply with the international obligations of Libya, including obligations set forth in the Charter of the United Nations, in accordance with international law, and further calls upon the Libyan authorities to honour extant contracts and obligations, in accordance with this and other relevant resolutions, and the law applicable to such contracts and obligations;

#### *UN Mandate*

12. Decides to establish a United Nations Support Mission in Libya (UNSMIL), under the leadership of a Special Representative of the Secretary-General for an initial period of three months, and decides further that the mandate of UNSMIL shall be to assist and support Libyan national efforts to:

- a) restore public security and order and promote the rule of law;
- b) undertake inclusive political dialogue, promote national reconciliation, and embark upon the constitution-making and electoral process;
- c) extend state authority, including through strengthening emerging accountable institutions and the restoration of public services;
- d) promote and protect human rights, particularly for those belonging to vulnerable groups, and support transitional justice;
- e) take the immediate steps required to initiate economic recovery; and
- f) coordinate support that may be requested from other multilateral and bilateral actors as appropriate;

#### *Arms Embargo*

13. Decides that the measure imposed by paragraph 9 of resolution 1970 (2011) shall also not apply to the supply, sale or transfer to Libya of:

- a) arms and related materiel of all types, including technical assistance, training, financial and other assistance, intended solely for security or disarmament assistance to the Libyan authorities and

notified to the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification;

b) small arms, light weapons and related materiel, temporarily exported to Libya for the sole use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, notified to the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification;

#### *Asset Freeze*

14. Decides that the Libyan National Oil Corporation (LNOC) and Zueitina Oil Company shall no longer be subject to the asset freeze and other measures imposed in paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011);

15. Decides to modify the measures imposed in paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011) with respect to the Central Bank of Libya, the Libyan Arab Foreign Bank (LAFB), the Libyan Investment Authority (LIA), and the Libyan Africa Investment Portfolio (LAIP) as follows:

a) funds, other financial assets and economic resources outside of Libya of the entities mentioned in this paragraph above that are frozen as of the date of this resolution pursuant to measures imposed in paragraph 17 of resolution 1970 (2011) or paragraph 19 of resolution 1973 (2011) shall remain frozen by States unless subject to an exemption as set out in paragraphs 19, 20 or 21 of that resolution or paragraph 16 below;

b) except as provided in (a), the Central Bank of Libya, the LAFB, the LIA, and the LAIP shall otherwise no longer be subject to the measures imposed in paragraphs 17 of resolution 1970 (2011), including that States are no longer required to ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of these entities;

16. Decides that in addition to the provisions of paragraph 19 of resolution 1970 (2011), the measures imposed by paragraph 17 of that resolution, as modified by paragraph 15 above and paragraph 19 of resolution 1973 (2011), do not apply to funds, other financial assets or economic resources of the Central Bank of Libya, the LAFB, the LIA and the LAIP provided that:

a) a Member State has provided notice to the Committee of its intent to authorize access to funds, other financial assets, or economic resources, for one or more of the following purposes and in the absence of a negative decision by the Committee within five working days of such a notification:

(i) humanitarian needs;

- (ii) fuel, electricity and water for strictly civilian uses;
- (iii) resuming Libyan production and sale of hydrocarbons;
- (iv) establishing, operating, or strengthening institutions of civilian government and civilian public infrastructure; or
- (v) facilitating the resumption of banking sector operations, including to support or facilitate international trade with Libya;

b) a Member State has notified the Committee that those funds, other financial assets or economic resources shall not be made available to or for the benefit of the individuals subject to the measures imposed in paragraph 17 of resolution 1970 (2011) or paragraph 19 of resolution 1973 (2011);

c) the Member State has consulted in advance with the Libyan authorities about the use of such funds, other financial assets, or economic resources; and

d) the Member State has shared with the Libyan authorities the notification submitted pursuant to this paragraph and the Libyan authorities have not objected within five working days to the release of such funds, other financial assets, or economic resources;

17. Calls upon States to exercise vigilance when acting pursuant to paragraph 16 above and to give due consideration to the use of international financial mechanisms to promote transparency and prevent misappropriation, in light of the challenges that yet remain for the Libyan authorities;

18. Requests the International Monetary Fund and the World Bank to work with the Libyan authorities on an assessment of Libya's public financial management framework, which would recommend steps to be taken by Libya to ensure a system of transparency and accountability with respect to the funds held by Libyan governmental institutions, including the LIA, LNOC, LAFB, LAIP and Libyan Central Bank, and further requests that the Committee be informed of the results of that assessment;

19. Directs the Committee, in consultation with the Libyan authorities, to review continuously the remaining measures imposed by resolutions 1970 (2011) and 1973 (2011) with respect to the Central Bank of Libya, the LAFB, the LIA and the LAIP, and decides that the Committee shall, in consultation with the Libyan authorities, lift the designation of these entities as soon as practical to ensure the assets are made available to and for the benefit of the people of Libya;

#### *No Fly Zone and Ban on Flights*

20. Takes note of the improved situation in Libya, emphasises its intention to keep the measures imposed by paragraphs 6 to 12 of resolution 1973 (2011) under continuous review and underlines its readiness, as appropriate and when circumstances permit, to lift those measures and

to terminate authorization given to Member States in paragraph 4 of resolution 1973 (2011) in consultation with the Libyan authorities;

21. Decides that the measures in paragraph 17 of resolution 1973 (2011) shall cease to have effect from the date of this resolution;

#### *Cooperation and Reporting*

22. Requests the Secretary-General to report on implementation of this resolution in 14 days from adoption, and every month thereafter, or more frequently as he sees fit;

23. Decides to remain actively seized of the matter.

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Op 27 oktober 2011 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 6640<sup>e</sup> zitting aangenomen Resolutie 2016 (2011). De Engelse tekst van de resolutie luidt:

#### **Resolution 2016 (2011)**

##### **Adopted by the Security Council at its 6640th meeting, on 27 October 2011**

The Security Council,

Recalling its resolutions 1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011, and 2009 (2011) of 16 September 2011,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Taking note of the National Transitional Council's "Declaration of Liberation" of 23 October 2011 in Libya,

Looking forward to a future for Libya based on national reconciliation, justice, respect for human rights and the rule of law,

Reiterating the importance of promoting the full and effective participation of members of all social and ethnic groups, including the equal participation of women and minority communities in the discussions related to the post-conflict phase,

Recalling its decision to refer the situation in Libya to the Prosecutor of the International Criminal Court, and the importance of cooperation for ensuring that those responsible for violations of human rights and international humanitarian law or complicit in attacks targeting the civilian population are held accountable,

Reiterating that the voluntary and sustainable return of refugees and internally displaced persons will be an important factor for the consolidation of peace in Libya,

Expressing concern at the proliferation of arms in Libya and its potential impact on regional peace and security, and also expressing its intention expeditiously to address that issue further,

Expressing grave concern about continuing reports of reprisals, arbitrary detentions, wrongful imprisonment and extrajudicial executions in Libya,

Reiterating its call to the Libyan authorities to promote and protect human rights and fundamental freedoms, including those of people belonging to vulnerable groups, to comply with their obligations under international law, including international humanitarian law and human rights law, and urging respect for the human rights of all people in Libya, including former officials and detainees, during and after the transitional period,

Recalling its decisions in resolution 2009 (2011) to:

a) Modify the provisions of the arms embargo imposed by paragraph 9 of resolution 1970 to provide for additional exemptions,

b) Terminate the asset freeze imposed by paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011) with respect to the Libyan National Oil Corporation and Zueitina Oil Company, and to modify the asset freeze imposed by paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011) with respect to the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority, and the Libyan Africa Investment Portfolio, and

c) Cease the measures imposed by paragraph 17 of resolution 1973 (2011),

Recalling also its intention to keep the measures imposed by paragraphs 6 to 12 of resolution 1973 (2011) under continuous review and to lift, as appropriate and when circumstances permit, those measures and to terminate authorization given to Member States in paragraph 4 of resolution 1973 (2011), in consultation with the Libyan authorities,

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

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

1. Welcomes the positive developments in Libya which will improve the prospects for a democratic, peaceful and prosperous future there;

2. Looks forward to the swift establishment of an inclusive, representative transitional Government of Libya, and reiterates the need for the transitional period to be underpinned by a commitment to democ-



racy, good governance, rule of law, national reconciliation and respect for human rights and fundamental freedoms of all people in Libya;

3. Strongly urges the Libyan authorities to refrain from reprisals, including arbitrary detentions, calls upon the Libyan authorities to take all steps necessary to prevent reprisals, wrongful imprisonment and extrajudicial executions, and underscores the Libyan authorities' responsibility for the protection of its population, including foreign nationals and African migrants;

4. Urges all Member States to cooperate closely with the Libyan authorities in their efforts to end impunity for violations of international human rights and international humanitarian law;

#### *Protection of Civilians*

5. Decides that the provisions of paragraphs 4 and 5 of resolution 1973 (2011) shall be terminated from 23.59 Libyan local time on 31 October 2011;

#### *No-Fly Zone*

6. Decides also that the provisions of paragraphs 6 to 12 of resolution 1973 (2011) shall be terminated from 23.59 Libyan local time on 31 October 2011;

7. Decides to remain actively seized of the matter.

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Op 29 november 2011 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 6671<sup>e</sup> zitting aangenomen Resolutie 2021 (2011). De Engelse tekst van de resolutie luidt:

### **Resolution 2021 (2011)**

#### **Adopted by the Security Council at its 6671st meeting, on 29 November 2011**

The Security Council,

Recalling its previous resolutions and the statements of its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as all States in the region,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law,

Taking note of the interim and final reports (S/2011/345 and S/2011/738) of the Group of Experts on the Democratic Republic of the Congo (“the Group of Experts”) established pursuant to resolution 1771 (2007) and extended pursuant to resolutions 1807 (2008), 1857 (2008), 1896 (2009) and 1952 (2010) and of their recommendations, and welcoming the ongoing collaboration between the Group of Experts and the Government of the Democratic Republic of the Congo, as well as other Governments in the region and other international forums,

Reiterating its serious concern regarding the presence of armed groups in the Democratic Republic of the Congo, including the provinces of North and South Kivu and Orientale Province, which perpetuate a climate of insecurity in the whole region, and reiterating its concern about the support received by these armed groups from regional and international networks,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo in violation of resolutions 1533 (2004), 1807 (2008), 1857 (2008), 1896 (2009) and 1952 (2010), declaring its determination to continue to monitor closely the implementation of the arms embargo and other measures set out by its resolutions concerning the Democratic Republic of the Congo, and stressing the obligation of all States to abide by the notification requirements set out in paragraph 5 of resolution 1807 (2008),

Recalling the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation and trafficking of arms as one of the major factors fuelling and exacerbating conflicts in the Great Lakes region of Africa,

Underlining the importance of economic development to ensure long-term stabilization and peace consolidation, expressing in this regard its concern about further rise in unemployment and worsened poverty in some mining areas, and noting at the same time the link between the exercise of due diligence by some comptoirs, the improvement of the mining sector governance and the rise of minerals production and export in other mining areas as reported by the Group of Experts,

Welcoming the regional efforts by the countries of the Great Lakes region in the context of the International Conference on the Great Lakes Region against the illegal exploitation of natural resources, noting the commitment of these countries to establish a Regional Initiative against the Illegal Exploitation of Natural Resources and their endorsement of

the due diligence guidelines, as defined by the Organization for Economic Cooperation and Development, and encouraging those states to implement the components of the Regional Initiative,

Expressing its concern that armed groups are turning increasingly to new sources of funding through diverse criminal activities, including illicit drug trafficking, illegal taxation and agricultural sales,

Noting with great concern the persistence of human rights abuses and humanitarian law violations against civilians in the eastern part of the Democratic Republic of the Congo, including the killing and displacement of significant numbers of civilians, the recruitment and use of child soldiers, and widespread sexual violence, stressing that the perpetrators must be brought to justice, reiterating its firm condemnation of all human rights abuses and international humanitarian law violations in the country, and recalling all its relevant resolutions on women and peace and security, on children and armed conflict, and on the protection of civilians in armed conflicts,

Determining that the situation in the Democratic Republic of the Congo 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 to renew until 30 November 2012 the measures on arms imposed by paragraph 1 of resolution 1807 (2008) and reaffirms the provisions of paragraphs 2, 3 and 5 of that resolution;

2. Decides to renew, for the period specified in paragraph 1 above, the measures on transport imposed by paragraphs 6 and 8 of resolution 1807 (2008) and reaffirms the provisions of paragraph 7 of that resolution;

3. Decides to renew, for the period specified in paragraph 1 above, the financial and travel measures imposed by paragraphs 9 and 11 of resolution 1807 (2008) and reaffirms the provisions of paragraphs 10 and 12 of that resolution regarding the individuals and entities referred to in paragraph 4 of resolution 1857 (2008);

4. Requests the Secretary-General to extend, for a period expiring on 30 November 2012, the Group of Experts established pursuant to resolution 1533 (2004) and renewed by subsequent resolutions and requests the Group of Experts to fulfil its mandate as set out in paragraph 18 of resolution 1807 (2008) and expanded by paragraphs 9 and 10 of resolution 1857 (2008), and to report to the Council in writing, through the Committee, by 18 May 2012 and again before 19 October 2012;

