

**Security Council**

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**Letter dated 31 December 2013 from the Chair of the
Security Council Committee established pursuant to resolution
[1591 \(2005\)](#) concerning the Sudan addressed to the President of
the Security Council**

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution [1591 \(2005\)](#) concerning the Sudan (see annex), which covers the Committee's activities during the period from 1 January to 31 December 2013. The report is submitted in accordance with the note by the President of the Security Council of 29 March 1995 ([S/1995/234](#)).

(Signed) **María Cristina Perceval**

Chair

Security Council Committee established pursuant
to resolution [1591 \(2005\)](#) concerning the Sudan



Annex

Report of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan covers the period from 1 January to 31 December 2013.

2. During the reporting period, the Bureau consisted of María Cristina Perceval (Argentina) as Chair, with the delegations of Australia and Azerbaijan providing the Vice-Chairs. In 2013, the Committee held five informal consultations. The web page of the Committee is available at www.un.org/sc/committees/1591.

II. Background information and activities of the Committee

A. Background information

3. By its resolution 1556 (2004), the Security Council imposed an arms embargo on all non-governmental entities and individuals, including the Janjaweed, operating in the States of North Darfur, South Darfur and West Darfur in the Sudan.

4. By its resolution 1591 (2005), the Council broadened the scope of the arms embargo, with immediate effect, to include all the parties to the N'Djamena Ceasefire Agreement and any other belligerents in the States of North Darfur, South Darfur and West Darfur. By the same resolution, the Council established a Committee to monitor the implementation of the arms embargo and the two additional measures imposed by the resolution, namely, a travel ban and an assets freeze on those individuals designated by the Committee on the basis of the criteria contained in the resolution. The travel ban and the assets freeze entered into effect on 29 April 2005.

5. By its resolution 1591 (2005), the Council also established, for a period of six months, a four-member Panel of Experts to assist the Committee in monitoring the implementation of the arms embargo, travel ban and assets freeze, to report to the Council through the Committee with its findings and recommendations, and to coordinate its activities as appropriate with ongoing operations of the African Union Mission in the Sudan (AMIS). Under the same resolution, the Panel of Experts was also identified as a source of information regarding individuals who might be designated by the Committee as subject to the targeted sanctions.

6. To date, the Council has extended the mandate of the Panel, which was subsequently authorized to comprise five members, 10 times.¹ Following each extension, the Secretary-General appointed individuals to serve on the Panel.²

¹ See Security Council resolutions 1651 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008), 1891 (2009), 1945 (2010), 1982 (2011), 2035 (2012) and 2091 (2013). The current extension of the mandate expires on 17 February 2014.

² See S/2005/428, S/2006/23, S/2006/99, S/2006/301, S/2006/926, S/2007/706, S/2008/48, S/2008/743, S/2009/639, S/2010/140, S/2011/27, S/2011/60, S/2011/96, S/2011/613, S/2011/614, S/2011/658, S/2012/253, S/2012/283 and S/2013/203.

Under its current extension of the original mandate, the Panel is requested to provide monthly updates regarding its activities; report on the implementation and effectiveness of paragraph 10 of resolution 1945 (2010) concerning end user documentation; coordinate its activities as appropriate with the operations of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), which succeeded AMIS, and with international efforts to promote the political process in Darfur; assess in its interim and final reports progress towards reducing violations by all parties of the arms embargo, 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 aforementioned resolutions; provide the Committee, including in coordination with the African Union/United Nations Joint Mediation Support Team, with information on the individuals and entities that met the listing criteria in resolution 1591 (2005); continue to investigate the role of armed, military and political groups in attacks against UNAMID personnel in Darfur.

7. To date, the Panel of Experts has submitted 13 interim/progress reports,³ 6 midterm reports⁴ and 17 monthly updates⁵ to the Committee. The Panel has also submitted nine final reports to the Committee, which were subsequently transmitted by the Chair to the President of the Security Council.⁶

8. By its resolution 1672 (2006), the Council designated four individuals as subject to the travel ban and assets freeze.

