



Security Council

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Letter dated 15 December 2020 from the Chair of the Security Council Committee established pursuant to resolution [1533 \(2004\)](#) concerning the Democratic Republic of the Congo 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 [1533 \(2004\)](#) concerning the Democratic Republic of the Congo, containing an account of the Committee's activities from 1 January to 31 December 2020. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 ([S/1995/234](#)).

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Abdou **Abarry**
Chair

Security Council Committee established pursuant to resolution [1533 \(2004\)](#) concerning the Democratic Republic of the Congo



Report of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo covers the period from 1 January to 31 December 2020.
2. The Bureau of the Committee consisted of Abdou Abarry (Niger) as Chair and representatives of Estonia and Saint Vincent and the Grenadines as Vice-Chairs.

II. Background

3. By its resolution 1493 (2003), the Security Council imposed an arms embargo on all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and Ituri and on groups not party to the Comprehensive and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo. By its resolution 1533 (2004), the Council established the Committee and requested the Secretary-General, in consultation with the Committee, to establish a group of experts to monitor the implementation of the arms embargo. The scope of the embargo was subsequently amended several times; most significantly, by paragraph 2 of its resolution 1807 (2008), the Council determined that the measures on arms no longer applied to the Government of the Democratic Republic of the Congo. By paragraph 3 (a) of the same resolution, the Council also clarified that the measures on arms would not apply to supplies of arms and related materiel and technical training and assistance intended solely for support of or use by the United Nations Organization Mission in the Democratic Republic of the Congo. By paragraph 1 of its resolution 2136 (2014), the Council decided that the measures on arms would not apply to the supply of arms and related materiel, in addition to assistance, advice or training, intended solely for the support of or use by the African Union Regional Task Force. The arms embargo similarly does not apply to supplies of protective clothing or non-lethal military equipment intended solely for humanitarian or protective use.
4. By its resolution 1596 (2005), the Security Council imposed targeted travel and financial measures on individuals and entities designated by the Committee as violating the arms embargo. In subsequent resolutions, the Council gradually expanded the criteria based upon which an individual or entity may be designated for targeted sanctions to include political and military leaders who impede the disarmament process, use children in armed conflict or target children or women in situations of armed conflict.
5. The Group of Experts on the Democratic Republic of the Congo initially consisted of four experts, a number that was increased to five experts by the Security Council in its resolution 1596 (2005) and then again increased to six experts by the Council in its resolution 1952 (2010). The Group's mandate was most recently extended by the Council in its resolution 2528 (2020).
6. Further background information on the Democratic Republic of the Congo sanctions regime can be found in the previous annual reports of the Committee.

III. Summary of the activities of the Committee

7. The Committee held one briefing for regional Member States on 21 February, in addition to conducting its work through written procedures.

8. In the light of the challenges to the Committee's usual procedures posed by the coronavirus disease (COVID-19) pandemic, including the limitations on holding in-person meetings, and in order to ensure the continuity of its work, the members of the Committee agreed, on an exceptional basis, to hold virtual meetings in the form of closed videoconferences, on 22 May, 12 June, 10 July, 4 September, 20 November and 3 December.

9. During the briefing of Member States held on 21 February 2020, the Committee and regional Member States heard a briefing by the Coordinator of the Group of Experts on the main findings contained in the Group's midterm report (S/2019/974), submitted pursuant to paragraph 4 of resolution 2478 (2019).

10. During the closed videoconference held on 22 May, the Committee heard a briefing by the Coordinator of the Group of Experts regarding the Group's final report (S/2020/482), submitted pursuant to paragraph 4 of resolution 2478 (2019), and discussed the findings and recommendations contained therein. At the same meeting, the Committee heard a briefing by the Special Representative of the Secretary-General for Children and Armed Conflict on the situation of children in the Democratic Republic of the Congo.

11. During the closed videoconference held jointly on 12 June with the Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic, the Committees heard a briefing by the Special Representative of the Secretary-General on Sexual Violence in Conflict on the situation in both countries.

12. During the closed videoconference held on 10 July, the Committee and regional Member States heard a briefing by the Coordinator of the Group of Experts on the main findings contained in the Group's final report (S/2020/482), submitted pursuant to paragraph 4 of resolution 2478 (2019).