5. Reaffirms the provisions of paragraphs 6 to 13 of resolution 1952 (2010) and requests the Group of Experts to include in their evaluation of the impact of due diligence a comprehensive assessment on the economic and social development of the relevant mining areas in the Democratic Republic of the Congo;

6. Welcomes the support of the due diligence guidelines, as defined by the United Nations Group of Experts and the Organization for Economic Cooperation and Development, by the Democratic Republic of the Congo, welcomes further the measures taken by the Congolese Government to implement the guidelines and calls on all States to assist the Democratic Republic of the Congo and the countries in the Great Lakes region in the implementation of the guidelines;

7. Encourages all States, particularly those in the region, to continue to raise awareness of the United Nations Group of Experts due diligence guidelines, in particular in the gold sector as part of broader efforts to mitigate the risk of further financing armed groups and criminal networks within the Armed Forces of the Democratic Republic of the Congo (FARDC) in the Democratic Republic of the Congo;

8. Encourages the Democratic Republic of the Congo and the States in the Great Lakes region to require their customs authorities to strengthen their control on exports and imports of minerals from the Democratic Republic of the Congo and calls upon the international community to assist the Democratic Republic of the Congo and other States in the Great Lakes region as necessary and requested, to enhance their capacities in this regard;

9. Recommends that all States, particularly those in the region, regularly publish full import and export statistics for natural resources including gold, cassiterite, coltan, wolframite, timber, and charcoal and enhance information sharing and joint action at the regional level to investigate and combat regional criminal networks and armed groups involved in the illegal exploitation of natural resources;

10. Recalls the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to support the relevant Congolese authorities in preventing the provision of support to armed groups from illicit activities, including production and trade in natural resources, notably by carrying out spot checks and regular visits to mining sites, trade routes and markets, in the vicinity of the five pilot trading counters;

11. Encourages the Government of the Democratic Republic of the Congo to enhance stockpile security, accountability and management of arms and ammunition, with the assistance of international partners as necessary and requested, and to urgently implement a national weapons marking program, in particular for state-owned firearms, in line with the standards established by the Nairobi Protocol and the Regional Centre on Small Arms;

12. Encourages the Government of the Democratic Republic of the Congo to continue to address the underlying issue of the cohesion of the national Army, including by further ensuring proper integration and vetting of former armed groups, in particular the Congrès National pour la Défense du Peuple (CNDP), into the FARDC, to ensure that members of the National Army are paid in a timely fashion, operate in accordance with established command and control regulations, and are subject to

such disciplinary action as may be appropriate when regulations are violated, and to ensure that the Congolese security forces redeploy to mitigate the threats caused by security vacuums, including those which have arisen during the reconfiguration process of the FARDC;

13. Demands that all armed groups, in particular the FDLR, the LRA, Mai Mai Yakutumba, the Forces Nationales de Libération (FNL) and the Allied Democratic Forces (ADF) lay down their arms and immediately cease all forms of violence, human rights abuses and international humanitarian law violations against the civilian population in the Democratic Republic of the Congo and the Great Lakes region, in particular against women and children, including rape and other forms of sexual abuse, and demobilize;

14. Welcomes the ongoing efforts of the Congolese authorities to fight against impunity and encourages their continuation, including against perpetrators of human rights abuses and international humanitarian law violations, including sexual violence, and against those responsible for illegal exploitation of natural resources, including those committed by any illegal armed groups or elements of the FARDC;

15. Stresses the importance of the Congolese Government actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country and of regional cooperation to this end, including through its ongoing cooperation with the International Criminal Court and encourages MONUSCO to use its existing authority to assist the Congolese Government in this regard;

16. Encourages enhanced cooperation between all States, particularly those in the region, MONUSCO and the Group of Experts, encourages further that all parties and all States ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control and reiterates its demand that all parties and all States ensure the safety of its members, and unhindered and immediate access, in particular to persons, documents and sites the Group of Experts deems relevant to the execution of its mandate;

17. Calls upon the Group of Experts to cooperate actively with other relevant panels of experts, in particular that on Côte d'Ivoire re-established by paragraph 13 of resolution 1980 (2011) and that on Liberia re-established by paragraph 6 of resolution 1961 (2010) with respect to natural resources;

18. Encourages MONUSCO to take into account the findings of the Group of Experts regarding armed groups and challenges to the integration of armed groups in the Mission's contingency plans in the six-month post-electoral period;

19. Calls upon all States, particularly those in the region and those in which individuals and entities designated pursuant to paragraph 3 of this resolution are based, to regularly report to the Committee on the actions they have taken to implement the measures imposed by paragraphs 1, 2, and 3 and recommended in paragraph 8 of resolution 1952 (2010);

20. Encourages all States to submit to the Committee for inclusion on its list of designees, individuals or entities that meet the criteria set out in paragraph 4 of resolution 1857 (2008), as well as any entities owned or controlled, directly or indirectly, by the submitted individuals or entities or individuals or entities acting on behalf of or at the direction of the submitted entities;

21. Decides that, when appropriate and no later than 30 November 2012, it shall review the measures set forth in this resolution, with a view to adjusting them, as appropriate, in light of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups;

22. Decides to remain actively seized of the matter.

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Op 14 december 2011 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 6684<sup>e</sup> zitting aangenomen Resolutie 2025 (2011). De Engelse tekst van de resolutie luidt:

### **Resolution 2025 (2011)**

#### **Adopted by the Security Council at its 6684th meeting, on 14 December 2011**

The Security Council,

Recalling its previous resolutions and statements by its President on the situation in Liberia and West Africa,

Welcoming the sustained progress made by the Government of Liberia since January 2006, in rebuilding Liberia for the benefit of all Liberians, with the support of the international community,

Stressing that Liberia's progress in the timber sector must continue with the effective implementation and enforcement of the National Forestry Reform Law signed into law on 5 October 2006, and other new legislation related to revenue transparency (the Liberia Extractive Industries Transparency Initiative Act) and resolution of land and tenure rights (Community Rights Law with respect to Forest Lands and Lands Commission Act),

Encouraging the Government of Liberia to reaffirm its commitment and redouble its efforts to ensure the effective implementation of the Kimberley Process Certification Scheme in Liberia and to take all possible measures to prevent rough diamond smuggling,

Encouraging the Government of Liberia to improve its control over the gold sector and adopt the necessary legislation in this regard, and focus its efforts on establishing effective governance of the gold production sector,

Stressing the continuing importance of the United Nations Mission in Liberia (UNMIL) in improving security throughout Liberia and helping the Government establish its authority throughout the country, particularly in the diamond, gold, timber, and other natural resources-producing regions, and border areas,

Taking note of the report of the United Nations Panel of Experts on Liberia (S/2011/757),

Underlining its determination to support the Government of Liberia in its efforts to meet the conditions of resolution 1521 (2003), welcoming the engagement of the Peacebuilding Commission, and encouraging all stakeholders, including donors, to support the Government of Liberia in its efforts,

Acknowledging the implementation of the guidelines of the Department of Peacekeeping Operations on cooperation and information sharing between the United Nations peacekeeping missions and the Security Council's Sanctions Committees' expert panels,

Commending the people of Liberia on the completion of their presidential election of 8 November, which was free, fair and transparent, and further commending the National Elections Commission's successful organization of the electoral process, in accordance with Liberian law,

Expressing concern about the violent events of 7 November 2011 and welcoming the Government of Liberia's establishment of a Special Independent Commission of Inquiry to investigate the events and determine the facts and circumstances through independent and impartial proceedings that meet international standards, in order to hold accountable those responsible,

Calling on all Liberian leaders to promote meaningful reconciliation and inclusive dialogue to consolidate peace and advance Liberia's democratic development,

Determining that, despite significant progress, the situation in Liberia 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. Reaffirms that the measures imposed by paragraph 1 of resolution 1532 (2004) remain in force, notes with serious concern the lack of progress with regards to the implementation of the financial measures

imposed by paragraph 1 of resolution 1532 (2004), and demands that the Government of Liberia make all necessary efforts to fulfil its obligations;

2. Decides for a period of 12 months from the date of adoption of this resolution:

a) To renew the measures on travel imposed by paragraph 4 of resolution 1521 (2003);

b) To renew the measures on arms, previously imposed by paragraph 2 of resolution 1521 (2003) and modified by paragraphs 1 and 2 of resolution 1683 (2006), by paragraph 1 (b) of resolution 1731 (2006), by paragraphs 3, 4, 5 and 6 of resolution 1903 (2009), and by paragraph 3 of resolution 1961 (2010);

c) To review the measures in this paragraph and in paragraph 1 above in light of the progress achieved in the stabilization throughout the country and the holding of presidential and parliamentary elections, with a view to possibly modifying or lifting all or part of the measures of the sanctions regime, and that such a review shall be carried out at the end of the above-mentioned 12-month period, with a midterm review no later than 30 April 2012;

3. Decides further to review any of the above measures at the request of the Government of Liberia, once the Government reports to the Council that the conditions set out in resolution 1521 (2003) for terminating the measures have been met, and provides the Council with information to justify its assessment;

4. Directs the Committee, in coordination with the Government of Liberia and relevant designating States and with the assistance of the Panel of Experts, to, as necessary and without delay, update the publicly available reasons for listing for entries on the travel ban and assets freeze lists as well as the Committee's guidelines;

5. Decides to extend the mandate of the Panel of Experts appointed pursuant to paragraph 9 of resolution 1903 (2009) for a period of 12 months from the date of adoption of this resolution to undertake the following tasks:

a) To conduct two follow-up assessment missions to Liberia and neighbouring States, in order to investigate and compile a midterm and a final report on the implementation, and any violations, of the measures on arms as amended by resolution 1903 (2009), including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (a) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade of arms;

b) To assess the impact, effectiveness, and continued need for the measures imposed by paragraph 1 of resolution 1532 (2004), including particularly with respect to the assets of former President Charles Taylor;

c) To identify and make recommendations regarding areas where the capacity of Liberia and the States in the region can be strength-



ened to facilitate the implementation of the measures imposed by paragraph 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004);

d) Within the context of Liberia's evolving legal framework, assess the extent to which forests and other natural resources are contributing to peace, security and development rather than to instability and to what extent relevant legislation (National Forestry Reform Law, Lands Commission Act, Community Rights Law with respect to Forest Land, and Liberia Extractive Industries Transparency Initiative Act) and other reform efforts are contributing to this transition, and to provide recommendations on how such natural resources could better contribute to the country's progress towards sustainable peace and stability;

e) To cooperate actively with the Kimberley Process Certification Scheme and to assess the Government of Liberia's compliance with the Kimberley Process Certification Scheme;

f) To provide a midterm report to the Council through the Committee by 1 June 2012 and a final report to the Council through the Committee by 1 December 2012 on all the issues listed in this paragraph, and to provide informal updates to the Committee as appropriate before those dates, especially on progress in the forest sector since the lifting of paragraph 10 of resolution 1521 (2003) in June 2006, and in the diamond sector since the lifting of paragraph 6 of resolution 1521 (2003) in April 2007;

g) To cooperate actively with other relevant panels of experts, in particular that on Côte d'Ivoire re-established by paragraph 13 of resolution 1980 (2011) and that on the Democratic Republic of the Congo re-established by paragraph 4 of resolution 2021 (2011) with respect to natural resources;

h) To assist the Committee in updating the publicly available reasons for listing for entries on the travel ban and assets freeze lists;

6. Requests the Secretary-General to reappoint the Panel of Experts and to make the necessary financial and security arrangements to support the work of the Panel;

7. Calls upon all States and the Government of Liberia to cooperate fully with the Panel of Experts in all aspects of its mandate;

8. Recalls that responsibility for controlling the circulation of small arms within the territory of Liberia and between Liberia and neighbouring States rests with the relevant governmental authorities in accordance with the Economic Community of West African States Convention on Small Arms and Light Weapons of 2006;

9. Reaffirms the need for UNMIL and the United Nations Operations in Côte d'Ivoire (UNOCI) to regularly coordinate their strategies and operations in areas near the Liberian-Côte d'Ivoire border, in order to contribute to subregional security;

10. Reiterates the importance of UNMIL's continuing assistance to the Government of Liberia, the Committee, and the Panel of Experts, within its capabilities and areas of deployment, and without prejudice to its mandate, continue to carry out its tasks set forth in previous resolutions, including resolution 1683 (2006);

11. Urges the Government of Liberia to complete implementation of the recommendations of the 2009 Kimberley Process review team to strengthen internal controls over diamond mining and exports;

12. Encourages the Kimberley Process to continue to cooperate with the Panel of Experts and to report on developments regarding Liberia's implementation of the Kimberley Process Certification Scheme;

13. Decides to remain actively seized of the matter.

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Op 17 februari 2012 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 6716<sup>e</sup> zitting aangenomen Resolutie 2035 (2012). De Engelse tekst van de resolutie luidt:

### **Resolution 2035 (2012)**

#### **Adopted by the Security Council at its 6716th meeting, on 17 February 2012**

The Security Council,

Recalling its previous resolutions and statements of its President concerning Sudan,

Reaffirming its commitment to the cause of peace throughout Sudan, to the sovereignty, independence, unity and territorial integrity of Sudan, to the full and timely resolution of outstanding Comprehensive Peace Agreement (CPA) issues, welcoming the Doha Document for Peace in Darfur, and recalling the importance of the principles of good neighbourliness, non-interference and cooperation in the relations among States in the region,