9. By its resolution 1769 (2007), the Council decided that UNAMID would monitor whether any arms or related materiel were present in Darfur in violation of the Agreements and the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004). The arms embargo monitoring aspect of the UNAMID mandate was also explicitly referred to in resolutions 1935 (2010), 2003 (2011), 2063 (2012) and 2113 (2013). In that context, in the three latter resolutions, the Council also requested UNAMID to continue to cooperate with the Panel of Experts in order to facilitate the experts' work.

10. By its resolution 1945 (2010), the Council strengthened the enforcement of the arms embargo by clarifying the exemptions to that measure and by making the sale or supply of arms and related materiel to the Sudan not prohibited by the embargo contingent upon the necessary end user documentation.

11. By its resolution 2035 (2012), the Council confirmed that all previous references to North, South and West Darfur shall apply to all the territory of Darfur, including the new States of East and Central Darfur. The Council updated the exemptions to the arms embargo and extended the applicability of the listing criteria set out in resolution 1591 (2005) to entities.

³ Dated 7 October 2005, 15 July 2006, 16 March 2007, 2 July 2007, 27 March 2008, 11 August 2008, 2 March 2009, 25 May 2009, 15 March 2010, 24 May 2010, 30 March 2011, 31 July 2012 and 31 July 2013.

⁴ 14 May 2008, 30 April 2009, 2 July 2010, 24 June 2011, 18 October 2012 and 1 November 2013.

⁵ Dated May, June, July, August, September, October, November and December 2012 and January, April, May, June, July, August, September, October and November 2013.

⁶ The following reports have been published: S/2006/65, S/2006/250, S/2006/795, S/2007/584, S/2008/647, S/2009/562, S/2011/111 and S/2013/79. The final report prepared pursuant to resolutions 1945 (2010) and 1982 (2011) has not yet been published.

12. In several presidential statements and resolutions, the Council expressed its readiness to consider taking action or measures against any party, with reference to elements of the listing criteria in resolution 1591 (2005).⁷

B. Summary of the activities of the Committee

13. Pursuant to paragraph 13 of Security Council resolution 2091 (2013), in which the Council urged all States, in particular those in the region, to report to the Committee on the actions they had taken to implement measures imposed by resolutions 1591 (2005) and 1556 (2004), including imposition of targeted measures, the Committee has to date received one report from a Member State. The report is available on the Committee's web page. A note verbale addressed to all Member States, reminding them to submit their reports, was issued by the Committee on 17 September 2013.

14. In informal consultations on 4 February 2013, the Committee heard a presentation by the Panel of Experts on its final report, which was submitted on 24 January pursuant to resolution 2035 (2012), and discussed the table of recommendations contained in that report. Of the 14 recommendations contained in the report, 5 were addressed to the Committee while the remaining 9 were addressed to the Security Council. The Committee took follow-up action on four of the recommendations. Three of those recommendations were taken into account in resolution 2091 (2013), which was adopted by the Council on 14 February.

15. On 11 March, in follow-up to a recommendation of the Panel of Experts, the Committee approved updates to the existing entries on the list of individuals and entities subject to the travel ban and assets freeze, as well as the corresponding note verbale to all Member States. On 4 September, the Committee further approved updates to one existing entry on the list, also in follow-up to a recommendation of the Panel.

16. Through an exchange of letters dated 19 March and 26 April, respectively, an international organization transmitted for information and comments a list of activities that it planned to undertake in the Sudan, and the Committee provided a response in that regard.

17. On 26 March, in follow-up to another recommendation of the Panel of Experts, the Committee issued a note verbale to all Member States, reminding them of their obligations in relation to the measures imposed in resolution 1591 (2005) with respect to the travel ban and assets freeze.

18. In informal consultations on 17 April, the Committee met with the newly reconstituted Panel of Experts appointed pursuant to resolution 2091 (2013) and discussed its reporting timelines, including the submission of a monthly update to the Committee. The members of the Committee also discussed the Panel's preliminary programme of work, including travel to the Sudan and the region. The Panel also informed the Committee that one of its experts continued to be denied entry into the Sudan. The Committee agreed that the Panel's interim report would be submitted by 31 July and that the midterm briefing would be delivered by 31 October. Some

⁷ S/PRST/2007/41, S/PRST/2008/1, S/PRST/2008/27, S/PRST/2010/24 and resolutions 1769 (2007) and 1828 (2008).

members of the Committee requested the Panel to maintain objectivity in its reporting and described the areas of work on which they wished the Panel to focus.