13. During the closed videoconference held on 4 September, the Committee heard a presentation by the Coordinator of the Group of Experts on the Group's workplan in pursuance of its new mandate, as set forth in resolution 2528 (2020).

14. During the closed videoconference held on 20 November, the Committee heard briefings by several representatives of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, a representative of the Mine Action Service and the Senior Committee Secretary on the arms embargo in the Democratic Republic of the Congo.

15. During the closed videoconference held on 3 December, the Committee heard a briefing by the Coordinator of the Group of Experts regarding the Group's midterm report (S/2020/1283), submitted pursuant to paragraph 4 of resolution 2528 (2020), and discussed the findings and recommendations contained therein.

16. In accordance with paragraph 104 of the annex to the note by the President of the Security Council contained in document S/2017/507, the Committee issued a press release containing a brief summary of the briefing of Member States held on 21 February.

17. During a meeting of the Security Council held on 6 October, and in accordance with paragraph 31 of resolution 2360 (2017), the Chair of the Committee provided to the Security Council an overview of the work of the Committee since the briefing of the Council by his predecessor, Mansour Alotaibi (Kuwait), on 24 July 2019.

18. The Committee sent 48 communications to 24 Member States and other stakeholders with reference to the implementation of the sanctions measures.

19. On 30 January 2020, a press release was published and a note verbale dispatched to Member States and to the permanent observers for States not members of the United Nations, drawing attention to paragraph 103 (b) of the midterm report of the Group of Experts (S/2019/974) submitted pursuant to resolution 2478 (2019).

20. On 24 June 2020, a press release was published to draw attention to paragraph 8 of resolution 1952 (2010) and to the recommendation contained in paragraph 191 (g) of the final report of the Group of Experts (S/2020/482) submitted pursuant to resolution 2478 (2019). On 25 June, a note verbale was dispatched to Member States and to the permanent observers for States not members of the United Nations drawing attention to paragraph 5 of resolution 1807 (2008) and paragraph 11 of the guidelines of the Committee for the conduct of its work, both of which are related to notifications by exporting States to the Committee regarding the provision of military equipment and training to the Democratic Republic of the Congo.

IV. Exemptions

21. Exemptions to the arms embargo are contained in paragraphs 2 and 3 of resolution 1807 (2008).

22. Exemptions to the travel ban are contained in paragraph 10 of resolution 1807 (2008).

23. Exemptions to the asset freeze are contained in paragraph 12 of resolution 1807 (2008).

24. The Committee received 16 arms embargo notifications in pursuance of paragraph 5 of resolution 1807 (2008) and paragraphs 2 and 3 (c) of resolution 2293 (2016), as most recently renewed by resolution 2528 (2020), for the provision of non-lethal military equipment for humanitarian and protective use, technical assistance and training, as well as weapons, ammunition and arms and related materiel, to the Government of the Democratic Republic of the Congo.

V. Sanctions list

25. The criteria for the designation of individuals and entities as subject to the travel ban and asset freeze are set out in paragraph 7 of resolution 2293 (2016), as reaffirmed and expanded in paragraph 2 of resolution 2478 (2019) and as most recently renewed by resolution 2528 (2020). The procedures for requesting listing and delisting are described in the Committee's guidelines for the conduct of its work.

26. On 6 February 2020, the Committee added Seka Baluku (CDi.036) to the list of individuals and entities subject to measures reaffirmed by paragraph 2 of resolution 2360 (2017) (the sanctions list).

27. On 25 February 2020, the Committee agreed to amend the entry of one individual (CDi.016) in the sanctions list.

28. On 10 August 2020, a number of proposed updates to the sanctions list submitted by the Group of Experts were circulated to the Committee, pursuant to paragraph 7 of 2478 (2019). On 19 August, the Committee agreed to updates regarding two individuals and three entities (CDi.029, CDi.030, CDe.001, CDe.007 and CDe.009), while awaiting further responses from Member States in connection with requests sent by the Group of Experts regarding the status of certain listed individuals prior to

updating the list entries of those individuals. On 2 November, the Committee agreed to update the list entry of one individual, following the receipt of further information (CDi.007).

29. At the end of the reporting period, there were 36 individuals and nine entities on the sanctions list of the Committee.