Recognizing that the Darfur conflict cannot be resolved militarily and a durable solution can only be obtained through an inclusive political process,

Reiterating its full support for efforts to reach a comprehensive and inclusive solution to the conflict in Darfur, and welcoming the Doha Document for Peace in Darfur as a basis for these efforts, the need for the completion of the political process, and an end to the violence and abuses in Darfur,

Urging the Government of Sudan and the Liberation and Justice Movement (LJM) to deliver on the commitments made in the Doha Document for Peace in Darfur, and urging all parties, in particular other armed movements who have not signed the Doha Document for Peace in Darfur, to indicate a willingness to negotiate without preconditions or further delays on the basis of the Doha Document for Peace in Darfur and fully participate in the Joint African Union/United Nations Mediation,

Welcoming the inauguration of the Darfur Regional Authority as an important step in the implementation of the Doha Document for Peace,

Demanding that the parties to the conflict exercise restraint and cease military action of all kind, including aerial bombardments,

Demanding an immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians in line with resolutions 1325 (2000), 1820 (2008), 1888 (2009), and 1889 (2009); recruitment and use of children in line with resolutions 1998 (2011), 1612 (2005), and 1882 (2009); and indiscriminate attacks on civilians in line with resolution 1894 (2009),

Commending the efforts of, and reiterating its full support for, the United Nations/African Union Hybrid Operation in Darfur (UNAMID), the Joint African Union/United Nations Mediation, the United Nations Secretary-General, the African Union High Level Implementation Panel on Sudan, and the leaders of the region to promote peace and stability in Darfur, and expressing strong support for the political process under the African Union/United Nations-led mediation,

Urging enhanced cooperation and information sharing between UNAMID and the Panel of Experts, called for by the Department of Peace-keeping Operations' guidelines and with the assistance of the UNAMID focal point,

Recalling the 28 June 2011 midterm report by the Panel of Experts appointed by the Secretary-General pursuant to paragraph 3 (b) of resolution 1591 (2005) and extended by subsequent resolutions, taking note of the Panel of Expert's final report, and expressing its intent to study, through the Committee, the Panel's recommendations and to consider appropriate next steps,

Expressing concern over the obstacles that have been imposed on the work of the Panel of Experts during the course of its last mandate, including delays in the issuance of visas and travel permits, and restrictions to the freedom of movement of the Panel of Experts and UNAMID,

Emphasizing the need to respect the provisions of the Charter concerning privileges and immunities, and the Convention on the Privileges and Immunities of the United Nations, as applicable to United Nations operations and persons engaged in such operations,

Reminding all States, particularly States in the region, of the obligations contained in resolutions 1556 (2004), 1591 (2005), and 1945 (2010) in particular those obligations relating to arms and related materiel,

Stressing the necessity articulated in the Doha Document for Peace in Darfur that all Parties to the armed conflict in Darfur shall fully and unconditionally accept their obligations under international humanitarian law, international human rights law, and relevant Security Council resolutions,

Calling on the Government of Sudan to fulfil all its commitments, including lifting the state of emergency in Darfur, allowing free expression and undertaking effective efforts to ensure accountability for serious violations of international human rights and humanitarian law, by whomsoever perpetrated,

Emphasizing the imperative, highlighted in the Doha Document for Peace in Darfur, to refrain from all acts of violence against civilians, in particular vulnerable groups such as women and children, and from violations of human rights and international humanitarian law and the need to address the urgent humanitarian crisis faced by the people of Darfur, including the guarantee of unrestricted humanitarian access to all areas,

Noting that acts of hostility, violence or intimidation against the civilian population, including IDPs, in Darfur and other activities that could endanger or undermine the Parties' commitment to a complete and durable cessation of hostilities would be inconsistent with the Doha Document for Peace in Darfur,

Determining that the situation in 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,

1. Decides to extend until 17 February 2013 the mandate of the Panel of Experts, originally appointed pursuant to resolution 1591 (2005) and previously extended by resolutions 1651 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008), and 1891 (2009), 1945 (2010), and 1982 (2011) and requests the Secretary-General to take the necessary administrative measures, including basing arrangements, as expeditiously as possible;

2. Notes the creation on 11 January 2012 of two additional states in Darfur, and confirms that all previous references to North, South and

West Darfur shall apply to all the territory of Darfur, including the new states of Eastern and Central Darfur;

3. Decides that the listing criteria set out in paragraph (3) (c) of resolution 1591 (2005) shall also apply to entities;

4. Decides that the exemptions in support of the implementation of the Comprehensive Peace Agreement set forth in paragraph 7 of resolution 1591 (2005) and further clarified in paragraph 8 (b) of resolution 1945 (2010) shall no longer apply;

5. Requests the Panel of Experts to provide no later than 31 July 2012, a midterm briefing on its work and no later than 90 days after the adoption of this resolution an interim report to the Committee established pursuant to paragraph 3 (a) of resolution 1591 (2005) (hereinafter “the Committee”) and a final report no later than 30 days prior to termination of its mandate to the Council with its findings and recommendations;

6. Requests the Panel of Experts to provide monthly updates to the Committee regarding its activities, including Panel travel, any obstacles encountered to the fulfilment of its mandate, as well as violations of the sanctions;

7. Requests the Panel of Experts to report, in the timeframe identified in paragraph 5, on the implementation and effectiveness of paragraph 10 of resolution 1945 (2010);

8. Requests the Panel of Experts to coordinate its activities as appropriate with the operations of the United Nations/African Union Hybrid Operation in Darfur (UNAMID) and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2005), paragraph 7 of resolution 1591 (2005), and paragraph 10 of resolution 1945 (2010), progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual- and gender-based violence, and other violations of the above-mentioned resolutions, and to provide the Committee with information on the individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution 1591;

9. Regrets that some individuals affiliated with the Government of Sudan and armed groups in Darfur have continued to commit violence against civilians, impede the peace process, and disregard the demands of the Council, expresses its intention to impose targeted sanctions against individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution 1591 (2005), and encourages the Panel of Experts, in coordination with the Joint African Union/United Nations Mediation, to provide to the Committee when appropriate the names of any individuals, groups, or entities that meet the listing criteria;

10. Requests the Panel of Experts to continue to investigate the role of armed, military, and political groups in attacks against UNAMID per-

sonnel in Darfur, and notes that individuals and entities who plan, sponsor or participate in such attacks constitute a threat to stability in Darfur and may therefore meet the designation criteria provided for in paragraph 3 (c) of resolution 1591 (2005);

11. Expresses its concern that certain items are being converted for military purposes and transferred to Darfur, and urges all States to be mindful of this risk in light of the measures contained in resolution 1591 (2005);

12. Urges all States, relevant United Nations bodies, the African Union and other interested parties, to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolution 1591 (2005) and resolution 1556 (2004), and calls on all States to remove all obstacles to the work of the Panel of Experts, particularly to freedom of movement, including by issuing timely visas and travel permits;

13. Urges all States, in particular those in the region, to report to the Committee on the actions they have taken to implement measures imposed by resolutions 1591 (2005) and 1556 (2004), including imposition of targeted measures;

14. Expresses its concern that the travel ban and asset freeze on designated individuals is not being implemented by all States, and requests the Committee to respond effectively to any reports of non-compliance by States with paragraph 3 of resolution 1591 (2005) and resolution 1672 (2006), including by engaging with all relevant parties;

15. Expresses its intention, following the midterm report, to review the state of implementation, including obstacles to full and effective implementation of the measures, imposed in resolution 1591 (2005) and 1945 (2010), with a view to ensuring full compliance;

16. Reaffirms the mandate of the Committee to encourage dialogue with interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures and further encourages the Committee to continue its dialogue with UNAMID;

17. Welcomes the Committee's work, which has drawn on the reports of the Panel of Experts and taken advantage of the work done in other fora, to draw attention to the responsibilities of private sector actors in conflict affected areas;

18. Decides to remain actively seized of the matter.

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Op 22 februari 2012 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 6718<sup>e</sup> zitting aangenomen Resolutie 2036 (2012). De Engelse tekst van de resolutie luidt:

**Resolution 2036 (2012)**

**Adopted by the Security Council at its 6718th meeting, on  
22 February 2012**

The Security Council,

Recalling all previous resolutions on the situation in Somalia, in particular resolution 2010 (2011), as well as other relevant Presidential Statements and resolutions on protection of civilians in armed conflict, women and peace and security, and children and armed conflict,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, and reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia,

Reiterating its full support for the Djibouti Peace Process and the Transitional Federal Charter which provide the framework for reaching a lasting political solution in Somalia, reiterating its support for the Kampala Accord and the Roadmap to End the Transition (the “Roadmap”), and stressing the need for reconciliation, dialogue and broad-based, inclusive and representative Somali institutions,

Stressing the primary responsibility of the Transitional Federal Institutions to implement the Roadmap, welcoming the progress to date, including the commitment shown by the Garowe Principles, but expressing concern that many of the deadlines for the completion of the tasks in the Roadmap have been missed which may delay the full implementation of the Roadmap,

Urging the Transitional Federal Institutions and all Roadmap signatories to redouble their efforts to fully implement the Roadmap with the support of United Nations Political Office for Somalia (UNPOS) and the international community, and noting that future support to the Transitional Federal Institutions for the remainder of the transitional period, would be contingent upon progress in completing the tasks in the Roadmap,

Stressing the need for the Transitional Federal Government, with the support of the African Union Mission to Somalia (AMISOM), and as a matter of urgency, to build an enhanced level of security in areas secured by AMISOM and the Somali security forces, and to build sustainable administrative structures in these areas,

Noting that the transitional period in Somalia will end on 20 August 2012, emphasising that any further extension of the transitional period would be untenable and calling upon Somali parties to agree inclusive and representative post-transitional arrangements, in line with the Djibouti Agreement,

Stressing the need for further efforts to fight corruption, promote transparency and increase mutual accountability in Somalia, and in this regard welcoming initiatives aimed at the more transparent and accountable management of Somali assets and internal and external financial resources to maximise public revenues for the benefit of the Somali people,

Stressing the need for a comprehensive strategy in Somalia to address the political, economic, humanitarian and security problems in Somalia and the problem of piracy, including hostage taking, off the coast of Somalia through the collaborative efforts of all stakeholders, reiterating their full support to the Secretary-General and his Special Representative, Augustine P. Mahiga in this regard, and for their work with the African Union and international and regional partners,

Recognising that peace and stability in Somalia depend on reconciliation and effective governance across the whole of Somalia and urging all Somali parties to renounce violence and to work together to build peace and stability,

Welcoming the London Conference on Somalia, to be held on 23 February 2012, where coordinated international action to address the political, security, justice, stability, and piracy problems in Somalia, as well as humanitarian issues, will be further enhanced, and welcoming the upcoming Istanbul Conference on Somalia,

Expressing grave concern at the dire humanitarian situation in Somalia, and its impact on the people of Somalia, in particular on women and children, and calling on all parties to ensure full and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, consistent with humanitarian, human rights and refugee law,

Reiterating its condemnation of all attacks on the Transitional Federal Government, the African Union Mission in Somalia (AMISOM), United Nations personnel and facilities, and the civilian population by armed opposition groups, and foreign fighters, particularly Al Shabaab, and stressing that Somali armed opposition groups and foreign fighters, particularly Al Shabaab, constitute a terrorist threat to Somalia, and the international community,

Noting the announcement that Al Shabaab has joined Al Qaeda, stressing that there should be no place for terrorism or violent extremism in Somalia and reiterating its call upon all opposition groups to lay down their arms,

Commending the contribution of AMISOM to lasting peace and stability in Somalia and efforts to bring stability and security to Mogadishu, expressing its appreciation for the continued commitment of troops and



equipment to AMISOM by the Governments of Burundi and Uganda, and for the newly deployed troops from the Government of Djibouti and recognising the significant sacrifices made by AMISOM forces,

Welcoming the willingness of the Government of Kenya for Kenyan forces to be incorporated into AMISOM and so to contribute to the implementation of AMISOM's mandate as set out in paragraph 9 of resolution 1772 (2007) and this resolution, stressing the importance of the prompt deployment of new AMISOM forces to reach its mandated level, and calling on other African Union Member States to consider contributing troops and provide support to AMISOM,

Welcoming the work of the joint African Union and United Nations Technical Assessment Mission on AMISOM, noting the agreement by the African Union Peace and Security Council on a AMISOM Strategic Concept of 5 January 2012, and welcoming the Secretary-General's Special Report on Somalia (S/2012/74),

Recalling its authorisation in paragraph 1 of resolution 2010 (2011) that the Member States of the African Union maintain the deployment of AMISOM until 31 October 2012, and that AMISOM is authorised to take all necessary measures to carry out its existing mandate as set out in paragraph 9 of resolution 1772 (2007),

Recalling paragraph 5 of resolution 2010 (2011) and noting its intention to review the force level of AMISOM when the mission reaches its mandated level of 12,000,

Expressing concern that charcoal exports from Somalia are a significant revenue source for Al Shabaab and also exacerbate the humanitarian crisis,

Recalling its resolutions 1950 (2010), 1976 (2011), and 2020 (2011) expressing its grave concern at the threat posed by piracy and armed robbery off the coast of Somalia, recognising that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, stressing the need for a comprehensive response to tackle piracy, and hostage taking, and its underlying causes by the international community and the Transitional Federal Institutions and welcoming the efforts of the Contact Group for Piracy off the Coast of Somalia, States and international and regional organisations,