19. In follow-up to recommendations of the Panel of Experts, on 26 April and 15 May, respectively, the Committee approved a letter to the Permanent Representative of the Sudan to the United Nations on the subject of the Panel's operating environment in the Sudan and also approved three letters to Member States on the subject of the travel ban and assets freeze.

20. In a letter dated 20 June 2013 addressed to the Permanent Representative of the Sudan to the United Nations, the Committee conveyed the updated and agreed terms of reference for a proposed Chair's visit to Khartoum and Darfur, initially envisaged to take place in 2012. By a note verbale dated 25 September, the Permanent Mission of the Sudan to the United Nations expressed its agreement to the visit. It is anticipated that the visit will take place in 2014.

21. In informal consultations on 18 July, the Committee was briefed by the African Union-United Nations Joint Special Representative for Darfur, Head of UNAMID and Joint Chief Mediator, Mohamed ibn Chambas, on the situation in Darfur, the deteriorating security environment and the intertribal clashes. The Joint Special Representative also briefed the Committee on the mediation efforts and the impediments to the Darfur peace process, underlining the importance of the Doha Document for Peace in Darfur and its implementation. He assured the Committee of his readiness to support the work of the Committee and the Panel of Experts.

22. In informal consultations on 16 August, two members of the Panel briefed the Committee on the Panel's interim report. Two other Panel members joined the consultations by means of videoconference to answer any questions. The Committee agreed to take follow-up action on the two recommendations contained in the report.

23. On 16 October, the Committee issued a note verbale to all Member States regarding the risk of the use of military aircraft and certain items in Darfur in violation of the sanctions measure.

24. In informal consultations on 13 November, the Committee heard a midterm briefing by the Panel of Experts. The Panel's written report, which accompanied the midterm briefing, was made available to the Committee on 1 November.

25. During the period under review, in accordance with paragraph 3 (a) (iv) of resolution 1591 (2005), the Chair of the Committee delivered four 90-day reports to the Security Council, in each of which she described the Committee's activities since her previous briefing to the Council. The Chair delivered the 90-day reports in informal consultations of the whole on 7 February, 16 May, 22 August and 20 November. In the most recent report, she also reminded the Council of its previously expressed intention, as reflected in resolution 2091 (2013), to review the state of implementation, including obstacles to full and effective implementation, of the measures imposed in resolution 1591 (2005), with a view to ensuring full compliance.

26. In conducting its work, the Committee continued to apply its guidelines adopted on 23 March 2006 and amended on 27 December 2007. Among other purposes, the guidelines serve to facilitate the implementation of the travel ban and assets freeze imposed by paragraphs 3 (d) and 3 (e) of resolution 1591 (2005), in accordance with paragraph 3 (a) (iii) of the same resolution. In this connection,

however, no requests were received by the Committee either to remove the names of individuals on the consolidated travel ban and assets-freeze list or for exemptions to the targeted sanctions. Updated Committee guidelines were approved by the members on 23 December 2013.

III. Violations and alleged violations of the sanctions regime as reported by the Panel of Experts

27. In its 2013 final report, the Panel of Experts described continued violations of the arms embargo, including offensive military overflights and bombardments, and of international humanitarian law and human rights perpetrated in the Darfur states. The Panel also reported continued attacks against civilians resulting in deaths and displacement and against peacekeeping personnel. Cases of sexual and gender-based violence had reportedly continued. The report provided analysis of the sources of financing of the armed groups and noted that the Government of the Sudan had not yet taken steps to implement the targeted travel and financial sanctions.

28. The Panel described some progress with respect to the implementation of the Doha Document for Peace in Darfur, while noting that some significant aspects remained to be completed. The Panel also provided an overview of the state of the various armed opposition groups operating as members of the Sudanese Revolutionary Front inside Darfur and their continued rejection of the peace process.