VI. Group of Experts

30. The Committee continued to follow developments on the murder in March 2017 of two members of the Group of Experts and held “informal informals”, on 27 May and 13 November 2020, with the senior official of the United Nations team assisting the Democratic Republic of the Congo with its national investigation.

31. The final report of the Group of Experts, submitted pursuant to paragraph 4 of resolution 2478 (2019), was issued as a document of the Council on 2 June 2020 (S/2020/482).

32. On 20 July, following the adoption by the Security Council of resolution 2528 (2020), the Secretary-General appointed six individuals to the Group of Experts, with expertise in arms (one expert), armed groups (two experts), natural resources and finance (two experts) and humanitarian affairs (one expert) (see S/2020/726). The mandate of the Group will expire on 1 August 2021.

33. On 30 December, in accordance with paragraph 6 (a) of resolution 2360 (2017), as renewed by resolution 2528 (2020), the Group provided confidential information, comprising supporting evidence, on one individual whose acts, in the Group’s view, met the listing criteria delineated in paragraph 7 (g) of resolution 2293 (2016).

34. On 23 November, in accordance with paragraph 4 of resolution 2528 (2020), the Group of Experts provided its midterm report to the Committee, which was transmitted to the Security Council on 23 December 2020 and issued as a document of the Council (S/2020/1283) on the same date.

35. The Group of Experts conducted visits to the Democratic Republic of the Congo (primarily to Kalemie, Kinshasa, Beni, Bunia, Bunyakiri, Bukavu and Uvira, as well as to the Djugu, Fizi, Irumu, Kalehe, Masisi, Mwenga, Rutshuru, Shabunda, Walikale and Walungu territories) and to Rwanda, Switzerland and Uganda. The Group returned to the Democratic Republic of the Congo from 23 November to 23 December.

36. In pursuance of its mandate, the Group of Experts, through the Secretariat, sent 225 letters to 126 Member States, the Security Council, the Committee and international and national entities.

VII. Secretariat administrative and substantive support

37. The Security Council Affairs Division provided substantive and procedural support to the Chair and the members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regime and facilitate the implementation of the sanctions measures. Induction briefings were also provided to incoming members of the Council to familiarize them with the specific issues relevant to the sanctions regime.

38. The Division worked with the Department for General Assembly and Conference Management and the Office of Information and Communications Technology of the Department of Management Strategy, Policy and Compliance to facilitate the conduct of virtual meetings held by the Committee, through a variety of platforms.

39. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 14 December to request the nomination of qualified candidates for the roster of experts. In addition, a note verbale was sent to all Member States on 26 March 2020, notifying them of upcoming vacancies in the Group of Experts and providing information on recruitment timelines, areas of expertise and pertinent requirements. On 23 March, a vacancy announcement was also made available online at careers.un.org.

40. The Division continued to provide support to the Group of Experts, conducting a virtual induction for newly appointed members and assisting in the preparation of the Group's final report, submitted to the Committee in May, and its midterm report, submitted to the Committee in November. While the COVID-19 pandemic restrictions impeded the travel of Group members for much of the year, the Secretariat facilitated travel by Group members to Member States, taking into account World Health Organization guidelines, national travel advisories and other COVID-19 related requirements. The Secretariat also organized a remote workshop on investigative techniques, held from 14 to 16 December, which was focused on investigative methods and tools for experts. In addition, the Secretariat organized training sessions for experts on the use of subscription-based analytical products and programmes, as well as databases and other research tools, to facilitate their monitoring and reporting work.

41. The Secretariat continued to update and maintain the United Nations Security Council Consolidated List and the committee-specific sanctions lists in the six official languages and the three technical formats. Furthermore, the Secretariat implemented improvements concerning the effective utilization of and access to the lists, as well as further developing, in all official languages, the data model approved in 2011 by the Committee pursuant to resolutions [1267 \(1999\)](#), [1989 \(2011\)](#) and [2253 \(2015\)](#) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, as requested by the Council in paragraph 54 of resolution [2368 \(2017\)](#). Since November 2020, the notes verbale notifying Member States about listings on, delistings from and updates to the Consolidated List and the committee-specific sanctions lists have also been made available in Arabic, Chinese and Russian, in addition to English, French and Spanish, in order to facilitate the timely implementation of changes to the relevant lists.