Stressing the need to investigate, prosecute, and to imprison when duly convicted pirates and those who illicitly finance, plan, organise, or unlawfully profit from pirate attacks,

Welcoming the relocation of the Secretary-General's Special Representative to Somalia and an UNPOS office to Mogadishu and encouraging the United Nations to take further steps to achieve a more permanent and full relocation to Somalia, in particular Mogadishu, consistent with the security conditions, as outlined in the Secretary-General's reports (S/2010/447) and (S/2009/210),

Determining that the situation in Somalia 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 in addition to the tasks set out in paragraph 9 of resolution 1772 (2007) AMISOM shall include establishing a presence in the four sectors set out in the AMISOM strategic Concept of 5 January, and AMISOM shall be authorised to take all necessary measures as appropriate in those sectors in coordination with the Somali security forces to reduce the threat posed by Al Shabaab and other armed opposition groups in order to establish conditions for effective and legitimate governance across Somalia, further decides that AMISOM shall act in compliance with applicable international humanitarian and human rights law, in performance of this mandate and in full respect of the sovereignty, territorial integrity, political independence and unity of Somalia;

2. Requests the African Union to increase AMISOM's force strength from 12,000 to a maximum of 17,731 uniformed personnel, comprised of troops and personnel of formed police units;

3. Reiterates that regional organisations have the responsibility to secure human, financial, logistical and other resources for the work of their organisations, including through contributions by their members and support from partners, welcomes the valuable financial support provided by the African Union's partners to AMISOM, including through bilateral support programmes and the African Peace Facility of the European Union, and calls upon all partners, in particular new donors, to support AMISOM through the provision of equipment, technical assistance, funding for troop stipends, and uncaveated funding to AMISOM to the United Nations Trust Fund for AMISOM;

4. Decides to expand the logistical support package for AMISOM, referred to in paragraphs 10 and 11 of resolution 2010 (2011), and as described in the Secretary-General's letters (S/2009/60 and S/2011/591) to the President of the Security Council, from a maximum of 12,000 uniformed personnel to a maximum of 17,731 uniformed personnel, until 31 October 2012, ensuring the accountability and transparency of expenditure of United Nations funds as set out in paragraph 4 of resolution 1910 (2010);

5. Recalls its request to the Secretary-General in paragraphs 10 and 12 of resolution 1863 (2009) related to transparency and proper accountability for resources provided to AMISOM, and requests that equal attention to resource transparency, accountability, and internal controls

be applied to the additional UN support measures authorised to be provided to AMISOM and its troop contributing countries in this resolution and the annex of this resolution;

6. Decides on an exceptional basis and owing to the unique character of the mission, to expand the logistical support package for AMISOM to include the reimbursement of contingent owned equipment including force enablers and multipliers as described in paragraphs 28 through 36 and 43 of the Secretary-General's Special Report on Somalia (S/2012/74) and as set out in the annex to this resolution;

7. Stresses the importance of stabilising areas secured by AMISOM and the Somali security forces, calls upon all Somali stakeholders, with the support of the UN, the African Union and the international community, to promote reconciliation, law and order, the delivery of basic services and strengthen governance at district, regional, state and federal levels, including by supporting the delivery of Stabilisation Plans developed by Intergovernmental Authority on Development (IGAD) and the Transitional Federal Government;

8. Requests the Secretary-General to continue to provide technical and expert advice to the African Union in the planning, deployment and management of AMISOM, through the United Nations Office to the African Union, including on the implementation of the AMISOM Strategic Concept and the AMISOM Concept of Operations;

9. Reiterates its request to the United Nations to work with the African Union to develop a guard force of an appropriate size, within AMISOM's mandated troop levels, to provide security, escort and protection services to personnel from the international community, including the United Nations, as appropriate and without further delay;

10. Welcomes the intention of new troop contributing countries to contribute to AMISOM and stresses that all new troops shall be integrated fully into the AMISOM command and control structures, and shall operate in accordance with AMISOM's mandate as set out in paragraph 9 of resolution 1772 (2007) and this resolution;

11. Stresses that coordinated action by all contributors is critical for the peace, security and stability of Somalia and the region, and calls on other African Union Member States to consider contributing troops to AMISOM in order to help create the conditions when Somalia can be responsible for its own security;

12. Recognizes the importance of strengthening the capacity of regional and sub-regional organizations in conflict prevention, crisis management and post-conflict stabilization, and calls upon the African Union and donors to continue to work together to further enhance the effectiveness of African peacekeeping;

13. Recalls paragraph 13 of resolution 2010 (2011);

14. Emphasises that the development of the Somali security forces is vital to ensure Somalia's long term security and stability, requests AMISOM to continue to expand its efforts to help develop the capacity and effectiveness of the Somali security forces, urges Member States, re-

gional, and international organisations to work with in coordination with AMISOM to provide coordinated assistance, training and support and welcomes in this regard the training of Somalia security forces through the bilateral support programmes of Member States and the European Union Training Mission for Somalia (EUTM);

15. Notes the important role an effective police presence can play in the stabilisation of Mogadishu, stresses the need to continue to develop an effective Somali police force and welcomes the desire of the African Union to develop an operational police component within AMISOM;

16. Demands that all parties and armed groups take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and further demands that all parties ensure full and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, consistent with humanitarian, human rights and refugee law;

17. Recalling its resolutions 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, welcomes the progress made by AMISOM in reducing civilian casualties during its operations, urges AMISOM to continue to undertake enhanced efforts in this regard, commends AMISOM's commitment to establish a Civilian Casualty Tracking, Analysis and Response Cell (CCTARC), as referenced in the Secretary-General's Report on Somalia (S/2011/759) of 9 December 2011, and calls on international donors and partners to further support the establishment of a CCTARC;

18. Welcomes the endorsement by AMISOM of the 2011 indirect fire policy and encourages AMISOM to adapt and implement this policy for all new troops and assets;

19. Recalls the Council's decision in resolution 1844 (2008) and welcomes the determination by the international community, including the African Union, to take measures against both internal and external actors engaged in actions aimed at undermining the peace and reconciliation process in Somalia, including the Roadmap, as well as the efforts of AMISOM and the Somali security forces;

20. Underlines its intention to keep the situation on the ground under review and to take into account in its future decisions progress by AMISOM in meeting the following objectives:

a) Consolidation of security and stability throughout south central Somalia, including key towns, by the Somali security forces and AMISOM, on the basis of clear military objectives integrated into a political strategy;

b) Effective regional coordination and cooperation on security issues by AMISOM;

c) Assistance in the development of effective Somali security forces, with integrated units under a clear command and control structure and in coordination with the international community;

21. Requests the African Union to keep the Security Council regularly informed, through the Secretary-General, on the implementation of

AMISOM's mandate, including on the implementation of paragraphs 1 and 2 in this resolution and on the new command and control structure and integration of forces under this structure and report to the Council, through the provision of written reports, no later than 30 days after the adoption of this resolution and every 60 days thereafter;

22. Decides that Somali authorities shall take the necessary measures to prevent the export of charcoal from Somalia and that all Member States shall take the necessary measures to prevent the direct or indirect import of charcoal from Somalia, whether or not such charcoal originated in Somalia; further decides that all Member States shall report to the Security Council Committee established pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea ("the Committee") within 120 days of the adoption of this resolution on the steps they have taken towards effective implementation of this paragraph; and requests the Monitoring Group re-established pursuant to resolution 2002 (2011) to assess the impact of the charcoal ban in its Final Report;

23. Decides that the mandate of the Committee shall apply to the measures in paragraph 22 above; decides that the Monitoring Group's mandate shall likewise be expanded; and considers that such commerce may pose a threat to the peace, security, or stability of Somalia, and therefore that the Committee may designate individuals and entities engaged in such commerce as subject to the targeted measures established by resolution 1844 (2008);

24. Decides to remain actively seized of the matter.

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### Annex

In accordance with paragraph 6 of this resolution, on an exceptional basis and due to the unique character of AMISOM, the UN logistical support package for AMISOM shall be extended for a maximum of 17,731 uniformed personnel and 20 AMISOM civilian personnel based in AMISOM headquarters until 31 October 2012, in line with the recommendation in paragraphs 29 and 43 of the Secretary-General's Special Report on Somalia (S/2012/74), which includes the provision of explosive threat management capacity, level II medical facilities and the reimbursement of contingent owned equipment (COE).

Eligible COE will include standard enablers and multipliers within the land component, and an aviation component of up to a maximum of 9 utility helicopters and 3 attack helicopters.

COE reimbursement should conform to UN rates and practices, including the direct transfer of funds to troop contributing countries (TCCs) as appropriate, and periodic reviews to ensure full operational

capability. Letters of Assist (LOAs) should be negotiated with TCCs for equipment not covered under the UN COE framework including the aviation specified above.

As noted in paragraph 29 of the Secretary-General's Special Report on Somalia (S/2012/74), only equipment deployed by the TCCs and considered owned by TCCs should be reimbursed. Equipment gifted or donated to TCCs, AMISOM, the African Union or where the ownership still remains with the donor are not eligible for reimbursement.

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Op 12 maart 2012 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 6733<sup>e</sup> zitting aangenomen Resolutie 2040 (2012). De Engelse tekst van de resolutie luidt:

### **Resolution 2040 (2012)**

#### **Adopted by the Security Council at its 6733rd meeting, on 12 March 2012**

The Security Council,

Recalling its resolutions 1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011, 2009 (2011) of 16 September 2011, 2016 (2011) of 27 October 2011, 2017 (2011) of 31 October 2011 and 2022 (2011) of 2 December 2011,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Reaffirming its resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflict, 1612 (2005), 1882 (2009), and 1998 (2011) on children in armed conflict, and 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), and 1960 (2010) on women, peace and security,

Looking forward to a future for Libya based on national reconciliation, justice, respect for human rights and the rule of law,

Emphasizing the importance of promoting the equal and full participation of all sectors of Libyan society, including women, youth and minority communities in the political process in the post-conflict phase,

Recalling its decision to refer the situation in Libya to the Prosecutor of the International Criminal Court, and the importance of cooperation for ensuring that those responsible for violations of human rights and international humanitarian law, including attacks targeting civilians, are held accountable,

Expressing deep concern about reports of sexual violence during the conflict in Libya against women, men and children including in prison facilities and detention centres, and the recruitment and use of children in situations of armed conflict in contravention of applicable international law,

Reiterating that the voluntary, safe and sustainable return of refugees and internally displaced persons will be an important factor for the consolidation of peace in Libya,

Expressing concern at the illicit proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, from Libya, in the region and its potential impact on regional and international peace and security,

Stressing that national ownership and national responsibility are key to establishing sustainable peace and that it is the primary responsibility of national authorities to identify their priorities and strategies for post-conflict peacebuilding,

Stressing the need for the United Nations to work actively with the Libyan authorities to identify and support delivery of the priorities and strategies for post-conflict peacebuilding,

Reaffirming that the United Nations should lead the coordination of the efforts of the international community in supporting the Libyan-led transition and rebuilding process aimed at establishing a democratic, independent and united Libya, and appreciating the assistance of the United Nations Support Mission in Libya in convening recent workshops with the Libyan government to identify national needs and priorities,

Noting the centrality of credible elections to a peaceful transition in Libya, encouraging the taking of all necessary steps in this regard, and welcoming the adoption of a Libyan national electoral law on 28 January 2012 and the establishment of an Electoral Commission on 12 February 2012,

Supporting Libya's intention to strengthen regional security and taking note of their proposal to host a regional security conference,

Commending the Libyan authorities for engaging with the International Monetary Fund and World Bank on conducting an assessment of Libya's public financial management framework, and reiterating its request that the Committee established pursuant to resolution 1970 (2011) be informed of the results of that assessment,

Taking note of the Report of the Secretary-General on the United Nations Support Mission in Libya (S/2012/129), including the recommendation for the modification and 12 month extension of the UNSMIL mandate, and recalling the letter of 6 March 2012 from Mr. Abdurraheem Al-Kib, Prime Minister of Libya, to the Secretary-General (S/2012/139),

Taking note of the final report of the Panel of Experts submitted pursuant to paragraph 24 (d) of resolution 1973 (2011) and the findings and recommendations contained therein,

Taking note of its briefing by the High Commissioner for Human Rights on 25 January 2012 and the report of the International Commission of Inquiry on Libya to the Human Rights Council of 2 March 2012 (A/HRC/19/68),

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

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

1. Welcomes the recent positive developments in Libya which will improve the prospects for a democratic, peaceful and prosperous future for its people;

2. Looks forward to free, fair and credible elections in June 2012 to establish a Constituent Assembly, and reiterates the need for the transitional period to be underpinned by a commitment to democracy, good governance, rule of law, national reconciliation and respect for human rights and fundamental freedoms of all people in Libya;

3. Calls upon the Libyan authorities to promote and protect human rights, including those of women and people belonging to vulnerable groups, to comply with their obligations under international law, including international humanitarian law and human rights law, and calls for those responsible for serious violations of such law, including sexual violence, to be held accountable in accordance with international standards, and urges all Member States to cooperate closely with the Libyan authorities in their efforts to end impunity for such violations;

4. Expresses grave concern at continuing reports of reprisals, arbitrary detentions without access to due process, wrongful imprisonment, mistreatment, torture and extrajudicial executions in Libya and calls upon the Libyan authorities to take all steps necessary to prevent violations of human rights, underscores the Libyan authorities' primary responsibility for the protection of Libya's population, as well as foreign nationals, including African migrants, and calls for the immediate release of all foreign nationals illegally detained in Libya;

5. Encourages Libya and neighbouring states to engage in order to establish regional cooperation aimed at stabilization of the situation in Libya and to prevent former Libyan regime elements from using the territories of such States to plan, fund or carry out violent or other illicit



acts to destabilize Libya and the states in the region, and notes that such cooperation would benefit stability in the Sahel region;

*United Nations Mandate*

6. Decides to extend the mandate of the United Nations Support Mission in Libya (UNSMIL) for a further period of 12 months, subject to review within 6 months, under the leadership of a Special Representative of the Secretary-General, and decides further that the modified mandate of UNSMIL, in full accordance with the principles of national ownership, shall be to assist the Libyan authorities to define national needs and priorities throughout Libya, and to match these with offers of strategic and technical advice where appropriate, and support Libyan efforts to:

a) manage the process of democratic transition, including through technical advice and assistance to the Libyan electoral process and the process of preparing and establishing a new Libyan constitution, as set out in the National Transitional Council's Constitutional Roadmap, and assistance that improves institutional capacity, transparency and accountability, promotes the empowerment and political participation of women and minorities and supports the further development of Libyan civil society;

b) promote the rule of law and monitor and protect human rights, in accordance with Libya's international legal obligations, particularly those of women and people belonging to vulnerable groups, such as children, minorities and migrants, including through assisting the Libyan authorities to reform and build transparent and accountable justice and correctional systems, supporting the development and implementation of a comprehensive transitional justice strategy, and providing assistance towards national reconciliation, support to ensure the proper treatment of detainees and the demobilization of any children remaining associated with revolutionary brigades;

c) restore public security, including through the provision of appropriate strategic and technical advice and assistance to the Libyan government to develop capable institutions and implement a coherent national approach to the integration of ex-combatants into Libyan national security forces or their demobilization and reintegration into civilian life, including education and employment opportunities, and to develop police and security institutions that are capable, accountable, respectful of human rights and accessible and responsive to women and vulnerable groups;

d) counter illicit proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, clear explosive remnants of war, conduct demining programmes, secure and manage Libya's borders, and implement international conventions on chemical, biological and nuclear weapons and materials, in

coordination with the relevant United Nations agencies, the Organization for the Prohibition of Chemical Weapons, and international and regional partners;

e) coordinate international assistance and build government capacity across all relevant sectors set out in relation to paragraphs 6 (a) to (d), including by supporting the coordination mechanism within the Libyan government announced on 31 January 2012, advice to the Libyan government to help identify priority needs for international support, engaging international partners in the process wherever appropriate, facilitation of international assistance to the Libyan government, and establishing a clear division of labour and regular and frequent communication between all those providing assistance to Libya;

7. Encourages UNSMIL to continue to support efforts to promote national reconciliation, inclusive political dialogue and political processes aimed at promoting free, fair and credible elections, transitional justice and respect for human rights throughout Libya;

#### *Arms Embargo*

8. Decides to terminate the authorization granted in paragraph 13 of resolution 1973 (2011) to Member States to use all measures commensurate to the specific circumstances to carry out inspection pursuant to that paragraph, decides further to terminate paragraph 14 of that resolution, and underscores the importance of the full implementation of the arms embargo imposed in paragraphs 9 and 10 of resolution 1970 (2011), as modified by resolution 2009 (2011);

#### *Asset Freeze*

9. Directs the Committee, in consultation with the Libyan authorities, to review continuously the remaining measures imposed by resolutions 1970 (2011) and 1973 (2011), as modified by resolution 2009 (2011), with respect to the Libyan Investment Authority (LIA) and the Libyan Africa Investment Portfolio (LAIP), and decides that the Committee shall, in consultation with the Libyan authorities, lift the designation of these entities as soon as practical to ensure the assets are made available to and for the benefit of the people of Libya;

#### *Panel of Experts*

10. Decides to extend and modify the mandate of the Panel of Experts, established by paragraph 24 of resolution 1973 (2011), and decides further to adjust the mandate to create for a period of one year, in consultation with the Committee and taking into account the current areas of activity, a group of up to 5 experts (“the Panel”) under the direction of the Committee to carry out the following tasks:

- a) assist the Committee in carrying out its mandate as specified in paragraph 24 of resolution 1970 (2011);
- b) gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided in resolution 1970 (2011), 1973 (2011) and 2009 (2011), in particular incidents of non-compliance;
- c) make recommendations on actions that the Council, the Committee, the Libyan authorities or other States may consider to improve implementation of the relevant measures;
- d) provide to the Council an interim report on its work no later than 90 days after the Panel's appointment, and a final report to the Council no later than 30 days prior to the termination of its mandate with its findings and recommendations;

11. Urges all States, relevant United Nations bodies, including UNSMIL, and other interested parties, to cooperate fully with the Committee and the Panel, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions 1970 (2011) and 1973 (2011), and modified in resolution 2009 (2011), in particular incidents of non-compliance;

12. Encourages the Panel, while mindful of UNSMIL's responsibility for assisting the Libyan authorities to counter illicit proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, and to secure and manage Libya's borders, to continue its investigations regarding sanctions non-compliance, including illicit transfers of arms and related materiel to and from Libya and the assets of individuals subject to the asset freeze established in resolutions 1970 (2011) and 1973 (2011), and modified in resolution 2009 (2011), and encourages UNSMIL and the Libyan authorities to support Panel investigatory work inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate;

### *Reporting and Review*

13. Expresses its intent to review the mandate of the Committee in the event that the measures imposed in resolutions 1970 (2011) and 1973 (2011), and modified in resolution 2009 (2011) and in this resolution, should be lifted by a future decision of the Security Council;

14. Requests the Secretary-General to report to the Security Council on the implementation of this resolution, including all elements of UNSMIL's mandate, every 60 days;

15. Also requests the Secretary-General to report to the Security Council following the elections of a Constituent Assembly on steps taken by UNSMIL to engage with the new Libyan government in order to ensure that it continues effectively to support Libya's specific needs, with a view to reviewing and adjusting the mandate as necessary;

16. Decides to remain actively seized of the matter.

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Op 26 april 2012 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 6761<sup>e</sup> zitting aangenomen Resolutie 2045 (2012). De Engelse tekst van de resolutie luidt:

### **Resolution 2045 (2012)**

#### **Adopted by the Security Council at its 6761st meeting, on 26 April 2012**

The Security Council,

Recalling its previous resolutions and the statements of its President relating to the situation in Côte d'Ivoire, in particular resolutions 1880 (2009), 1893 (2009), 1911 (2010), 1933 (2010), 1946 (2010), 1962 (2010), 1975 (2011), 1980 (2011), 2000 (2011),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Taking note of the special report of the Secretary-General dated 29 March 2012 (S/2012/186), of the 2011 midterm report (S/2011/642) and of the Final 2012 report (S/2012/196) of the United Nations Group of Experts,

Recognizing the continued contribution to the stability in Côte d'Ivoire of the measures imposed by resolutions 1572 (2004), 1643 (2005), 1975 (2011) and 1980 (2011) and stressing that these measures aim at supporting the peace process in Côte d'Ivoire,

Welcoming the steady progress and achievements Côte d'Ivoire has made in the past months in returning to stabilization, notably by holding parliamentary elections as certified by the Special Representative of the Secretary-General, addressing immediate security challenges, advancing economic recovery and strengthening international and regional cooperation,

Acknowledging the efforts by all the Ivorians to promote national reconciliation and consolidation of peace through dialogue and consultation, encouraging the Dialogue, Truth and Reconciliation Commission to make further progress in this direction and welcoming the assistance of the African Union (AU) and the Economic Community of West African States (ECOWAS) in this regard,

Remaining concerned about the unresolved challenge of security sector reform (SSR) and disarmament, demobilization and reintegration (DDR), as well as the circulation of weapons, which continue to be significant risks to the stability of the country, and welcoming the creation of a DDR and SSR working group by the Ivorian Government and other efforts to address seriously these challenges,

Welcoming the enhanced cooperation of the Ivorian Government with the Group of Experts, originally established pursuant to paragraph 7 of resolution 1584 (2004), during the course of its last mandate renewed by resolution 1980 (2011),

Acknowledging the urgent need for the Ivorian Government to train and equip its security forces, especially the police and gendarmerie with standard policing weapons and ammunition,

Emphasizing the importance of the Ivorian Government to be able to respond proportionately to threats to the security of all citizens in Côte d'Ivoire and calling on the Ivorian Government to ensure that its security forces remain committed to upholding human rights and applicable international law,

Calling on the Ivorian Government to ratify and implement the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Associated Materials,

Expressing concern on the findings of the Group of Experts on the illegal taxations system put in place, increasing criminality throughout the territory and the lack of capacity and resources available for the control of borders,

Recalling its resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) on women, peace and security, its resolutions 1612 (2005), 1882 (2009) and 1998 (2011) on children and armed conflict and its resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflicts,

Reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, condemning all violence committed against civilians, including women, children, internally displaced persons and foreign nationals, and other violations and abuses of human rights, and stressing that the perpetrators must be brought to justice, whether in domestic or international courts, and welcoming the close cooperation of the Ivorian Government with the International Criminal Court in this regard,

Stressing the importance for the Group of Experts to be provided with the sufficient resources for the implementation of its mandate,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

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

1. Decides that the measures on arms and related materiel, previously imposed by paragraphs 7 and 8 of resolution 1572 (2004), are replaced by paragraphs 2, 3 and 4 below and shall no longer apply to the provision of training, advice and expertise related to security and military activities, as well as to the supplies of civilian vehicles to the Ivorian security forces;

2. Decides, for a period ending on 30 April 2013, that all States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire, from their territories or by their nationals, or using their flag vessels or aircraft, of arms and any related materiel, whether or not originating in their territories;

3. Decides that the measures imposed by paragraph 2 above shall not apply to:

a) supplies intended solely for the support of or use by the United Nations Operation in Côte d'Ivoire (UNOCI) and the French forces who support them;

b) supplies of non-lethal military equipment intended solely for humanitarian or protective use, as notified in advance to the Committee established by paragraph 14 of resolution 1572 (2004);

c) supplies of protective clothing, including flak jackets and military helmets, temporarily exported to Côte d'Ivoire by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

d) supplies temporarily exported to Côte d'Ivoire to the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Côte d'Ivoire, as notified in advance to the Committee established by paragraph 14 of resolution 1572 (2004);

e) supplies of non-lethal law enforcement equipment intended to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order, as notified in advance to the Committee established by paragraph 14 of resolution 1572 (2004);

f) supplies of arms and other related lethal equipment to the Ivorian security forces, intended solely for support of or use in the Ivorian process of SSR, as approved in advance by the Committee established by paragraph 14 of resolution 1572 (2004);

4. Decides, for the period referred to in paragraph 2 above, that the Ivorian authorities shall notify in advance to the Committee any shipment of items referred to in paragraph 3 (e) or shall request an approval in advance to the Committee for any shipment of items referred to in paragraph 3 (f) above, stresses the importance that such notifications or requests contain all relevant information, including the purpose of the

use and 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;

5. Urges the Ivorian Government to allow the Group of Experts and UNOCI access to the exempted materiel at the time of import and before the transfer to the end user takes place, stresses that the Ivorian Government shall mark the arms and related materiel when received in the territory of Côte d'Ivoire and maintain a registry of them and expresses its willingness to consider an extension of the notification procedure to all embargo exemptions at the midterm review referred to below in paragraph 7, in accordance with progress achieved in relation to DDR and SSR;

6. Decides to renew until 30 April 2013 the financial and travel measures imposed by paragraphs 9 to 12 of resolution 1572 (2004) and paragraph 12 of resolution 1975 (2011) and further decides to renew until 30 April 2013 the measures preventing the importation by any State of all rough diamonds from Côte d'Ivoire imposed by paragraph 6 of resolution 1643 (2005);

7. Decides to review the measures decided in paragraphs 2, 3, 4 above, in light of the progress achieved in the stabilization throughout the country, by the end of the period mentioned in paragraph 2, and decides further to carry out a midterm review of the measures decided in paragraphs 2, 3, 4 above no later than 31 October 2012, with a view to possibly further modifying all or part of the remaining measures of the sanctions regime, in accordance with progress achieved in relation to DDR and SSR, national reconciliation and the fight against impunity;

8. Calls upon all Member States, in particular those in the subregion, to fully implement the measures mentioned in paragraphs 2 and 6 above, calls also upon UNOCI to lend its full support within its capacities and mandate and further calls upon the French forces to support UNOCI in this regard, within the limits of their deployment and their capabilities;

9. Urges all illegal Ivorian armed combatants, including in neighbouring countries, to lay down their arms immediately, encourages UNOCI, within its mandate and limits of capabilities and areas of deployment, to continue to assist the Ivorian Government in collecting and storing the arms and registering all relevant information related to those arms and further calls upon the Ivorian Government, including the National Commission to fight against the Proliferation and Illicit Traffic of Small Arms and Light Weapons, to ensure that those arms are neutralized or not illegally disseminated, in accordance with the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Associated Materials;

10. Recalls that UNOCI, within the monitoring of the arms embargo, is mandated to collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by para-

graph 7 of resolution 1572 (2004) as amended by paragraphs 1, 2 above, and to dispose of such arms and related materiel as appropriate;

11. Expresses its deep concern about the presence of mercenaries in Côte d'Ivoire, notably from neighbouring countries, and calls upon the authorities of Côte d'Ivoire and Liberia to coordinate their action to solve this issue, encourages UNOCI and the United Nations Mission in Liberia (UNMIL), within their respective mandates, capabilities and areas of deployment, to continue to coordinate closely in assisting respectively the Governments of Côte d'Ivoire and Liberia in monitoring their border, with particular attention to any cross-border movement of combatants or transfer of arms and welcomes further cooperation between the Group of Experts and the Panel of Experts on Liberia appointed pursuant to paragraph 4 of resolution 1854 (2008);

12. Reiterates the necessity for the Ivorian authorities to provide unhindered access to the Group of Experts, as well as UNOCI and the French forces which support it, to equipment, sites and installations referred to in paragraph 2 (a) of resolution 1584 (2005), and to all weapons, ammunition and related materiel of all armed security forces, regardless of location, including the arms issued from the collection referred to in paragraph 9 above, when appropriate without notice, as set out in its resolutions 1739 (2007), 1880 (2009), 1933 (2010), 1962 (2010) and 1980 (2011);

13. Reiterating its commitment to impose targeted measures as expressed in paragraph 10 of resolution 1980 (2011);

14. Requests all States concerned, in particular those in the subregion, to cooperate fully with the Committee, and authorizes the Committee to request whatever further information it may consider necessary;

15. Decides to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 30 April 2013 and requests the Secretary-General to take the necessary measures to support its action;

16. Requests the Group of Experts to submit a midterm report to the Committee by 15 October 2012 and to submit a final report as well as recommendations to the Security Council through the Committee 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 2 above, 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005), paragraph 12 of resolution 1975 (2011) and paragraph 10 of resolution 1980 (2011);

17. Decides that the report of the Group of Experts, as referred to in paragraph 7 (e) of resolution 1727 (2006) may include, as appropriate, any information and recommendations relevant to the Committee's possible additional designation of the individuals and entities described in paragraphs 9 and 11 of resolution 1572 (2004) and paragraph 10 of resolution 1980 (2011) and further recalls the Informal Working Group on General Issues of Sanctions report (S/2006/997) on best practices and



methods, including paragraphs 21, 22 and 23 that discuss possible steps for clarifying methodological standards for monitoring mechanisms;

18. Requests the Secretary-General to communicate as appropriate to the Security Council, through the Committee, information gathered by UNOCI and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

19. Requests also the French Government to communicate as appropriate to the Security Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

20. Requests also the Kimberley Process Certification Scheme to communicate as appropriate to the Security Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d'Ivoire and further decides to renew the exemptions set out by paragraphs 16 and 17 of resolution 1893 (2009) with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process;

21. Urges the Ivorian authorities to create and implement an action plan to enforce the Kimberley Process rules in Côte d'Ivoire and further encourages them to closely work with the Kimberley Process Certification Scheme to conduct a review and assessment of Côte d'Ivoire's internal controls system for trade in rough diamonds and a comprehensive geologic study of Côte d'Ivoire's potential diamond resources and production capacity, with a view to possibly modifying or lifting, as appropriate, the measures imposed by paragraph 6 of resolution 1643 (2005);

22. Calls upon the Ivorian authorities to combat the illegal taxation systems that remain in place, to take the necessary steps to continue to re-establish and reinforce relevant institutions and to continue to deploy customs and border control officials throughout the country, in the North, West and East of the country, asks the Group of Experts to assess the effectiveness of these border measures and control in the region, encourages all neighbouring States to be aware of Ivorian efforts in that regard and encourages UNOCI, within its mandate, to assist the Ivorian authorities in the re-establishment of normal customs and border control operation;

23. Urges all States, relevant United Nations bodies and other organizations and interested parties, to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 2 and 5 above, paragraphs 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005) and paragraph 12 of resolution 1975 (2011), and further requests the Group of Experts to coordinate its activities as appropriate with all political actors;

24. Recalls paragraph 7 of 1960 (2010) and paragraph 9 of 1998 (2011), regarding sexual and gender-based violence and children in armed conflict and welcomes the information-sharing between the Committee and the Special Representative of the Secretary-General for Children and Armed Conflict and for Sexual Violence in Conflict, in accordance with their respective mandates and as appropriate;

25. Decides that the Committee should update its guidelines taking into account paragraphs 1, 2, 3, 4, 5 above, within three months from the date of adoption of this resolution, in order to facilitate the implementation of the measures imposed by this resolution, and keep them under active review as may be necessary;

26. Urges further in this context that all Ivorian parties and all States, particularly those in the region, ensure:

- the safety of the members of the Group of Experts;
- unhindered access by the Group of Experts, in particular to persons, documents and sites in order for the Group of Experts to execute its mandate;

27. Decides to remain actively seized of the matter.

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Op 18 mei 2012 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 6774<sup>e</sup> zitting aangenomen Resolutie 2048 (2012). De Engelse tekst van de resolutie luidt:

### **Resolution 2048 (2012)**

**Adopted by the Security Council at its 6774th meeting, on 18 May 2012**

The Security Council,

Recalling the Statement of its President of 21 April 2012 (S/PRST/2012/15) and the press statements of 12 April and 8 May on the situation in Guinea-Bissau,

Reiterating its strong condemnation of the military coup on 12 April by the military leadership, which undermined the conclusion of the democratic electoral process in Guinea-Bissau, and of the establishment by the coup perpetrators of a “Military Command”,

Recalling the unanimous condemnation of the military coup by the international community, including by the African Union (AU), the Economic Community of West African States (ECOWAS), the Community of Portuguese Speaking Countries (CPLP), the European Union (EU) and the Peacebuilding Commission (PBC),

Taking note of the efforts by the AU, ECOWAS, CPLP and the EU in response to the current crisis and the mediation efforts led by ECOWAS in response to the recent military coup,

Underlining the need for active and close coordination among international partners in order to restore constitutional order and develop a comprehensive strategy of stabilization to support Guinea-Bissau address its political, security and development challenges,

Taking note of the calls by the Government of Guinea-Bissau for a response of the Security Council to the current crisis,

Taking note of the release of interim President Raimundo Pereira, Prime Minister Carlos Gomes Júnior and other detained officials,

Deploring the continued refusal of the “Military Command” to heed the Council’s demands, for the immediate restoration of the constitutional order, the reinstatement of the legitimate democratic Government of Guinea-Bissau and the resumption of the electoral process interrupted by the military coup,

Expressing concern about reports of cases of looting, including of State assets, human rights violations and abuses, including arbitrary detentions, ill treatment during detention, the repression of peaceful demonstrations and the restrictions on the freedom of movement imposed by the “Military Command” on a number of individuals, as noted in the Special Report of the Secretary-General on the situation in Guinea-Bissau (S/2012/280), and underlining that those responsible for such violations and abuses must be held accountable,

Affirming its condemnation of all acts of violence, including against women and children, and stressing the need to prevent violence,

Noting with deep concern the worrying humanitarian situation caused by the coup d’état and its negative impact on the economic activity in the country,

Stressing the importance of Security Sector Reform implementation, including effective and responsible civilian control over the security forces, as a crucial element for long term stability in Guinea-Bissau, as envisaged in the Guinea-Bissau/ECOWAS/CPLP Roadmap and underlining the responsibility of police forces in Guinea-Bissau to protect state institutions and the civilian population,

Deploring the recurrent illegal interference of the military leadership in the political process in Guinea-Bissau and expressing concern that interference of the military in politics and the impact of illicit drug trafficking and organized crime in Guinea-Bissau have significantly hampered efforts to establish rule of law and good governance and tackle impunity and corruption,

Expressing grave concern over the negative impacts of illicit drug trafficking and organized crime on Guinea-Bissau and the subregion,

Expressing deep concern about the possible increase in illicit drug trafficking as a result of the military coup,

Underlining that any lasting solution to instability in Guinea-Bissau should include concrete actions to fight impunity and ensure that those responsible for politically-motivated assassinations and other serious crimes such as illicit drug-trafficking-related activities and breaches of constitutional order are brought to justice,

Further underlining the importance of stability and good governance for durable social and economic development in Guinea-Bissau,

Reaffirming the need to uphold and respect the sovereignty, unity and territorial integrity of Guinea-Bissau,

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

Acting under article 41 of Chapter VII of the Charter of the United Nations,

1. Demands that the Military Command takes immediate steps to restore and respect constitutional order, including a democratic electoral process, by ensuring that all soldiers return to the barracks, and that members of the “Military Command” relinquish their positions of authority;

2. Stresses the need for all national stakeholders and Guinea-Bissau’s international bilateral and multilateral partners to remain committed to the restoration of constitutional order, as affirmed in paragraph 1 above and, in this context, encourages ECOWAS to continue its mediation efforts aimed at the restoration of constitutional order, in close coordination with the United Nations, the AU and CPLP;

3. Requests the Secretary-General to be actively engaged in this process, in order to harmonize the respective positions of international bilateral and multilateral partners, particularly the AU, ECOWAS, CPLP and the EU, and ensure maximum coordination and complementarity of international efforts, with a view to developing a comprehensive integrated strategy with concrete measures aimed at implementing security sector reform, political and economic reforms, combating drug-trafficking and fighting impunity;

#### *Travel ban*

4. Decides that all Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals listed in the annex of this resolution or designated by the Committee

established pursuant to paragraph 9 below, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

5. Decides that the measures imposed by paragraph 4 above shall not apply:

- a) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;
- b) Where entry or transit is necessary for the fulfilment of a judicial process;
- c) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in Guinea-Bissau and stability in the region;

#### *Designation criteria*

6. Decides that the measures contained in paragraph 4 shall apply to the individuals designated by the Committee, pursuant to paragraph 9 (b):

- a) Seeking to prevent the restoration of the constitutional order or taking action that undermines stability in Guinea-Bissau, in particular those who played a leading role in the coup d'état of 12 April 2012 and who aim, through their actions, at undermining the rule of law, curtailing the primacy of civilian power and furthering impunity and instability in the country;
- b) Acting for or on behalf of or at the direction of or otherwise supporting or financing individuals identified in subparagraph (a);

7. Notes that such means of support or financing include, but are not limited to, the proceeds from organized crime, including the illicit cultivation, production and trafficking of narcotic drugs and their precursors originating in and transiting through Guinea-Bissau;

8. Strongly encourages Member States to submit to the Committee names of individuals who meet the criteria set out in paragraph 6 above;

#### *New Sanctions Committee*

9. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein "the Committee"), to undertake to following tasks:

- a) To monitor implementation of the measures imposed in paragraph 4;
- b) To designate those individuals subject to the measures imposed by paragraph 4 and to consider requests for exemptions in accordance with paragraph 5 above;
- c) To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above;

d) To report within thirty days to the Security Council on its work for the first report and thereafter to report as deemed necessary by the Committee;

e) To encourage a dialogue between the Committee and interested Member States and international, regional and subregional organizations, in particular those in the region, including by inviting representatives of such States or organizations to meet with the Committee to discuss implementation of the measures;

f) To seek from all States and international, regional and subregional organizations whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above;

g) To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in this resolution;

10. Calls upon all Member States to report to the Committee within 120 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraph 4;

11. Requests the Secretary-General to submit to the Council an initial report on the implementation of paragraph 1 above within 15 days of the adoption of this resolution, and regular reports, every 90 days thereafter, on the implementation of all its elements, as well as on the humanitarian situation in Guinea-Bissau;

*Commitment to review*

12. Affirms that it shall keep the situation in Guinea-Bissau under continuous review and that it shall be prepared to review the appropriateness of the measures contained in this resolution, including the strengthening through additional measures, such as an embargo on arms and financial measures, modification, suspension or lifting of the measures, as may be needed at any time in light of the progress achieved in the stabilization of the country, the restoration of the constitutional order, in compliance with this resolution;

13. Decides to remain actively seized of the matter.

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**Annex**

*Travel ban*

1. General António INJAI (a.k.a António INDJAI)

Nationality: Guinea-Bissau

Date of birth: 20 January 1955

Place of birth: Encheia, Sector de Bissorá, Região de Oio, Guinea-Bissau

Parentage: Wasna Injai and Quiritche Cofte

Official function: Lieutenant General – Chief of Staff of the Armed Forces

Passport: Diplomatic passport AAID00435

Date of issue: 18.02.2010

Place of issue: Guinea-Bissau

Date of expiry: 18.02.2013

António Injai was personally involved in planning and leading the mutiny of 1 April 2010, culminating with the illegal apprehension of the Prime Minister, Carlo Gomes Junior, and the then Chief of Staff of the Armed Forces, José Zamora Induta; during the 2012 electoral period, in his capacity as Chief of Staff of the Armed Forces, Injai made statements threatening to overthrow the elected authorities and to put an end to the electoral process; António Injai has been involved in the operational planning of the coup d'état of 12 April 2012. In the aftermath of the coup, the first communiqué by the “Military Command” was issued by the Armed Forces General Staff, which is led by General Injai.

2. Major General Mamadu TURE (a.k.a. N'KRUMAH)

Nationality: Guinea-Bissau

Date of birth: 26 April 1947

Official function: Deputy Chief of Staff of the Armed Forces

Passport: Diplomatic passport DA0002186

Date of issue: 30.03.2007

Place of issue: Guinea-Bissau

Date of expiry: 26.08.2013

Member of the “Military Command” which has assumed responsibility for the coup d'état of 12 April 2012.

3. General Estêvão NA MENA

Nationality: Guinea-Bissau

Date of birth: 07 March 1956

Official function: Inspector-General of the Armed Forces

Member of the “Military Command” which has assumed responsibility for the coup d'état of 12 April 2012.

4. Brigadier General Ibraima CAMARÁ (a.k.a. “Papa Camará”)

Nationality: Guinea-Bissau

Date of birth: 11 May 1964

Parentage: Suareba Camará and Sale Queita

Official function: Chief of Staff of the Air Force

Passport: Diplomatic passport AAID00437

Date of issue: 18.02.2010

Place of issue: Guinea-Bissau

Date of expiry: 18.02.2013

Member of the “Military Command” which has assumed responsibility for the coup d'état of 12 April 2012.

5. Lieutenant colonel Daba NAUALNA (a.k.a. Daba Na Walna)

Nationality: Guinea-Bissau

Date of birth: 6 June 1966

Parentage: Samba Nualna and In-Uasne Nanfafe  
 Official function: Spokesperson of the “Military Command”  
 Passport: Passport SA000417  
 Date of issue: 29.10.2003  
 Place of issue: Guinea-Bissau  
 Date of expiry: 10.03.2013

Spokesperson of the “Military Command” which has assumed responsibility for the coup d'état of 12 April 2012.

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Op 25 juli 2012 heeft de Veiligheidsraad van de Verenigde Naties tijdens zijn 6814<sup>e</sup> zitting aangenomen Resolutie 2060 (2012). De Engelse tekst van de resolutie luidt:

### **Resolution 2060 (2012)**

#### **Adopted by the Security Council at its 6814th meeting, on 25 July 2012**

The Security Council,

Reaffirming its previous resolutions and the statements of its President concerning the situation in Somalia, and concerning Eritrea, in particular resolutions 733 (1992), which established an embargo on all delivery of weapons and military equipment to Somalia (hereafter referred to as the “Somalia arms embargo”), and resolution 2036 (2012),

Taking note of the final reports of the Monitoring Group (S/2012/544 and S/2012/545) dated 27 June 2012 submitted pursuant to paragraph 6 (m) of resolution 2002 (2011) and the observations and recommendations contained therein,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, Djibouti and Eritrea respectively,

Urging the Somali Transitional Federal Institutions (TFIs) and all Roadmap signatories to redouble their efforts to fully implement the Roadmap with the support of the United Nations Political Office for Somalia (UNPOS) and the international community, and reiterating that the Transition will not be extended beyond 20 August 2012, in keeping with the Transitional Federal Charter, Djibouti Agreement, Kampala Accord, and subsequent consultative meetings,

Expressing concern at the continued missing of deadlines in the political transition, and noting the primary importance of the transition process, reaffirming the importance of preventing further obstacles to the transition process,



Condemning flows of weapons and ammunition supplies to and through Somalia and Eritrea in violation of the Somalia arms Embargo and the Eritrea arms embargo established pursuant to resolution 1907 (2009) (hereafter referred to as the “Eritrea arms embargo”), as a serious threat to peace and stability in the region,

Deploring all acts of violence, abuses and violations, including sexual and gender-based violence, committed against civilians, including children, in violation of applicable international law, strongly condemning the recruitment of child soldiers, and strongly urging that the Transitional Federal Government (TFG) and its post-transition successors vigorously follow through with the Action Plan on recruitment and use of child soldiers, signed on 3 July 2012, and stressing that the perpetrators must be brought to justice,

Recalling the Informal Working Group on General Issues of Sanctions report (S/2006/997) on best practices and methods, including paragraphs 21, 22 and 23 that discuss possible steps for clarifying methodological standards for monitoring mechanisms,

Reaffirming the need for both the Somali authorities and donors to be mutually accountable and transparent in the allocation of financial resources, by encouraging the application of international standards on fiscal transparency, including through the proposed Joint Financial Management Board, in this context expressing concern at the worrying reports on financial transparency,

Determining that the situation in Somalia, Eritrea’s influence in Somalia, as well as the dispute between Djibouti and Eritrea, continue to constitute a threat to international peace and security in the region,

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

1. Recalls resolution 1844 (2008) which imposed targeted sanctions and resolution 2002 (2011) which expanded the listing criteria, and noting one of the listing criteria under resolution 1844 is engaging in or providing support for acts that threaten the peace, security or stability of Somalia, including acts that threaten the Djibouti Agreement of 18 August 2008 or the political process, or threaten the TFIs and their post-transition successors, or the African Union Mission in Somalia (AMI-SOM) by force;

2. Recalls that engaging in or providing support for acts that threaten the peace, security or stability of Somalia may include, but are not limited to:

- a) Engaging in the direct or indirect export or import of charcoal from Somalia, in line with paragraphs 22 and 23 of resolution 2036 (2012);

- b) Engaging in any non-local commerce via Al-Shabaab controlled ports, which constitutes financial support for a designated entity;
- c) Misappropriating financial resources which undermines the Transitional Federal Institutions' and their post-transition successors' ability to fulfil their obligations in delivering services within the framework of the Djibouti Agreement;
3. Considers that such acts may also include, but are not limited to, engaging in or providing support for acts which obstruct or undermine the transition process in Somalia;
4. Welcomes the recommendation of the Somalia and Eritrea Monitoring Group to set up a Joint Financial Management Board to improve financial management, transparency and accountability of Somalia's public resources, reiterates its call for the end of the misappropriation of financial funds and for full cooperation in the rapid setting up and effective operation of the Joint Financial Management Board, and notes the importance of capacity-building of the relevant Somali institutions;
5. Underscores the importance of humanitarian aid operations, condemns any politicization of humanitarian assistance, or misuse or misappropriation, and calls upon Member States and the United Nations to take all feasible steps to mitigate these aforementioned practices in Somalia;
6. Demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, in accordance with humanitarian principles of impartiality, neutrality, humanity and independence, underlines its concern at the humanitarian situation in Somalia, urges all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and expresses its readiness to apply targeted sanctions against individuals and entities if they meet the listing criteria set out in resolutions 1844 (2008) and 2002 (2011);
7. Decides that for a period of twelve months from the date of this resolution, and without prejudice to humanitarian assistance programmes conducted elsewhere, the obligations imposed on Member States in paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia, by the United Nations, its specialized agencies or programmes, humanitarian organizations having observer status with the United Nations General Assembly that provide humanitarian assistance, and their implementing partners including bilaterally or multilaterally funded NGOs participating in the United Nations Consolidated Appeal for Somalia;
8. Requests the Emergency Relief Coordinator to report to the Security Council by 20 November 2012 and again by 20 July 2013 on the implementation of paragraphs 5, 6 and 7 above and on any impediments to the delivery of humanitarian assistance in Somalia, and re-

quests relevant United Nations agencies and humanitarian organizations having observer status with the United Nations General Assembly and their implementing partners that provide humanitarian assistance in Somalia to increase their cooperation and willingness to share information with the United Nations Humanitarian Aid Coordinator for Somalia in the preparation of such report and in the interests of increasing transparency and accountability by providing information relevant to paragraphs 5, 6 and 7 above;

9. Requests enhanced cooperation, coordination and information sharing between the Monitoring Group and the humanitarian organizations operating in Somalia and neighbouring countries;

10. Decides that measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) shall not apply to supplies of weapons and military equipment, or the provision of assistance, solely for the support of or use by the United Nations Political Office for Somalia, as approved in advance by the Committee established pursuant to resolution 751 (1992);

11. Decides that the Eritrea arms embargo imposed by paragraph 5 of resolution 1907 (2009) shall not apply to protective clothing including flak jackets and military helmets, temporarily exported to Eritrea by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only;

12. Decides also that the measures imposed by paragraph 5 of resolution 1907 (2009) shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Committee;

13. Decides to extend until 25 August 2013 the mandate of the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004), extended by subsequent resolutions including by resolutions 2002 (2011), 2023 (2011) and 2036 (2012), expresses its intent to review the mandate and take appropriate action regarding the further extension no later than 25 July 2013 and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a period of thirteen months from the date of this resolution, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to previous resolutions, including resolution 2002 (2011), and consistent with resolution 1907 (2009), resolution 2023 (2011) and resolution 2036 (2012), this mandate being as follows:

- a) To assist the Committee in monitoring the implementation of the measures imposed in paragraphs 1, 3 and 7 of 1844 (2008), including by reporting any information on violations; to include in its reports to the Committee any information relevant to the potential designation of the individuals and entities described in paragraph 1 above;

b) To assist the Committee in compiling narrative summaries, referred to in paragraph 14 of resolution 1844 (2008), of individuals and entities designated pursuant to paragraph 1 above;

c) To investigate any seaport operations in Somalia that may generate revenue for Al-Shabaab, an entity designated by the Committee for meeting the listing criteria in resolution 1844 (2008);

d) To continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587 (2005), paragraphs 23 (a) to (c) of resolution 1844 (2008), and paragraphs 19 (a) to (d) of resolution 1907 (2009);

e) To investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit violations of the Somalia and Eritrea arms embargoes;

f) To investigate any means of transport, routes, seaports, airports and other facilities used in connection with violations of the Somalia and Eritrea arms embargoes;

g) To continue refining and updating information on the draft list of those individuals and entities that engage in acts described in paragraph 1 above, inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

h) To compile a draft list of those individuals and entities that engage in acts described in paragraphs 15 (a)-(e) of resolution 1907 (2009), inside and outside Eritrea, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

i) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts (S/2003/223 and S/2003/1035) appointed pursuant to resolutions 1425 (2002) and 1474 (2003), and on the previous reports of the Monitoring Group (S/2004/604, S/2005/153, S/2005/625, S/2006/229, S/2006/913, S/2007/436, S/2008/274, S/2008/769, S/2010/91 and S/2011/433) appointed pursuant to resolutions 1519 (2003), 1558 (2004), 1587 (2005), 1630 (2005), 1676 (2006), 1724 (2006), 1766 (2007), 1811 (2008), 1853 (2008), 1916 (2010) and 2002 (2011);

j) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008), and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea;

k) To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the Somalia and Eritrea arms embargoes, as well as the measures

imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008), and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea;

l) To provide to the Council, through the Committee, a midterm briefing within six months of its establishment, and to submit progress reports to the Committee on a monthly basis;

m) To submit, for the Security Council's consideration, through the Committee, two final reports; one focusing on Somalia, the other on Eritrea, covering all the tasks set out above, no later than thirty days prior to the termination of the Monitoring Group's mandate;

14. Further requests the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

15. Requests the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities to consider the recommendations in the reports of the Monitoring Group and recommend to the Council ways to improve the implementation of and compliance with the Somalia and Eritrea arms embargoes, the measures regarding the import and export of charcoal from Somalia, as well as implementation of the targeted measures imposed by paragraphs 1, 3 and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) taking into account paragraph 1 above, in response to continuing violations;

16. Urges all parties and all States, including Eritrea, other States in the region, and the Transitional Federal Government, and its post-transition successor, as well as international, regional and subregional organizations, to ensure cooperation with the Monitoring Group, and ensure the safety of the members of the Monitoring Group, and unhindered access, in particular to persons, documents and sites the Monitoring Group deems relevant to the execution of its mandate;

17. Decides to remain actively seized of the matter.

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#### C. VERTALING

Voor de vertaling van het Handvest, zoals gewijzigd, zie *Trb.* 1987, 113.

#### D. PARLEMENT

Zie *Trb.* 1951, 44.

## E. PARTIJGEGEVENS

Zie de rubrieken E en F van *Trb.* 1951, 44.

Partij	Onder- tekening	Ratificatie	Type <sup>*</sup>	In werking	Opzeg- ging	Buiten werking
Afghanistan		09-11-46	T	19-11-46		
Albanië		14-12-55	T	14-12-55		
Algerije		08-10-62	T	08-10-62		
Andorra		28-07-93	T	28-07-93		
Angola		01-12-76	T	01-12-76		
Antigua en Barbuda		11-11-81	T	11-11-81		
Argentinië	26-06-45	24-09-45	R	24-10-45		
Armenië		02-03-92	T	02-03-92		
Australië	26-06-45	01-11-45	R	01-11-45		
Azerbeidzjan		02-03-92	T	02-03-92		
Bahama's		18-09-73	T	18-09-73		
Bahrein		21-09-71	T	21-09-71		
Bangladesh		17-09-74	T	17-09-74		
Barbados		09-12-66	T	09-12-66		
Belarus	26-06-45	24-10-45	R	24-10-45		
België	26-06-45	27-12-45	R	27-12-45		
Belize		25-09-81	T	25-09-81		
Benin		20-09-60	T	20-09-60		
Bhutan		21-09-71	T	21-09-71		
Bolivia	26-06-45	14-11-45	R	14-11-45		
Bosnië en Herzegovina		22-05-92	T	22-05-92		
Botswana		17-10-66	T	17-10-66		
Brazilië	26-06-45	21-09-45	R	24-10-45		
Brunei		21-09-84	T	21-09-84		
Bulgarije		14-12-55	T	14-12-55		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Burkina Faso		20-09-60	T	20-09-60		
Burundi		18-09-62	T	18-09-62		
Cambodja		14-12-55	T	14-12-55		
Canada	26-06-45	09-11-45	R	09-11-45		
Centraal- Afrikaanse Republiek		20-09-60	T	20-09-60		
Chili	26-06-45	11-10-45	R	24-10-45		
China	26-06-45	28-09-45	R	24-10-45		
Colombia	26-06-45	05-11-45	R	05-11-45		
Comoren		12-11-75	T	12-11-75		
Congo, Democratische Republiek		20-09-60	T	20-09-60		
Congo, Republiek		20-09-60	T	20-09-60		
Costa Rica	26-06-45	02-11-45	R	02-11-45		
Cuba	26-06-45	15-10-45	R	24-10-45		
Cyprus		20-09-60	T	20-09-60		
Denemarken	26-06-45	09-10-45	R	24-10-45		
Djibouti		20-09-77	T	20-09-77		
Dominica		18-12-78	T	18-12-78		
Dominicaanse Republiek	26-06-45	04-09-45	R	24-10-45		
Duitsland		18-09-73	T	18-09-73		
Ecuador	26-06-45	21-12-45	R	21-12-45		
Egypte	26-06-45	22-10-45	R	24-10-45		
El Salvador	26-06-45	26-09-45	R	24-10-45		
Equatoriaal- Guinea		12-11-68	T	12-11-68		
Eritrea		28-05-93	T	28-05-93		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Estland		17-09-91	T	17-09-91		
Ethiopië	26-06-45	13-11-45	R	13-11-45		
Fiji		13-10-70	T	13-10-70		
Filipijnen	26-06-45	11-10-45	R	24-10-45		
Finland		14-12-55	T	14-12-55		
Frankrijk	26-06-45	31-08-45	R	24-10-45		
Gabon		20-09-60	T	20-09-60		
Gambia		21-09-65	T	21-09-65		
Georgië		31-07-92	T	31-07-92		
Ghana		08-03-57	T	08-03-57		
Grenada		17-09-74	T	17-09-74		
Griekenland	26-06-45	25-10-45	R	25-10-45		
Guatemala	26-06-45	21-11-45	R	21-11-45		
Guinee		12-12-58	T	12-12-58		
Guinee-Bissau		17-09-74	T	17-09-74		
Guyana		20-09-66	T	20-09-66		
Haïti	26-06-45	27-09-45	R	24-10-45		
Honduras	26-06-45	17-12-45	R	17-12-45		
Hongarije		14-12-55	T	14-12-55		
Ierland		14-12-55	T	14-12-55		
IJsland		09-11-46	T	19-11-46		
India	26-06-45	30-10-45	R	30-10-45		
Indonesië		28-09-50	T	28-09-50		
Irak	26-06-45	21-12-45	R	21-12-45		
Iran	26-06-45	16-10-45	R	24-10-45		
Israël		11-05-49	T	11-05-49		
Italië		14-12-55	T	14-12-55		
Ivoorkust		20-09-60	T	20-09-60		



Partij	Onder- tekening	Ratificatie	Type <sup>*</sup>	In werking	Opzeg- ging	Buiten werking
Jamaica		18-09-62	T	18-09-62		
Japan		18-12-56	T	18-12-56		
Jemen		30-09-47	T	30-09-47		
Joegoslavië (< 25-06-1991)	26-06-45	19-10-45	R	24-10-45		
Jordanië		14-12-55	T	14-12-55		
Kaapverdië		16-09-75	T	16-09-75		
Kameroen		20-09-60	T	20-09-60		
Kazachstan		02-03-92	T	02-03-92		
Kenia		16-12-63	T	16-12-63		
Kirgistan		02-03-92	T	02-03-92		
Kiribati		14-09-99	T	14-09-99		
Koeweit		14-05-63	T	14-05-63		
Kroatië		22-05-92	T	22-05-92		
Laos		14-12-55	T	14-12-55		
Lesotho		17-10-66	T	17-10-66		
Letland		17-09-91	T	17-09-91		
Libanon	26-06-45	15-10-45	R	24-10-45		
Liberia	26-06-45	02-11-45	R	02-11-45		
Libië		14-12-55	T	14-12-55		
Liechtenstein		18-09-90	T	18-09-90		
Litouwen		17-09-91	T	17-09-91		
Luxemburg	26-06-45	17-10-45	R	24-10-45		
Macedonië, de voormalige Joegoslavische Republiek		08-04-93	T	08-04-93		
Madagaskar		20-09-60	T	20-09-60		
Malawi		01-12-64	T	01-12-64		
Malediven		21-09-65	T	21-09-65		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Maleisië		17-09-57	T	17-09-57		
Mali		28-09-60	T	28-09-60		
Malta		01-12-64	T	01-12-64		
Marokko		12-11-56	T	12-11-56		
Marshall-eilanden		17-09-91	T	17-09-91		
Mauritanië		27-10-61	T	27-10-61		
Mauritius		24-04-68	T	24-04-68		
Mexico	26-06-45	07-11-45	R	07-11-45		
Micronesia		17-09-91	T	17-09-91		
Moldavië		02-03-92	T	02-03-92		
Monaco		28-05-93	T	28-05-93		
Mongolië		27-10-61	T	27-10-61		
Montenegro		28-06-06	T	28-06-06		
Mozambique		16-09-75	T	16-09-75		
Myanmar		19-04-48	T	19-04-48		
Namibië		23-04-90	T	23-04-90		
Nauru		14-09-99	T	14-09-99		
<b>Nederlanden, het Koninkrijk der</b> – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	26-06-45	10-12-45 – – – – – –	R	10-12-45 10-10-10 10-10-10 10-10-10 01-01-86 10-10-10 10-10-10		
Nepal		14-12-55	T	14-12-55		
Nicaragua	26-06-45	06-09-45	R	24-10-45		
Nieuw-Zeeland	26-06-45	19-09-45	R	24-10-45		
Niger		20-09-60	T	20-09-60		
Nigeria		07-10-60	T	07-10-60		

Partij	Onder- tekening	Ratificatie	Type <sup>*</sup>	In werking	Opzeg- ging	Buiten werking
Noord-Korea		17-09-91	T	17-09-91		
Noorwegen	26-06-45	27-11-45	R	27-11-45		
Oekraïne	26-06-45	24-10-45	R	24-10-45		
Oezbekistan		02-03-92	T	02-03-92		
Oman		07-10-71	T	07-10-71		
Oost-Timor		27-09-02	T	27-09-02		
Oostenrijk		14-12-55	T	14-12-55		
Pakistan		30-09-47	T	30-09-47		
Palau		15-12-94	T	15-12-94		
Panama	26-06-45	13-11-45	R	13-11-45		
Papua-Nieuw- Guinea		10-10-75	T	10-10-75		
Paraguay	26-06-45	12-10-45	R	24-10-45		
Peru	26-06-45	31-10-45	R	31-10-45		
Polen	15-10-45	24-10-45	R	24-10-45		
Portugal		14-12-55	T	14-12-55		
Qatar		21-09-71	T	21-09-71		
Roemenië		14-12-55	T	14-12-55		
Russische Federatie	26-06-45	24-10-45	R	24-10-45		
Rwanda		18-09-62	T	18-09-62		
Saint Kitts en Nevis		23-09-83	T	23-09-83		
Saint Lucia		18-09-79	T	18-09-79		
Saint Vincent en de Grenadines		16-09-80	T	16-09-80		
Salomonseilan- den		19-09-78	T	19-09-78		
Samoa		15-12-76	T	15-12-76		
San Marino		02-03-92	T	02-03-92		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Sao Tomé en Principe		16-09-75	T	16-09-75		
Saudi-Arabië	26-06-45	18-10-45	R	24-10-45		
Senegal		28-09-60	T	28-09-60		
Servië		01-11-00	T	01-11-00		
Seychellen		21-09-76	T	21-09-76		
Sierra Leone		27-09-61	T	27-09-61		
Singapore		21-09-65	T	21-09-65		
Slovenië		22-05-92	T	22-05-92		
Slowakije		19-01-93	T	19-01-93		
Somalië		20-09-60	T	20-09-60		
Spanje		14-12-55	T	14-12-55		
Sri Lanka		14-12-55	T	14-12-55		
Sudan		12-11-56	T	12-11-56		
Suriname		04-12-75	T	04-12-75		
Swaziland		24-09-68	T	24-09-68		
Syrië	26-06-45	19-10-45	R	24-10-45		
Tadzjikistan		02-03-92	T	02-03-92		
Tanzania		14-12-61	T	14-12-61		
Thailand		15-12-46	T	16-12-46		
Togo		20-09-60	T	20-09-60		
Tonga		14-09-99	T	14-09-99		
Trinidad en Tobago		18-09-62	T	18-09-62		
Tsjaad		20-09-60	T	20-09-60		
Tsjechië		19-01-93	T	19-01-93		
Tsjechoslowakije (<01-01-1993)	26-06-45	19-10-45	R	24-10-45		
Tunesië		12-11-56	T	12-11-56		

Partij	Ondertekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Turkije	26-06-45	28-09-45	R	24-10-45		
Turkmenistan		02-03-92	T	02-03-92		
Tuvalu		05-09-00	T	05-09-00		
Uganda		25-10-62	T	25-10-62		
Uruguay	26-06-45	18-12-45	R	18-12-45		
Vanuatu		15-09-81	T	15-09-81		
Venezuela	26-06-45	15-11-45	R	15-11-45		
Verenigd Koninkrijk	26-06-45	20-10-45	R	24-10-45		
Verenigde Arabische Emiraten		09-12-71	T	09-12-71		
Verenigde Staten van Amerika	26-06-45	08-08-45	R	24-10-45		
Vietnam		20-09-77	T	20-09-77		
Zambia		01-12-64	T	01-12-64		
Zimbabwe		25-08-80	T	25-08-80		
Zuid-Afrika	26-06-45	07-11-45	R	07-11-45		
Zuid-Korea		17-09-91	T	17-09-91		
Zuid-Sudan		14-07-11	T	14-07-11		
Zweden		09-11-46	T	19-11-46		
Zwitserland		10-09-02	T	10-09-02		

\* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

## Uitbreidingen

### China

Uitgebreid tot	In werking	Buiten werking
Hongkong SAR	01-07-1997	
Macau SAR	20-12-1999	

**Portugal**

Uitgebreid tot	In werking	Buiten werking
Macau (<20-12-1999)	14-12-1955	20-12-1999

**Verenigd Koninkrijk**

Uitgebreid tot	In werking	Buiten werking
Hongkong (< 01-07-1997)	24-10-1945	01-07-1997

**Verenigde Staten van Amerika**

Uitgebreid tot	In werking	Buiten werking
Midway-eiland	17-09-1991	

**Verklaringen, voorbehouden en bezwaren**

Denemarken, 22 juli 2003

In a communication received on 22 July 2003, the Government of Denmark informed the Secretary-General that “[...] Denmark’s ratifications normally include the entire Kingdom of Denmark including the Faroe Islands and Greenland.”

Estland, 8 oktober 1991

In a letter addressed to the Secretary-General on 8 October 1991, the Chairman of the Supreme Council of the Republic of Estonia informed the Secretary-General that “Estonia does not regard itself as party by virtue of the doctrine of treaty succession to any bilateral or multilateral treaties entered into by the U.S.S.R. The Republic of Estonia has begun careful review of multilateral treaties in order to determine those to which it wishes to become a party. In this regard it will act on a case-by-case basis in exercise of its own sovereign right in the name of the Republic of Estonia.”

Griekenland, 20 januari 1995

The Government of the Hellenic Republic declares that the accession of the former Yugoslav Republic of Macedonia to the Conventions deposited with the Secretary-General to which the Hellenic Republic is also a contracting party does not imply recognition of the former Yugoslav Republic of Macedonia by the Hellenic Republic.

This statement shall apply to all Conventions or other international Agreements deposited with the Secretary-General to which the Hellenic Republic and the former Yugoslav Republic of Macedonia are parties.

Letland, 26 februari 1993

Latvia does not regard itself as party by virtue of the doctrine of treaty succession to any bilateral or multilateral treaties entered into by the former USSR.

Litouwen, 23 juni 1995

The Republic of Lithuania was occupied by the USSR on the 15th of June 1940. Many Western countries did not recognize the incorporation of the Republic of Lithuania into the USSR.

Having restored its independence on the 11th of March 1990, the Republic of Lithuania neither is nor can be the successor state of the former USSR. The Republic of Lithuania can not take the responsibility for the treaties concluded by the former USSR, for it neither participated in making those treaties nor influenced them. Therefore the Republic of Lithuania can not take the responsibility for the past treaties concluded by the USSR.

Nieuw-Zeeland, 10 april 2002

Consistent with international law, New Zealand regards all treaty actions as extending to Tokelau as a non-self-governing territory of New Zealand unless express provision to the contrary is included in the relevant treaty instrument.

#### G. INWERKINGTREDING

Zie *Trb.* 1951, 44 en *Trb.* 2011, 57.

#### J. VERWIJZINGEN

Zie, laatstelijk, *Trb.* 2011, 57.

Titel : Statuut van het Internationaal Gerechtshof;  
San Francisco, 26 juni 1945

Laatste *Trb.* : *Trb.* 2012, 128

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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 *negenentwintigste* oktober 2012.

*De Minister van Buitenlandse Zaken,*

U. ROSENTHAL